



City of Ann Arbor

Formal Minutes

Planning Commission, City

301 E. Huron St.
Ann Arbor, MI 48104
[http://a2gov.legistar.com/
Calendar.aspx](http://a2gov.legistar.com/Calendar.aspx)

Tuesday, December 19, 2017

7:00 PM

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

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; or by written request addressed and mailed or delivered 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>) or on the 1st floor of City Hall on the Friday before the meeting. 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.

1 CALL TO ORDER

Chair Clein called the meeting to order at 7:00 pm.

2 ROLL CALL

Planning Manager Brett Lenart called the roll.

Present 6 - Woods, Clein, Mills, Milshteyn, Trudeau, and Weatherbee

Absent 3 - Briggs, Gibb-Randall, and Ackerman

3 APPROVAL OF AGENDA

Moved by Mills, seconded by Milshteyn, to approve the agenda as presented. On a voice vote the agenda was approved unanimously.

4 INTRODUCTIONS

5 MINUTES OF PREVIOUS MEETING

5-a [17-2082](#) October 3, 2017 City Planning Commission Meeting Minutes

A motion was made by Mills, seconded by Milshteyn, that the Minutes be Approved. On a voice vote, the Chair declared the motion carried.

5-b [17-2083](#) November 8, 2017 City Planning Commission Meeting Minutes

A motion was made by Mills, seconded by Milshteyn, that the Minutes be Approved. 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**

Planning Manager Lenart provided the City Council report, noting that they had taken action on the following items:

2857 Packard Road Site Plan was denied by City Council (as the Planning Commission had denied earlier and recommended for denial);

The Development Agreement with Grace Bible Church that was associated with a previously proposed land division at that location that never moved forward, was terminated;

The 1140 Broadway proposed development was approved for re-zoning, site plan, and associated Brownfield Plan;

The 2945 Devonshire rezoning a single-family property was rezoned;

The 2410 Newport Road was approved for annexation, as was 2883 Stone School Road;

The Medical Marijuana zoning proposed ordinance was adopted last night by the City Council, with the only change being a reduction in the separation between provisioning centers from 1,000 feet to 600 feet;

Council also passed a companion resolution of attestation for those existing facilities currently in operation for them to apply for State license;

The Glen Hotel, Multi-family, Retail, PUD Zoning and Site Plan was approved last night;

The proposed Ingles House Historic District was denied by City Council;

Council specifically directed staff to start a mobility study in the Lower Town areas;

Rainbow Childcare was postponed last night due to concerns over adequate communication with Ann Arbor Public Schools as well as traffic concerns;

The Midas Site Plan was approved;

The Treeline Master Plan is the latest document approved into the City's official list of Master Plans by City Council last night.

6-b Planning Manager

Lenart reported that after a couple more meetings the Unified Development Code (UDC) would likely come before the Commission. He noted that a public meeting was held on the UDC; the department has also completed their December office hours for any members of the public to come in and work with staff on the proposed code. He noted there would be more office hours available in January for further meetings.

Lenart proposed cancellation of the December 26th Ordinance Revisions Committee meeting as well as the January 3rd Planning Commission meeting, due to no new business at the present time.

Lenart also explained that he would be sending out a copy of the City's Special Exception Use permit application along with the newly approved Zoning ordinance on Medical Marijuana, so the Commission could begin thinking about specific information the Commission might find helpful from staff as the SEU applications move through the review process and eventually make their way before the Commission. He explained that they expect a large number of these applications to come in and wants to make sure the Commission has what they need.

Clein agreed that it would be most helpful to look ahead at helping to streamline the process with these new ordinances coming through.

6-c Planning Commission Officers and Committees

Commissioner Julie Weatherbee, reported from the Zoning Board of Appeals, that a recent variance application for increased signage (for a fitness location) was denied. She said they were asking for 246 square feet of signage while the ordinance allows only 200 square feet.

6-d Written Communications and Petitions

[17-2084](#) Various Correspondences to the City Planning Commission

Received and Filed

7 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.)

Jeff Crockett, Old Fourth Ward Association, 506 E Kingsley Street, expressed their residential association’s concern with connecting with City staff on enforcement in the Old Fourth Ward Historic District. He said they believe the issue is a lack of available enforcement staff, so he is hopeful that with more development that means more taxes, the City will hire more staff, specifically for enforcement staff.

8 PUBLIC HEARINGS SCHEDULED FOR NEXT BUSINESS MEETING

9 REGULAR BUSINESS - Staff Report, Public Hearing and Commission Discussion of 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 [17-2085](#) FY 2019-2024 Capital Improvements Plan (CIP) for Planning Commission Approval - The FY2019-2024 CIP is comprised of updated financial data for FY2019 projects contained in the approved FY2018-2023 CIP, in addition to changes to project schedules. Upon adoption by the City Planning Commission, the CIP becomes a supporting document for the City's master plan. The CIP is also used as the source document for the City's capital budget planning. More information on the CIP can be found at www.a2gov.org/cip <<http://www.a2gov.org/cip>>

Deb Gosselin introduced the Capital Improvements Program (CIP). She indicated and reviewed the 11 new projects that were added onto the CIP. Treeline Master Plan was added, however, no specific dollar amount has been identified, and will be considered in the context of a developing business plan. DDA projects include the protected bike lane on E. Williams, increasing more levels on the Ann/Ashley structure. We've also added an Allen Creek Watershed project, including some funds diverted from the Hoover and Green area projects. She noted the Transportation Commission memos included in the Commission's packet, and the majority of those recommendations would need to be amended in the fall of next year.

Clein reminded commissioners this is the second year of a two-year CIP plan.

PUBLIC COMMENT:

Ethel Potts, 1014 Elder Boulevard, stated the Capital Improvements Plan is very important to the City, and the public should be here, telling the Commission that it is. She said she would like the Commission to look at each project, see if you have problems with it, and make sure you are comfortable reviewing the projects and recommending them to City Council. She said she would like to know what the Commission is voting on and why.

Jeff Crockett, 506 E. Kingsley, said he lives on a street with deep potholes, and he is interested to know when is it slated to be paved.

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

Moved by Milshteyn, seconded by Mills,

Whereas, Section 1:185 of the Ann Arbor City Code requires that the City Planning Commission annually prepare a Capital Improvements Program for the ensuing six fiscal years;

Whereas, The FY2018-2023 Capital Improvements Plan (CIP) was approved by the Ann Arbor City Planning Commission on January 18, 2017 as a supporting document for the City's Master Plan; and

Whereas, The FY2018-2023 CIP was approved with minor adjustments by the Ann Arbor City Council on May 15, 2017 as the basis for the FY2017 Capital Budget;

Whereas, The second year of the FY2018-2023 CIP has been adjusted based on current conditions as related to the adjusted FY2018 Capital Budget to be considered by the City Council; and

Whereas, A duly-noticed public hearing was held by the City Planning Commission on December 19, 2017;

Resolved, That the City Planning Commission hereby approves the FY2019-2024 Capital Improvements Plan as a supporting document for the City's Master Plan.

COMMISSION DISCUSSION:

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

Clein noted that the process has continued to evolve, and he has been impressed with the significant work that goes into the detailed process.

Commissioner Trudeau summarized the proposed recommendations from the Transportation Commission include:

- Restructure alternative transportation (separating mass transit and active transit into separate categories)*
- Adding a bicycle network bucket similar to the sidewalk gap project bucket*
- Adding a line for the Washington Avenue bike lane*

- Prioritizing safety*

He asked the Commission for their support on the specific recommendations as explained.

Clein explained the Commission would not take action on them tonight, but that Trudeau might be able to work with Planning Manager, Lenart, in putting a memo together that the Commission could review and make recommend on.

Lenart offered to put a memo together.

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

Yeas: 6 - Wendy Woods, Kenneth Clein, Sarah Mills, Alex Milshteyn, Scott Trudeau, and Julie Weatherbee

Nays: 0

Absent: 3 - Erica Briggs, Shannan Gibb-Randall, and Zachary Ackerman

- 9-b** [17-2086](#) Amendments to repeal Sections 4:16 through 4:20 and Section 4:30 of Chapter 47 (Streets and Curb Cuts), and the entirety of Chapter 55 (Zoning), Chapter 56 (Prohibited Land Uses), Chapter 57 (Subdivision and Land Use Controls, and the Land Development Regulations and Attachments A, B, C and D), Chapter 59 (Off-Street Parking), Chapter 60 (Wetlands Preservation), Chapter 61 (Signs and Outdoor Advertising), Chapter 62 (Landscaping and Screening), Chapter 63 (Soil Erosion and Sedimentation Control), and Chapter 104 (Fences) and adopt a new Chapter 55 (Unified Development Code).

A public hearing will be held for the adoption of the Unified Development Code (UDC) on Tuesday, December 19, 2017 and continued on Wednesday, January 17, 2018. The proposed Chapter 55 (Unified Development Code) is a consolidation, reorganization and clarification of the eleven chapters of the City Code regulating development, including Sections 4:16 through 4:20 and Section 4:30 of Chapter 47 (Streets and Curb Cuts), as well as the entirety of Chapters 55 (Zoning), 56 (Prohibited Land Uses), 57 (Subdivision and Land Use Controls, plus the Land Development Regulations and Attachments A, B, C, and D), 59 (Off-Street Parking), 60 (Wetlands Preservation), 61 (Signs and Outdoor Advertising), 62 (Landscaping and Screening), 63 (Soil Erosion and Sedimentation Control), and 104 (Fences). The listed sections and chapters will be repealed and a new, consolidated Chapter 55 (Unified Development Code) will be adopted. More information about the work done to consolidate, reorganize and clarify the current regulations is available on the project website at www.a2gov.org/udc <<http://www.a2gov.org/udc>> including background information, working documents, and older drafts as well as the adoption draft of the UDC.

Alexis DiLeo provided a presentation, noting that currently, development regulations are scattered among 10 Chapters. She explained that started in 2009, they first developed an annotated outline, and have since worked through the code to unify the structure. The new UDC will have 8 articles, as identified in the annotated outline. This structure is a common, modern structure of many ordinances. New use table replaces pyramid structure of previous ordinance. She summarized the few substantive changes.

Chair Clein informed the public that the public hearing would be opened this evening and left open until the second Planning Commission meeting in January, 2018, at which point the Commission will hold a discussion and vote.

PUBLIC HEARINGS:

Jeff Crockett, Old Fourth Ward Association, said they are new players in this realm, and while he wants the Commission to know they aren't dissatisfied with anything, and have found to be very helpful. He said from his point of view, the process is very confusing, and it was very difficult to determine if any changes were made at all. He said their organization is very concerned about parking and signs, and it seems to be that you're working toward approval in the next few months. He said he hopes that their suggestions can be incorporated. Crockett, further explained that in their area, there are a few homeowners, but the trend is that landlords are buying houses with cash, gutting the inside, and increasing the occupancy. He said when this happens, it increases the parking load to the site, and he's concerned with the way the definition is currently structured; he proposes a new parking area definition, separate from a parking lot. He said he also wants to discuss enforcement.

Ethel Potts, 1014 Elder Blvd., asked why the Commission is reviewing this from the middle of December to the Middle of January. She said there's been one public meeting scheduled and held, and here's another public meeting, and another one held in January, adding it is ludicrous to hold these during a month between December and January. She said I'm imploring you to include the public, who are interested, a whole neighborhood has been made knowledgeable of zoning. She said, I've been using the document, and it is very badly organized; Please start including the public at some point, No neighborhood that I know of has been notified of this.

COMMISSION DISCUSSION:

DiLeo indicated that commissioners are welcome to pose questions, or email questions or suggestions.

10 AUDIENCE PARTICIPATION (Persons may speak for three minutes on any item.)

Ethel Potts, stated that you may be hurting more feelings than you know. She said the people that I talk to are very offended that they weren't notified. She said, I'm going to bring questions/problems I have to the Planning Commission; I mean that as a veiled threat.

Jeff Crockett, stated, we're very invested in the sign ordinance, I understand now that the intent is to transfer information. We're very invested in trying to change the sign ordinance and parking ordinance, on behalf of the Old Fourth Ward Association, we're very concerned with parking and enforcement. There are ZORO requirements and Historic District requirements, he said this should reference HDC guidelines. He asked about A2 Fixit clarifications, stating, we've submitted a number of complaints, but it becomes difficult to understand who is going to enforce it. It would be helpful to have more clarity of who takes care of it. Police won't go after cars that are illegally parked on property. It would be helpful to clarify who responds to what.

11 COMMISSION PROPOSED BUSINESS

Lenart proposed that commissioners have a great holiday break, and spend time reading their new ordinance.

12 ADJOURNMENT

A motion was made by Milshteyn, seconded by Weatherbee, that the meeting be adjourned. On a voice vote, the Chair declared the motion carried.

Ken Klein, Chair
mg

These meetings are typically broadcast on Ann Arbor Community Television Network Channel 16 live at 7:00 p.m. on the first and third Tuesdays of the month and replayed the following Thursdays at 8:00 AM and Saturdays at 8:00 PM. Recent meetings can also be streamed online from the CTN Video On Demand page of the City's website (www.a2gov.org).

The complete record of this meeting is available in video format at www.a2gov.org/ctn, or is available for a nominal fee by contacting CTN at (734) 794-6150.