



City of Ann Arbor

Formal Minutes - Draft

City Planning Commission

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

Tuesday, October 1, 2024

7:00 PM

Larcom City Hall, 301 E Huron St, Second floor, City Council Chambers

This meeting will be broadcast live on CTN Cable Channel 16, ATT Channel 99, and online at a2gov.org/watchCTN

To speak at public comment call 206-337-9723 or 213-338-8477 or Toll Free 877-853-5247 or 888-788-0099 Enter Meeting ID: 977 6634 1226

1. CALL TO ORDER

Chair Lee called the meeting to order at 7:00 pm in the City of Ann Arbor Council Chambers.

2. ROLL CALL

Deputy Planning Manager Kelley called the roll

Present 7 - Mills, Hammerschmidt, Disch, Lee, Wyche, Adams, and Norton

Absent 2 - Abrons, and Weatherbee

Others present:

Deputy Planning Manager Hank Kelley

Principal Planner Alexis DiLeo

Associate Planner Julia Shake

3. APPROVAL OF AGENDA

Moved by Commissioner Wyche seconded by Commissioner Adams.

On a voice vote, the motion was carried unanimously by all present.

4. APPROVAL OF MINUTES OF PREVIOUS MEETINGS

4-a. 24-1708 September 4, 2024 City Planning Commission Meeting Minutes

Attachments: 2024-09-04 CPC Meeting Minutes.pdf

Moved by Commissioner Norton and seconded by Commissioner Disch to table the September 4, 2024 City Planning Commission meeting minutes.

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

5-a. City Council

Councilmember Disch reported:

There was a second reading of the Vehicular Use Area Amendment and there were two rezonings of recent annexations.

5-b. Planning Manager

Deputy Planning Manager Kelley reported:

-We have hired a new City Planner. Michelle Bennett will be joining Planning Services on October 7, 2024. While working for us Ms. Bennett will assist with comprehensive plan work; implementation and communication to public.

-On October 23, 2024 Planning staff will host a Comprehensive Plan Workshop at the downtown library, more details will be shared at a later date.

-There have been two recent meetings regarding the Comprehensive Plan, the Steering Committee met on September 18, 2024 and the Comprehensive Plan Subcommittee met on September 24, 2024.

-Noted that there was a Capital Improvement Plan update in today's agenda packet.

-Planning Services staff attended a conference hosted by the Michigan Planning Association. Ms. Kelley asked the staff members and commissioners who attended to share some updates and key takeaways.

5-c. Planning Commission Officers and Committees

None.

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

24-1709

Attachments: Aldridge.Objection to Scio Church Development Proposal SP24-0007.pdf, Benson.Objection to Scio Church Development Proposal SP24-0007.pdf, Chen.Objection to Scio Church Development Proposal SP24-0007.pdf, Claypool email.pdf, Claypool followup email.pdf, Collins email Drury Hotel.pdf, Dawson.Objection to Scio Church Development Proposal SP24-0007.pdf, Goodman email RMI Report on Urban Land Use Reform.pdf, Kazis Comprehensive Plan Comments.pdf, McGinn Objection to Scio Church Development Proposal SP24-0007.pdf, Strowe email New Procedures for Development Proposals.pdf

Received and filed.

24-1718 CIP Status Update

Attachments: CIP_Asset Group Naming and Scoring Updates_Memo.pdf, Attachment A - CIP Scoring Criteria 2024 Update.pdf

6. 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.)

Ken Garber, 28 Haverhill Court, noted that Michigan amended the Brownfield Redevelopment Financing Act to expand the use of tax increment financing (TIF) to housing developments.

Seeing no additional speakers Chair Lee closed the Public Comment.

7. PUBLIC HEARINGS SCHEDULED FOR NEXT REGULAR MEETING

7-a. 24-1711 No Public Hearings Scheduled for Wednesday, October 16, 2024, Planning Commission Meeting

8. UNFINISHED BUSINESS

None.

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

9-a. [24-1712](#) 900 Briarwood Circle Site Plan for Planning Commission Action (SP24-0008) - Staff recommendation: Table

Attachments: 900 Briarwood Cir Aerial Map Zoom.pdf, 900 Briarwood Cir Zoning Map.pdf

STAFF PRESENTATION:

Principal Planner Alexis DiLeo presented the proposed request.

PUBLIC HEARING:

Ken Garber, 28 Haverhill Court, asked if there will be a public hearing when this item returns to the Planning Commission. Mr. Garber also noted that he supports the project. He urges the developers to consider electrification of other elements of project.

Moved by Commissioner Adams seconded by Commissioner Mills that:

The Ann Arbor City Planning Commission table the 900 Briarwood Site Plan for Planning Commission Action (SP24-0008).

The Commission took into consideration the proposed request and discussed the matter. [For a complete record of the discussion, please see available video format.]

On a roll call vote the vote was as follows with Deputy Planning Manager Kelley declaring the motion to table carried. Vote 7-0.

Yeas: 7 - Sarah Mills, Sara Hammerschmidt, Lisa Disch, Wonwoo Lee, Donnell Wyche, Daniel Adams, and Richard Norton

Nays: 0

Absent: 2 - Ellie Abrons, and Julie Weatherbee

9-b. [24-1714](#) Amendment to Chapter 55, Unified Development Code, Section 5.15, Permitted Use Tables, and Section 5.16, Use Specific Standards: A proposed amendment to Section 5.15 (Permitted Use Tables) and Section

5.16 (Use Specific Standards) to allow Child Care Center and Private School uses in more zoning districts.

Attachments: Staff Report Private Schools and Child Care (10-01-2024).pdf, Ordinance 2024-10-01 (Child Care Center and Private School).pdf, Child Care and Private School Chapter Text Amendment Request.pdf, ORC Staff Memo 2024-08-27 (Childcare and Private Schools).pdf, Child Care Centers Map.pdf, Private Schools Map.pdf

Chair Lee recused himself from the meeting noting his company's involvement in the project.

Vice Chair Wyche took over chairing the meeting.

PROJECT/PRESENTATION:

Winston Chester, Oxford Communities, presented the proposed request.

STAFF PRESENTATION:

Associate Planner Julia Shake presented the staff report for the proposed request.

PUBLIC HEARING:

Ken Garber, 28 Haverhill Court, asked to what extent are neighbors noticed and if neighbors will have a chance to share their input if this is made a primary use in R1 and R2 districts.

Seeing no additional speakers Vice Chair Wyche closed the Public Hearing.

Moved by Commissioner Mills seconded by Councilmember Disch that:

The Ann Arbor City Planning Commission hereby recommends that the Mayor and City Council approve the following amendments to Chapter 55, Unified Development Code:

- **Section 5.15 Primary Use Tables to allow Private School uses as special exception uses in the R (Research) and ORL (Office/Research/Limited Light Industrial) zoning districts.**
- **Section 5.15 Primary Use Tables to allow Child Care Center uses**

as permitted uses in the R1 (all) (Single Family Dwelling), R2A (Two-Family Dwelling), R2B (Two-Family Dwelling and Student Housing), RE (Research), and ORL (Office/Research/Limited Light Industrial) zoning districts.

• Section 5.16 Use Specific Standards to alter the specifications for Child Care Center uses.

The Commission took into consideration the proposed request and discussed the matter. [For a complete record of the discussion, please see available video format].

On a roll call vote the vote was as follows with Deputy Planning Manager Kelley declaring the motion carried. Vote 6-0.

Yeas: 6 - Sarah Mills, Sara Hammerschmidt, Lisa Disch, Donnell Wyche, Daniel Adams, and Richard Norton

Nays: 0

Absent: 2 - Ellie Abrons, and Julie Weatherbee

Recused: 1 - Wonwoo Lee

9-c. [24-1715](#) Amendment to Unified Development Code related to Fences (Section 5.26): A proposed amendment to Section 5.26 (Fences) to revise the standards for fences in residential and nonresidential districts. Staff Recommendation: Approval

Attachments: CPC Staff Report 2024-10-1 (Foxtrot-Fences).pdf, Ordinance (UDC-Foxtrot).pdf, ORC Staff Memo 2024-08-27 (Fences).pdf

Chair Lee reentered the meeting and resumed chairing.

STAFF PRESENTATION:

Principal Planner Alexis DiLeo presented the staff report for the proposed request.

PUBLIC HEARING:

Seeing no speakers Chair Lee closed the Public Hearing.

Moved by Commissioner Wyche seconded by Commissioner Mills that:

The Ann Arbor City Planning Commission hereby recommends that the Mayor and City Council approve the amendments to Chapter 55 Unified Development Code as proposed in the attached draft ordinance and generally described as changing and reorganizing the standards for fences in residential and nonresidential districts provided in Section 5.26.2.

The Commission took into consideration the proposed request and discussed the matter. [For a complete record of the discussion, please see available video format].

A friendly amendment was moved by Commissioner Norton seconded by Commissioner Mills to revise the motion to say as discussed at the table and adjusted by staff to reflect the issues raised.

The Commission took into consideration the proposed request and discussed the matter. [For a complete record of the discussion, please see available video format].

On a voice vote the vote was as follows with the Chair declaring the motion to amend carried. Vote 7-0.

Yeas: 7 - Sarah Mills, Sara Hammerschmidt, Lisa Disch, Wonwoo Lee, Donnell Wyche, Daniel Adams, and Richard Norton

Nays: 0

Absent: 2 - Ellie Abrons, and Julie Weatherbee

Moved by Commissioner Wyche seconded by Commissioner Mills that:

The Ann Arbor City Planning Commission hereby recommends that the Mayor and City Council approve the amendments to Chapter 55 Unified Development Code as discussed by the Planning Commission at its October 1, 2024 meeting as adjusted by staff accordingly, and generally described as changing and reorganizing the standards for fences in residential and nonresidential districts provided in Section 5.26.2.

On a roll call vote the vote was as follows with Deputy Planning Manager Kelley declaring the motion carried as amended. Vote 7:0.

Yeas: 7 - Sarah Mills, Sara Hammerschmidt, Lisa Disch, Wonwoo Lee, Donnell Wyche, Daniel Adams, and Richard Norton

Nays: 0

Absent: 2 - Ellie Abrons, and Julie Weatherbee

- 9-d. [24-1716](#) Amendment to Unified Development Code related to Reimbursements and Reductions (Section 5.28.1): A proposed amendment to Section 5.28.1.E (Reimbursements and Reductions) to revise the reimbursement formula for developments that provide affordable housing dwelling units. Staff Recommendation: Approval

Attachments: CPC Staff Report 2024-10-1 (Foxtrot-Reimbursement).pdf, Ordinance (UDC-Foxtrot).pdf, ORC Staff Memo 2024-08-27 (Fee Reimbursements).pdf

Chair Lee recused himself from the meeting noting his company's involvement in the project.

Vice Chair Wyche took over chairing the meeting.

STAFF PRESENTATION:

Principal Planner Alexis DiLeo presented the staff report for the proposed request.

PUBLIC HEARING:

Ken Garber, 28 Haverhill Court, asked how much of an incentive is this to provide affordable housing?

Seeing no additional speakers Vice Chair Wyche closed the Public Hearing.

Moved by Commissioner Hammerschmidt seconded by Commissioner Mills that:

The Ann Arbor City Planning Commission hereby recommends that the Mayor and City Council approve the amendments to Chapter 55 Unified Development Code as proposed in the attached draft ordinance and generally described as revising the reimbursement formula for developments that provide affordable housing provided in Section 5.28.1.E.

The Commission took into consideration the proposed request and discussed the matter. [For a complete record of the discussion, please see the available video format.]

On a roll call, the vote was as follows with Deputy Planning Manager Kelley declaring the motion carried. Vote 6:0.

Yeas: 6 - Sarah Mills, Sara Hammerschmidt, Lisa Disch, Donnell Wyche, Daniel Adams, and Richard Norton

Nays: 0

Absent: 2 - Ellie Abrons, and Julie Weatherbee

Recused: 1 - Wonwoo Lee

- 9-e. [24-1717](#) Amendment to Unified Development Code related to Public and Private/Franchise Utilities: A proposed amendment to Section 5.37.2 Specific Terms to revise the definition of “public utility” and add the term and definition of “private or franchise utility.” Staff Recommendation: Approval

Attachments: CPC Staff Report 2024-10-1 (Foxtrot-Utilities).pdf, Ordinance (UDC-Foxtrot).pdf, ORC Staff Memo 2024-08-27 (Public Utility Definition).pdf

Chair Lee reentered the meeting and resumed chairing.

STAFF PRESENTATION:

Principal Planner Alexis DiLeo presented the proposed staff report for the request.

PUBLIC HEARING:

Ken Garber, 28 Haverhill Court, supports the differentiation of private and public utilities and urges the Planning Commission to approve this amendment.

Seeing no additional speakers Chair Lee closed the Public Hearing.

Moved by Commissioner Mills seconded by Councilmember Disch that:

The Ann Arbor City Planning Commission hereby recommends that the Mayor and City Council approve the amendments to Chapter 55

Unified Development Code as proposed in the attached draft ordinance and generally described as revising the definition of public utility and adding a definition for private or franchise utility as provided in Section 5.37.2.

The Commission took into consideration the proposed request and discussed the matter. [For a complete record of the discussion, please see the available video format.]

A friendly amendment was made moved by Commissioner Mills seconded by Commissioner Hammerschmidt to amend the proposed motion to include staff review of references throughout the Unified Development Code to ensure consistency.

The Commission took into consideration the proposed request and discussed the matter. [For a complete record of the discussion, please see the available video format.]

On a voice vote the vote was as follows with the Chair declaring the motion to amend carried. Vote 7-0.

Yeas: 7 - Sarah Mills, Sara Hammerschmidt, Lisa Disch, Wonwoo Lee, Donnell Wyche, Daniel Adams, and Richard Norton

Nays: 0

Absent: 2 - Ellie Abrons, and Julie Weatherbee

Moved by Commissioner Mills seconded by Councilmember Disch that

The Ann Arbor City Planning Commission hereby recommends that the Mayor and City Council approve the amendments to Chapter 55 Unified Development Code as proposed in the attached draft ordinance and generally described as revising the definition of public utility and adding a definition for private or franchise utility as provided in Section 5.37.2, and including a staff review of references throughout the Unified Development Code to ensure consistency.

On a roll call vote the vote was as follows with Deputy Planning Manager Kelley declaring the motion carried as amended. Vote 7:0.

Yeas: 7 - Sarah Mills, Sara Hammerschmidt, Lisa Disch, Wonwoo Lee, Donnell Wyche, Daniel Adams, and Richard Norton

Nays: 0

Absent: 2 - Ellie Abrons, and Julie Weatherbee

10. OTHER BUSINESS

None.

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

Seeing no speakers at this time Chair Lee closed the Public Comment.

12. COMMISSION PROPOSED BUSINESS

Chair Lee made reference to Mr. Garber's earlier comment regarding Tax Increment Financing (TIFs). He explained that the Brownfield Committee at the county level has the ability to evaluate TIFs, noting that TIFs are "but for" projects, meaning that the project could not proceed but for assistance through the financing.

Deputy Planning Manager Kelley additionally shared that the Planning Commission role for TIFs will simply be awareness of their association with a given petition. Brownfield requests proceed directly to City Council before advancing to the County.

13. APPROVAL OF MINUTES OF PREVIOUS MEETING

13-a. [24-1708](#) September 4, 2024 City Planning Commission Meeting Minutes

Attachments: 2024-09-04 CPC Meeting Minutes.pdf

Commissioner Hammerschmidt noted she reported ORC updates, not Commissioner Mills.

Moved by Commissioner Norton seconded by Councilmember Disch to approve the September 4, 2024 City Planning Commission meeting minutes as amended. On a voice vote the minutes were unanimously approved and forwarded to City Council.

14. ADJOURNMENT

Moved by Commissioner Norton seconded by Commissioner Wyche to adjourn at 8:39 pm. On a voice vote, the Chair declared the

motion carried unanimously.

Wonwoo Lee, Chairperson

Brittany Alexander, Administrative Assistant

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. Persons 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; 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))

(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

City Planning Commission regular meetings have transitioned to a hybrid meeting model. The City of Ann Arbor highly encourages the public to participate in public meetings, either in-person or remotely.