



# City of Ann Arbor

## Formal Minutes

### City Planning Commission

301 E. Huron St.  
Ann Arbor, MI 48104  
<http://a2gov.legistar.com/Calendar.aspx>

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Tuesday, August 3, 2021

7:00 PM

Electronic Meeting

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This meeting will be broadcast live on CTN Cable Channel 16, ATT Channel 99, and online at [a2gov.org/watchCTN](http://a2gov.org/watchCTN)

Please click this URL to join.

<https://a2gov.zoom.us/j/97766341226?pwd=akdzTVllcnBBaGJNSIZJdFpDdGUrdz09>  
Passcode: 882985

Or join by phone: Call: 206-337-9723 or 213-338-8477 or Toll Free 877-853-5247 or 888-788-0099  
Webinar ID: 977 6634 1226

**1. CALL TO ORDER**

*Chair Sarah Mills called the meeting to order at 7:01 PM*

**2. ROLL CALL**

*Planning Manager Brett Lenart called the roll.*

**All members attended the meeting virtually from Ann Arbor, MI.**

**Present** 8 - Mills, Gibb-Randall, Sauve, Abrons, Hammerschmidt, Disch, Clarke, and Wyche

**Absent** 1 - Lee

**3. INTRODUCTIONS**

*Commissioner Donnell Wyche was introduced to the Planning Commission.*

**4. APPROVAL OF AGENDA**

**Moved by Disch, seconded by Wyche, approved unanimously as presented.**

**5. MINUTES OF PREVIOUS MEETING**

- 5-a. [21-1441](#) June 1, 2021 City Planning Commission Meeting Minutes-returning

**Attachments:** 6-1-2021 CPC Minutes.pdf

**Moved by Wyche, seconded by Gibb-Randall, approved  
unanimously as presented and forwarded to the City Council.**

- 5-b. [21-1440](#) July 22, 2021 City Planning Commission Meeting Minutes

**Attachments:** 7-22-2021 CPC Draft Minutes.pdf

**Moved by Wyche, seconded by Gibb-Randall, approved  
unanimously as presented and forwarded to the City Council.**

**6. REPORTS FROM CITY ADMINISTRATION, CITY COUNCIL, PLANNING MANAGER,  
PLANNING COMMISSION OFFICERS AND COMMITTEES, WRITTEN  
COMMUNICATIONS AND PETITIONS**

- 6-a. **City Council**

*Councilmember Lisa Disch reported that the outdoor lighting ordinance  
and the Home Occupation Ordinance were both approved at first reading.*

- 6-b. **Planning Manager**

- 6-c. **Planning Commission Officers and Committees**

*Chair Mills reported that the ORC did meet and reviewed and discussed  
TC1 rezoning and parking regulation changes.*

- 6-d. **Written Communications and Petitions**

- [21-1416](#) Various Communication to the City Planning Commission

**Attachments:** Site Plan Review Thresholds Comments - 8-2-21.pdf,  
COMM1.pdf

**Received and Filed**

**7. PUBLIC COMMENT (Persons may speak for three minutes about an item that is NOT listed as a public hearing on this agenda. Please state your name and address for the record.)**

*PUBLIC COMMENT*

*Kirk Westphal, 3505 Charter Place, Ann Arbor, discussed automobile use in the city relating to parking, suburban style development, and rezoning.*

*Seeing no further callers, Chair Mills closed the Public Comment.*

**8. PUBLIC HEARINGS SCHEDULED FOR NEXT BUSINESS MEETING**

**21-1417** Public Hearings Scheduled for Tuesday, August 17, 2021 Planning Commission Meeting

**Attachments:** 8-17-2021 Notice of Public Hearing.pdf

**Received and Filed**

**9. REGULAR BUSINESS - Project Presentation, Staff Report, Public Hearing and Commission Discussion of Each Item**

**9-a.** **21-1418** 2040 - 2060 West Stadium Boulevard - Site Plan for City Council approval for proposed 2 story commercial building, with approximately 12,711 square feet, with 52 vehicular parking space, and a drive-through, which requires Special Exception Use Permit by the Planning Commission. 2.32-acre site zoned C2B (Business Service) and P (Parking). Staff Recommendation: Approval

**Attachments:** 2060 W. Stadium Staff Rpt 2 Revisions 8-2-21.pdf, 2040 and 2060 W Stadium Blvd Zoning Map.pdf, 2040 and 2060 W Stadium Blvd Aerial Map.pdf, 2040 and 2060 W Stadium Blvd Aerial Map Zoom.pdf, Site Plan-Landscape Plan-Elevations.pdf, Special Exception Use Appl.pdf, ZBA Appl - Si.pdf, WCWRC Rev.pdf, CPO Report.pdf, 2021-06-11 Response Letter.pdf, 2060 W. Stadium - A2Zero Memo.pdf

*Project team present: David Nims, Ted Hirsch, Thomas Covert, David Sass, Sean Havera*

*The project team provided an overview of the proposed project.*

*Staff report presented by Chris Cheng, City of Ann Arbor City Planner.*

**PUBLIC HEARING**

*Kirk Westphal, 3505 Charter Place, Ann Arbor, expressed opposition for the proposed drive-thru.*

*Adam Jaskiewicz, 1430 Las Vegas Drive, Ann Arbor expressed opposition for the proposed drive-thru.*

*Seeing no further callers, Chair Mills closed the Public Hearing.*

**MAIN MOTION**

**Moved by Disch, seconded by Hammerschmidt that the Ann Arbor City Planning Commission, after hearing all interested persons and reviewing all relevant information, finds the petition to substantially meet the standards in Chapter 55 (Unified Development Code), Section 5.29.5 (Special Exceptions), approves the 2060 W. Stadium Special Exception Use for a two lane drive-thru bank facility with the following condition:**

**Approval of the 2060 W. Stadium Site Plan by the City Council. This approval is based on the following findings:**

- 1. Will be consistent with the general objectives of the City Master Plan of commercial uses in the area;**
- 2. The proposed use will be consistent with the C2B (Business Service) District, which provides for commercial and retail activities as well as office uses.**
- 3. The proposed use will not adversely impact traffic, pedestrians, bicyclists, circulation, or road intersections based on the location. The proposed use is consistent with other surrounding uses' traffic impact.**

**Moved by Wyche, seconded by Sauve, to separate the main motion into two motions; the Special Exception Use and the Site Plan.**

**On a roll call vote, the vote was as follows with the Chair declaring the motion to separate the main motion into two motions (the Special Exception Use and the Site Plan) approved.**

**Yeas:** 8 - Sarah Mills, Shannan Gibb-Randall, Elizabeth Sauve, Ellie Abrons, Sara Hammerschmidt, Lisa Disch, Sadira Clarke, and Donnell Wyche

**Nays:** 0

**Absent:** 1 - Wonwoo Lee

**Moved by Hammerschmidt, seconded by Gibb-Randall to postpone decision on the 2060 W. Stadium Special Exception Use and Site Plan to September 21, 2021**

**On a roll call vote, the vote was as follows with the Chair declaring the motion to postpone approved.**

**Yeas:** 8 - Sarah Mills, Shannan Gibb-Randall, Elizabeth Sauve, Ellie Abrons, Sara Hammerschmidt, Lisa Disch, Sadira Clarke, and Donnell Wyche

**Nays:** 0

**Absent:** 1 - Wonwoo Lee

- 9-b.**      [21-1419](#)      3850 - 3860 Research Park Drive - Site Plan and Special Exception Use Permit for a Marijuana Provisioning Center/Retailer by issuance of a Special Exception Use Permit, and the addition of an outdoor patio to courtyard of existing hotel. 3.47-acre site zoned RE (Research). Staff Recommendation: Approval

**Attachments:**      3850 3860 Research Park Staff Rpt.pdf, Staybridge Site Plan.pdf, 3850 Research Park Courtyard.pdf, Elevations.pdf, 3860 Research Park Floor Plan.pdf, Minutes of the Informational Meeting.pdf, Special Exception Use Appl.pdf, Tradewinds Business Plan.pdf, 3850 and 3860 Research Park Dr Aerial Map Zoom.pdf, 3850 and 3860 Research Park Dr Aerial Map.pdf, 5-6-2015 Staff Report.pdf

*Travis Copenhaver, representing the proposed project provided an overview of the proposed project.*

*Staff report presented by Chris Cheng, City of Ann Arbor City Planner.*

**PUBLIC HEARING**

*Seeing no callers, Chair Mills closed the Public Hearing.*

### **MAIN MOTION**

**Moved by Gibb-Randall, seconded by Sauve, that the Ann Arbor City Planning Commission hereby approves the Staybridge Suites Site Plan located at 3850 Research Park Drive.**

### **AND THAT**

**The Ann Arbor City Planning Commission, after hearing all interested persons and reviewing all relevant information, including an accompanying site plan, finds the 3860 petition substantially meet the standards in Chapter 55 (Unified Development Code), Section 5.29.5 (Special Exceptions) and Section 5.16.3G (Regulations Concerning Medical Use of Marijuana), and therefore approves the 3860 Research Park Drive Special Exception Use for a medical marijuana Provisioning Center. This approval is based on the following findings:**

- 1. The proposed use will be consistent with the C2B (Business Service) District, which provides for commercial and retail activities as well as office and residential uses.**
- 2. The proposed use will not adversely impact traffic, pedestrians, bicyclists, circulation, or road intersections based on the location. Both S. State Street and Research Park Drive provides adequate access to the site, and the proposed use is consistent with other surrounding uses' traffic impact.**
- 3. Through documentation submitted by the petitioner regarding waste disposal, inventory tracking, security, and other methods of operation of the facility, the provisioning center will be operated in a manner that will not have an adverse impact on the neighboring properties or area, and will not have a detrimental impact on natural features.**

**This Special Exception Use approval is based on the following conditions:**

- 1. The petitioner obtaining and maintaining both a State of Michigan Marijuana License and a City of Ann Arbor Marijuana Permit, and providing documentation to Planning Services within three years of the City Planning Commission approval date of this petition.**

2. The petitioner operating a marijuana provisioning center/retailer business at this address within three years of the City Planning Commission approval date of this petition.

3. The petitioner will maintain the operating hours of 9:00 am to 9:00 pm Monday thru Saturday and 12:00 pm to 7:00 p.m Sunday.

4. The special exception use may occupy no more than 4,500 sq feet of the 9,120 sq foot building located at 3860 Research Park Drive. And that the Ann Arbor Planning Commission approves the attached Site Plan which demonstrates compliance with the applicable Special Exception Use standards.

#### **AMENDMENT TO MAIN MOTION**

Moved by Gibb-Randall, seconded by Disch, to add a condition to the Special Exception use approval that the site plan be modified to include:

- Relocation of a sidewalk to connect to State Street from the south
- To screen utilities
- Improve the west facade
- Lighting to be compliant with current draft of the Dark Skies Ordinance
- Improved pedestrian circulation
- Solid Waste compliance with site plan
- Enhance plaza area to the satisfaction of Planning Manager

#### **VOTE ON AMENDMENT TO MAIN MOTION**

On a roll call vote, the vote was as follows with the Chair declaring the Amendment to the Main Motion approved.

**Yeas:** 8 - Sarah Mills, Shannan Gibb-Randall, Elizabeth Sauve, Ellie Abrons, Sara Hammerschmidt, Lisa Disch, Sadira Clarke, and Donnell Wyche

**Nays:** 0

**Absent:** 1 - Wonwoo Lee

#### **VOTE ON MAIN MOTION**

On a roll call vote, the vote was as follows with the Chair declaring

**the Main Motion approved as amended.**

- 9-c.**      [21-1412](#)      Site Plan Review Thresholds for City Council Approval -- An Ordinance to Amend Section 5.29.6 of Chapter 55 (Unified Development Code) of Title V of the Code of the City of Ann Arbor. Staff Recommendation: Approval

**Attachments:**      Staff Report 8-03-21 Site Plan Thresholds .pdf, Council Resolution Report.pdf, Site Plan Ordinance 8-3.pdf, Site Plan Review Standards CPC Resolution.pdf

*Staff report presented by Matt Kowalski, City of Ann Arbor City Planner.*

*PUBLIC HEARING*

*Teresa Angelini, 1350 Beechwood Drive, Ann Arbor, expressed support for the proposed amendments.*

*Kirk Westphal, 3505 Charter Place, Ann Arbor, expressed support for the proposed amendments, sought clarification some areas.*

*Seeing no further callers, Chair Mills closed the Public Hearing.*

**Moved by Sauve, seconded by Wyche, that the Ann Arbor City Planning Commission hereby recommends that the Mayor and City Council approve amendments to Chapter 55 Unified Development Code, to amend Sections 5.29.6 related to Site Plan Review and Approval Standards.**

**Moved by Wyche, seconded by Gibb-Randall, to postpone decision on Site Plan Review Thresholds for City Council Approval to the September 8, 2021 Planning Commission Meeting.**

**On a roll call vote, the vote was as follows with the Chair declaring the motion to postpone approved.**

**Yeas:**    8 -    Sarah Mills, Shannan Gibb-Randall, Elizabeth Sauve, Ellie Abrons, Sara Hammerschmidt, Lisa Disch, Sadira Clarke, and Donnell Wyche

**Nays:**    0

**Absent:**   1 -    Wonwoo Lee

**Moved by Sauve, seconded by Hammerschmidt, to continue the meeting and take up the remaining agenda items after 11:00 PM**



**On a roll call vote, the vote was as follows with the Chair declaring the motion approved.**

**Yeas:** 7 - Sarah Mills, Shannan Gibb-Randall, Elizabeth Sauve, Ellie Abrons, Sara Hammerschmidt, Sadira Clarke, and Donnell Wyche

**Nays:** 1 - Lisa Disch

**Absent:** 1 - Wonwoo Lee

**10. OTHER BUSINESS**

**10-a [21-1420](#) Review of By-Laws**

**Attachments:** CPC By-Laws Staff Report - 7-22-21.pdf, Proposed Bylaws Planning Commission-7-22-21.pdf

**Moved by Wyche, seconded by Gibb-Randall, top approve the By-Laws as presented.**

**On a roll call vote, the vote was as follows:**

**Yeas:** 8 - Sarah Mills, Shannan Gibb-Randall, Elizabeth Sauve, Ellie Abrons, Sara Hammerschmidt, Lisa Disch, Sadira Clarke, and Donnell Wyche

**Nays:** 0

**Absent:** 1 - Wonwoo Lee

**10-b. Election of Officers**

**Moved by Wyche, seconded by Hammerschmidt to elect the following Planning Commission members into the following officer positions:**

- Sarah Mills - Chair**
- Vice Chair - Shannan Gibb-Randall**
- Ellie Abrons - Secretary**

**Election of Officers**

**On a roll call vote, the vote was as follows with the Chair declaring the motion approved.**

**Yeas:** 8 - Sarah Mills, Shannan Gibb-Randall, Elizabeth Sauve, Ellie Abrons, Sara Hammerschmidt, Lisa Disch, Sadira Clarke, and Donnell Wyche

**Nays:** 0

**Absent:** 1 - Wonwoo Lee

**11. PUBLIC COMMENT (Persons may speak for three minutes on any item)**

*PUBLIC COMMENT*

*Kirk Westphal, 3505 Charter Place, Ann Arbor, discussed potential moratoriums, amendments for parking maximums relating to proposed development before the TC1 zoning districts are approved.*

*Seeing no further callers, Chair Mills closed the Public Comment.*

**12. COMMISSION PROPOSED BUSINESS**

*Chair Mills discussed including facade regulations along corridors and options for proposed rezoned areas relatign to TC1 zoning.*

**13. ADJOURNMENT**

**Moved by Sauve, seconded by Gibb-Randall, unanimously adjourned at 11:29 PM**

**Unanimously adjourned.**

**Yeas:** 8 - Sarah Mills, Shannan Gibb-Randall, Elizabeth Sauve, Ellie Abrons, Sara Hammerschmidt, Lisa Disch, Sadira Clarke, and Donnell Wyche

**Nays:** 0

**Absent:** 1 - Wonwoo Lee

Sarah Mills, Chairperson  
/mg

eComments for the Commission may be left via our Legistar calendar page (column to the very right)  
<http://a2gov.legistar.com/Calendar.aspx>

Commission public meetings are held the first and third Tuesday of each month. Both of these meetings provide opportunities for the public to address the Commission. All persons are encouraged to participate in public meetings. Citizens requiring translation or sign language services or other reasonable accommodations may contact the City Clerk's office at 734.794.6140; via e-mail to: [cityclerk@a2gov.org](mailto:cityclerk@a2gov.org) ; or by written request addressed and mailed to: City Clerk's Office, 301 E. Huron St., Ann Arbor, MI 48104. Requests need to be received at least two (2) business days in advance of the meeting. Planning Commission meeting agendas and packets are available from the Legislative Information Center on the City Clerk's page of the City's website (<http://a2gov.legistar.com/Calendar.aspx> ). Agendas and packets are also sent to subscribers of the City's email notification service, GovDelivery. You can subscribe to this free service by accessing the City's website and clicking on the 'Subscribe to Updates' envelope on the home page.

(If an agenda item is postponed, it will most likely be rescheduled to a future date. If you would like to be notified when a postponed agenda item will appear on a future agenda please contact Planning staff. You may also call Planning and Development Services at 734-794-6265 during office hours to obtain additional information about the review schedule or visit the Planning page on the City's website ([www.a2gov.org](http://www.a2gov.org))

(Public Hearings: Individuals may speak for three minutes. Please state your name and address for the record.) Comments about a proposed project are most constructive when they relate to: (1) City Code requirements and land use regulations, (2) consistency with the City Master Plan, or (3) additional information about the area around the petitioner's property and the extent to which a proposed project may positively or negatively affect the area.)

These meetings are typically broadcast on Ann Arbor Community Television Network Comcast 16 / AT&T 99 live at 7:00 p.m. on the first and third Tuesdays of the month and replayed the following Saturdays at 8:00 PM. Recent meetings can also be streamed online from the CTN Video On Demand page of the City's website <https://a2gov.org/watchctn> . The complete record of this meeting is available in video format at <https://a2gov.org/watchctn>, or is available for a nominal fee by contacting CTN at (734) 794-6150