

City of Ann Arbor

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Action Minutes - Final City Planning Commission

Tuesday, May 21, 2013

7:00 PM

City Hall, 301 E. Huron Street, 2nd Flr.

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1 CALL TO ORDER

Chair Westphal called the meeting to order at 7:08 pm.

2 ROLL CALL

Present 8 - Mahler, Woods, Westphal, Giannola, Adenekan, Clein, Derezinski, and Briere

Absent 1 - Bona

3 APPROVAL OF AGENDA

Moved by Mahler, seconded by Adenekan, to revise the agenda to move Capital Investment Rezoning to follow the discussion of the South State Street Corridor Plan. On a voice vote, the Chair declared the motion carried.

4 INTRODUCTIONS

2 ROLL CALL

Present 9 - Bona, Mahler, Woods, Westphal, Giannola, Adenekan, Clein, Derezinski, and Briere

5 MINUTES OF PREVIOUS MEETING

5-a 13-0607 March 19, 2013 City Planning Commission Meeting Minutes

Attachments: 3-19-2013 CPC Minutes with Live Links.pdf

Bona arrived.

Moved by Mahler, seconded by Derezinski, that the minutes of March 19, 2013 be approved as presented. On a voice vote, the Chair declared the motion carried.

5-b 13-0608 April 2, 2013 City Planning Commission Meeting Minutes

Attachments: 4-2-2013 CPC Minutes with Live Links.pdf

Moved by Mahler, seconded by Derezinski, that the minutes of April 2, 2013 be approved as presented. On a voice vote, the Chair declared the motion carried.

- 6 REPORTS FROM CITY ADMINISTRATION, CITY COUNCIL, PLANNING MANAGER,
 PLANNING COMMISSION OFFICERS AND COMMITTEES, WRITTEN COMMUNICATIONS
 AND PETITIONS
- 6-a City Council

Briere reported that City Council approved the 413 E. Huron. Council members reaffirmed that CPC needs to work on D1. Community meeting tomorrow.

- 6-b Planning Manager
- 6-c Planning Commission Officers and Committees

Bona reported that the North Maon task force will have its first public meeting to react to its ideas. Another meeting in Juen to react to recommendations. Reprot to Council in July. Meeting is at 6:30, May 22 at Community Center. Also on website. On-line survey for input.

Westphal reported that the Environmental Commission is developing a work plan, and items have overlap with CPC: tree planting on private lands, energy efficient homes and business outreach, strengthening ties with neighborhood groups, run-off of turf grass, green streets, HRIMP, interactive widget for sustainable car adn home purchase based on transportation data.

- 6-d Written Communications and Petitions
 - **13-0609** Various Correspondence to the City Planning Commission

Attachments: 5-21-2013 Newspaper Notice of Proposed Land Division.pdf, Letter

on State Street Study 4-26-13.pdf, Email from Schankler.pdf

7 <u>AUDIENCE PARTICIPATION (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.)</u>

AJ Pepo, representing Forest Hills Cooperative, said she wants to make clear that services provided in southeast area are inadequate. She clarified that there is only one community center - Bryant - and none of the other have community center. Hope to have community center to fulfill all needs. Bryant is wonderful, but not enough. Designing survey to determine needs and hope to com eback with good information. Moratorium on futher zoning changes and high density housing in area.

Claudia Mieske, manager for Forest Hills Cooperative, noted that people in the area have formed a task force to address issues such as master plan. From Platt Road to Stone School along Ellsworth - 1300 units of dense housing. In five mile radius, 4000 units of mf housing. As travel north on Stone School, more. West to State STreet, light industrial area. Open spaces, but businesses. With no real open space, other than toxic former landfill, asking Commission to consider attention given to Ellsworth Road corridor.

Barbara Tucker said she wanted reinforce something Sabra Briere said in the paper on Sunday. Consideration for affordable housing and high end housing, but there may be people in their 50's and 60's that would like to move closer to downtown. Because of economics of new construction, not feasible to create affordable housing. Reinforce that thought.

Flo Heppala, said lives in the southeast area, where density is a big issue. Takes forever to get down Ellswroth. Consider widening the road. Ask that no further building be done until plan reviewed and revised. Many have 2-3 children. Ask that building moratorium be considered.

8 PUBLIC HEARINGS SCHEDULED FOR NEXT BUSINESS MEETING

9 <u>REGULAR BUSINESS - Staff Report, Public Hearing and Commission Discussion of</u> Each Item

(If an agenda item is tabled, it will most likely be rescheduled to a future date. If you would like to be notified when a tabled agenda item will appear on a future agenda, please provide your email address on the form provided on the front table at the meeting. 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. The first person who is the official representative of an organized group or who is representing the petitioner may speak for five minutes; additional representatives 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.)

9-a 13-0610

Master Plan Review - The Planning Commission is seeking comments about elements that should be studied for possible change or new elements that should be added to the master plan. This information is important to the Planning Commission in setting its work program for the upcoming fiscal year. The adopted plan elements can be found on the City's website, www.a2gov.org/planning http://www.a2gov.org/planning Staff Recommendation:

Postponement

Attachments: Master Plan Review PH 05-21-13 with Attach.pdf

Rampson provided background regarding the master plan review.

PUBLIC HEARING:

Jeff Hayner, 407 Pontiac Trail, resident of Lower Town since the 1980's. Some of the items in the master plan don't fit with this understanding of Lower Town. PUDs haven't worked out so well. Broadway Village opened the door for University investment. Don't necesarily agree with description, concerned about potential envelope in area. Low-rise, mid-rise is 5-8. Just because UM is doing it, doesn't mean city should do it. Would like to see height throughout the city brought down and petitioner would have to ask for more. People like the field where Kroger brought down. Low-rise 2-4 brought down. Not friendly, all you see is building along river.

Ethel Potts, 1014 Elder Boulevard, said that Resource Documents added Connecting William, but missing Calthorpe. What standards do you use to be resource. Been asked to look at D1 and D2. Suppose that mapping and rewriting the code. Strongly recommend that aspects important be included in the ordinance, not just fluffy. Overlay district not inforceable. Kidded into thinking was. Descriptive material not enforcea. Include public in discussions. If public does not know location and time of meetings, not a public meeting. D1 evaluatoin, design guidelines. Please let know.

Kathy Griswald, 2nd ward, read vision statement from Non-motorized Plan. She said we need sidewalks for children to walk to school. She said vegetation often grows to the edge of the street. Need to educate and enforce Chapter 40. Need to revise Chapter 40 to be consistent with platinum level bike-friendly cities. 30 inches max vegetation. Trim vegetation at least three feet back from curb.

Alan Haber, 531 Third Street, said he advocates for a central park/ civic area on the Library Lot. Planning of town should not be density everywhere, but have a civic center where energy gathers, for and made by people of the town. Park is an important element of that. Might be civic auditorium, museum, public art. Leave place that is not built that is created from accumulated energy. Creation of peace and non-violence for people of the world. High activity, not passive, friendly to children and older people.

Kathy Borys, 1727 Charlthon, would like to see old Barnard Plating as single-family, rather multiple-family. Without specific eveidence that mf needed in this area, no need to have

Barbara Lucas, 1122 Wright Street, just heard about this opportunity. MOved here so would not need a car. Found that not safe to walk at night - armed robberies at Broadway. Increase residential in area. Can't get groceries. MOre residential would support groceries. Difficult to afford taxes. Need affordable housing so can provide housing for people who work at hospital. Also slowing traffic down. People don't stop at crosswalk because can't see due to slope.

Noting no further speakers, the Chair declared the public hearing closed.

Moved by Giannola, seconded by Bona:

RESOLVED, That the Ann Arbor City Planning Commission hereby approves the "City of Ann Arbor Master Plan Resolution" and the "City of Ann Arbor Resource Information In Support Of The City Master Plan Resolution," dated

May 21, 2013.

COMMISSION DISCUSSION:

Bona said that most fascinating about planning is interconnectedness of what do. Would encourage to attend North Main. DTE site adjacent to Lower Town. Exciting possibilities.

Woods followed up on question about Calthorpe report. Should have as part of deliberations. Do refer to it.

Bona said her intepreation is that leading into downtown plan. Connecting William came after.

Rampson said this is the case, but could add.

Woods said that would like to add. Process?

Rampson said

Briere said correct title is Downtown Development Strategies Report. Calthorpe report still in everyone's lexicon, could be useful. Should evaluate whether rest of documents are currently useful. Valuable to look at to see if still useful, or whether to be updated.

Giannola said likes the sense of history. Not bad to have Calthorpe listed as long as people understand that this came before.

Clein said that should include Calthorpe as resource document. Some might be in conflict with the master plan. Consider for future motion.

Mahler said that Calthorpe not official city document, conflicting information. Wouldn't want to put in ...worries him.

Woods said looking through the plan summaries, views as resource can use. City Attorney could tell if problem.

Bona said she finds is important is that most are culmination of public input and fill gaps in the master plan. Calthorpe may justify because extensive capture of public input. Allen Creek greenway report.

Giannola said she looks at the Calthorpe report to show what was against at time.

Briere said she also likes to see the evolution of thought. Help understand where are today. She said Council has accepted reports - dont' need to have just Council approved report. HRIMP.

Giannola asked for clarification about the authorship of these documents.

Westphal said the statement in the resoltuoin states that use by Commission and staff. Hearing more staff feedback about HRIMP, Calthorpe, Library Lot - nice to clean up. More inclusive that less.

Briere said that surprise that neighborhood list picked up on ??? Emails from people who live between Barton and LowerTown. City should go back and reconsider planning for Wall Street/Maiden Lane area. Appropriate type of encouragement for business and residnetial. Current master plan says taller buildings are appropriate.

Northeast Area Plan - increased interest in this part of town. Should look at reviewing this language.

Clein said it is appropriate to look at area when not under speculation for development. Thank citizens that came out to share comments. Helpful to see connection between their lives and what do on Commission.

Westphal said all feedback is welcome. Publicize meetings. Reorient people to sign up for different topics. Items that not in master plan, but in other ordinances and relate to non-motorized plan. Should find way to route to correct staff.

Derezinski should not forget is the effect of having Calthorpe in there when moved beyond. Does quoting assist the evoluation of thought, or bring back.

Rampson not

Giannola said okay if future planning commissioners that difference between the two.

Moved by Mahler, seconded by Adenekan, to postpone action on the Master Plan resolution until June 18, 2013. On a voice vote, the Chair declared the motion carried and the item postponed until June 18, 2013.

9-c 13-0615

Capital Investments Rezoning for City Council Approval - A request to rezone this 2.24 acre parcel located at 2271 South State Street from M1 (Limited Industrial District) to M1A (Limited Light Industrial District) to allow for an automobile sales use. The petitioner has requested a waiver of the area plan requirement because no new construction is proposed. Ward 4. Staff Recommendation: Rezoning - Denial, Waiver of Area Plan - Approval.

<u>Attachments:</u> Capital Investments Rezoning Staff Report with Attachments5-21-2013.pdf

Kahan gave the staff report.

PUBLIC HEARING:

Scott Munzel, representing the petitioner, said Capital Investment would like to renovate warehouse to repair auction cars and sell some of autos on State Street frontage. Fairly narrow site, significant grade from State STreet. IMpact potential uses. Most cars in the frton of site would be 16 cars, which is much different from dealerships to site. To the east is the bus storage facility, west is UM Tennis facility, north and south commercila and office. Seeking to rezone to another industrial use. No way this would be turned into convential dealership site - not a practical issue. Other issues are economic development, activating South State Street frontage. Believe consistent with existing plan. Planning in real life strive to create plans to optimize. Financial issues, this site won't be developed according to draft plan. In long run, want to use for highest and best use. Use better now that preserves better way in future.

Noting no further speakers, the Chair declared the public hearing closed.

Moved by Bona, seconded by Briere, that the Ann Arbor City Planning Commission hereby recommends that the Mayor and City Council approve Capital Investments rezoning from M1 (Limited Industrial District) to M1A (Limited Light Industrial District).

Bona said this is very simple from a policy perspective. Appreciative of explanation that staff provided regarding appropriateness of change. Seeing on new plan mid-block crossing. Also appreciate comments about this taking a long time. This parcel has been highly underutilized. Rather see this happen now. Pretty sure when connector comes in, this will become valuable use for higher use and this won't last.

Mahler said leaning toward it said it is better to have activity than none. Agree with petitioner's representative that won't become full fledged dealership. Just adopted plan - fairly reasonable step up. Wish much success.

Clein said understands comments, but has concerns. Not tyring to achieve, set precedence. Not aware of anything of M1A.

Kahan said once zoning is changed, stays with land. May have a short term plan, but may have considerable. Has risk of becoming long-term use. This corridor should be evaluated for activating uses. Need to defer to master plan. More active uses.

Clein asked regarding site plan.

Rampson

Giannola asked about the difference between M1 and M1A.

Clein asked about any outdoor sales?

Briere said petitioner could repair vehicles and load them onto vehcile.

Derezinski said site ahs been empty for awhile. Owners are flexible, willing to change in future. M1A is retrograde? Is there other use that can go to right now. Loved to see it used. If going to put in money, could be used for something else? If only temporary use, how about right now?

Clein said don't sense committement to clean up site.

Woods said in reading letter from petitioner, impression that not proposing any improvements to "unloved" site. Asking city to trust us. Not in position to do that. From citizen participation meeting, owned adjoining property. Raise issue about detention on her property. Sometimes for environmental issues, dangerous to do.

Westphal echoed excitement that interest in investing in corridor, but counter balanced by looking at corridor wholistically. Contrary to master plan, in addition to feedback about aesthetics. Precedent - after no improvements, may come in to request expansion.

Bona agrees will all comments. Join in putting pressure for property to comply.

Munzel said this is a difficult site is not like the person who bought 413 E. Huron, but wants to do step by step. Been reluctant to spend money - take step by step. Some of improvements would benefit future use. Hard site to develop. If uses way to carry it, actual residential. May be able

Woods asked if could put up picture of vegetation. Close to eyesore.

Munzel said have owned since 2010.

On a roll call, the vote was as follows with the Chair declaring the motion failed, which is a denial recommendation to City Council.

Yeas: 1 - Eric A. Mahler

Nays: 8 - Bonnie Bona, Wendy Woods, Kirk Westphal, Diane Giannola, Eleanore Adenekan, Kenneth Clein, Tony Derezinski, and Sabra Briere

Moved by Briere, seconded by Clein, that the Ann Arbor City Planning Commission hereby waives the Area Plan requirement, as no new construction is proposed for this site and a survey of the existing improvements on the site has been provided.

RAmpson clarified.

Woods asked if denied.

Westphal not inclined.

Clein said okay if site plan still valid.

Briere said that question is if ask petitioner to spend more money. Prefer to waive, leave in petitioner's hand, recognizing recommenation from CPC pretty strong.

Bona asked when State STreet Plan

Westphal said this could send mixed message if send Area Plan waiver with denial. May confuse their intentions.

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

Yeas: 7 - Bonnie Bona, Eric A. Mahler, Diane Giannola, Eleanore Adenekan, Kenneth Clein, Tony Derezinski, and Sabra Briere

Nays: 2 - Wendy Woods, and Kirk Westphal

9-b 13-0611

Master Plan Amendment: South State Street Corridor Plan - A proposal to update land use and transportation recommendations for the South State Street Corridor from Stimson Street to Ellsworth Road. The draft plan includes goals, actions and recommendations to improve land use and transportation systems. Once approved by City Council, the plan will be incorporated as part of the City of Ann Arbor Master Plan: Land Use Element.

Attachments: South State Street Staff Report 05-16-13 w Attachment.pdf

Kahan presented the staff report.

PUBLIC HEARING:

Noting no speakers, the Chair declared the public hearing closed.

Moved by Woods, seconded by Clein, that the Ann Arbor City Planning Commission hereby adopts the South State Street Corridor Plan as an amendment to the City of Ann Arbor Master Plan: Land Use Element; and further, that the Ann Arbor City Planning Commission hereby recommends that the City Council adopt the South State Street Corridor Plan as an amendment

to the City of Ann Arbor Master Plan: Land Use Element.

COMMISSION DISCUSSION:

Bona said proud to have participated. It's a beautiful document and captures issues. When connector study is completed, may need to be revisited.

Kahan said the plan includes summaries of transportation issues, including the connector feasibility study, which was initiated a year ago to provide high quality transit from Plymouth through the campus/downtown to Satte Street or Ann-Arbor-Saline corridor. Would include identification south leg of this.

Bona asked when this may affect this plan.

Kahan said if chosen as southern leg, would revist land use recommendations to dovetail with that. If provided premier transit along corridor, land use would need to work well with future improvements.

Clein thanked staff for pulling together input. First plan that utilizes sustaina bility framework as a way to incorporate into plan. Special document, lots of interesting things. Support from property owners.

Derezinski echoed the work of staff. Long in coming. Second of four potential corridor. Collaboring with Pittsfield Township. Businesses look forward to certainty. WEll thought out document, walking the corridor added to the feel. HOpefully will do the same thing for North Main.

Briere said she sometimes hears that pbulic comment doesnt' matter. She said that even though only got eight comments, 86 read the topic. Open City Hall is tool for getting feedback. Staff reads, interested citizens read. Grateful to staff for coming up with approach.

Westphal said Open City Hall good, but other forms of input. Added thanks. Stretched sustainability framework. Has improved since last draft. Map of transportation improvements = which are potential and which are imminent.

Approved 9-0.

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

Yeas: 9 - Bonnie Bona, Eric A. Mahler, Wendy Woods, Kirk Westphal, Diane Giannola, Eleanore Adenekan, Kenneth Clein, Tony Derezinski, and Sabra Briere

Nays: 0

9-d 13-0613

401-403 North Fourth Rezoning and Site Plan for City Council Approval - A proposal to rezone this 0.18 acre site from PUD (Planned Unit Development) to D2 (Downtown Interface) /Kerrytown Character and construct a three-story, two-unit residential building with 24 parking spaces, 4 of which will be in garages under the building. A modification from the parking lot interior landscaping requirement is being requested. Ward 1. Staff Recommendation: Approval

<u>Attachments:</u> 401-403 N Fourth and 414 N Main Staff Report with Attachments.pdf, Site Plans

DiLeo presented the staff report.

PUBLIC HEARING:

Tom Fitzsimmons, petitioner, introduced his team. He said he is excited to move forward, and this is a challenging site due to the parkign easement. Spent a lot of time tyring to figure out how to fit a quality residential project within the constratins and D2 zoning. Met with neighbors and businesses. Uniformly positive. Several comments from DRB, believe has been able to address all three issues. Improved massing. Hope can approve.

Noting no further speakers, the Chair declared the public hearing closed.

Moved by Mahler, seconded by Derezinski, that the Ann Arbor City Planning Commission hereby recommends that the Mayor and City Council approve the 414 Main and 401 N. Fourth Avenue Rezonings to D2 Downtown Interface base district and Secondary Street building frontage designation; and

The Ann Arbor City Planning Commission hereby recommends that the Mayor and City Council approve the Chapter 62 Landscape Modification Petition associated with the 414 Main and 401 N. Fourth Avenue Site Plans to allow interior landscape islands outside of the perimeter of the vehicular use area; and

The Ann Arbor City Planning Commission hereby recommends that the Mayor and City Council approve the 414 Main and 401 N. Fourth Avenue Site Plans and Development Agreement.

COMMISSION DISCUSSION:

Derezinski said it is great to see this development. He noted that the recent symposium on aging shows that this project fits need for empty nester demographic, which is growing. Is easement permanent?

Fitzsimmons said that it runs with the land.

Derezinski thanked Fitzsimmons for work.

Mahler asked about nearest bus stop.

DiLeo pointed out the location.

Adenekan said her only concner is about parking on market days.

Fitzsimmons said that McKinley will still be using the parking. They have allowed Huron High School to use on market days. One ofthe benefits to community is public walkway.

Briere said one of concerns she has heard is whether the alley will be kept open during construction. Provides access to Braun Court.

Fitzsimmons said they haven't started construction planning. Not sure can close off alley. Tight site, stick frame construction, can contain on site.

Clein complemented on scale, connection to Farmer's Market - aligns with stalls. Supportive of landscape buffer - more positive than scattered. One sticking point is garages on Fourth Avenue - angle is concern for safety reasons. Will be hard to keep an eye on people. Recycling, waste?

Chet Hill, landscape artchitect. On Fourth Avenue, roll out of garage. On main street site, will be recycle and dumpster accessed off alley.

Clein asked regarding ramp down to garage.

Hill said dimensions are configured to parking lot, so adequate room.

Clein asked if market rate and price.

Fitzsimmons said 1400-2400 sf, mid to mid-high end. Single-floor living. Getting a lot of calls.

Bona asked about secondary street request. She asked about the landscape modification. She said the surface parking lot is unfortunate. Why should compromise on street frontage.

Fitzsimmons said due to the

Bona

Hill said as a secondary street, would be allowed.

Rampson said

Bona said hard to accept compromises when giving up for more asphalt, harder to support.

Woods said hope that buildings look the way elevatiosn show. Lot of thought. Thanks for not asking for D1. Taking into consideration market.

Westphal asked about walkway - public legal arrangement.

DiLeo said will not be dedicated right-of-way, but there will be some sort of easement that allows public use. Ownership and mainteance by condominium association, siimilar to Ashley Mews.

Westphal asked if this would ensure proper maintenance.

DiLeo said yes.

Westphal asked if this helps perpetuate use of this lot as parking lot.

DiLeo said would stay unless holder of easement would vacate.

HIII said stormwater detention is under the parking that must be retained as apart of new project.

DiLeo said this also contributes toward FAR.

Westphal said this would be more difficult to develop in future?

DiLeo said

Westphal - north fourth entry?

Clein said parking off back of building.

Concur with DRB regarding materials.

A motion was made that the Resolution/Public Hearing be Approved by the Commission. On a roll call, the vote was as follows with the Chair declaring the motion carried

Yeas:

9 - Bonnie Bona, Eric A. Mahler, Wendy Woods, Kirk Westphal, Diane Giannola, Eleanore Adenekan, Kenneth Clein, Tony Derezinski, and Sabra Briere

Nays: 0

9-e 13-0614

414 North Main Rezoning and Site Plan for City Council Approval - A proposal to rezone this 0.57 site from PUD to D2 (Downtown Interface)/Kerrytown Character and from "Front Yard" frontage to "Secondary" frontage and construct a four-story, 16 unit residential building with 56 parking spaces, 19 of which will be in a basement garage. An interior landscaping modification from the parking lot requirement is being requested. Ward 1. Staff Recommendation: Approval

Attachments: 401-403 N Fourth and 414 N Main Staff Report with Attachments.pdf,

Site Plans

See action on 401-401 North Fourth Rezoning and Site Plan (Item 13-0613)

9-f 13-0616

July 2013 - June 2014 City Planning Commission Meeting Schedule

Attachments: Draft 2013-2014 CPC Meeting and Petition Review Schedule.pdf

The Commission accepted the FY13-14 City Planning Commssion Meeting Schedule as presented.

11 <u>AUDIENCE PARTICIPATION (Persons may speak for three minutes on any item.)</u>

None.

12 <u>COMMISSION PROPOSED BUSINESS</u>

Derezinski pointed out letter to CPC from Pittsfield Township about STate Street project. Need some background information to properly assess. Unfortunately, can't make judgment with timeline. Ask staff

13 ADJOURNMENT

Adjourned at 10:30 pm.

Kirk Westphal, Chair mg

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