



## City of Ann Arbor Planning & Development Services

### Memorandum

**TO:** Mayor and City Council

**THROUGH:** Howard S. Lazarus, City Administrator

**FROM:** Brett Lenart, Planning Manager

**RE:** 2805 Burton Road – Brightdawn Rezoning Protest Status

**DATE:** June 3, 2019

Based on protests received previously, I responded to an agenda question in advance of the June 3<sup>rd</sup>, City Council meeting that the 2805 Burton Rezoning petition would be subject to a supermajority vote, as more than 20% of adjacent land owners had filed such petition.

On Friday, after submission of that response, the City received additional correspondence from property owners retracting their protest of the proposed zoning. The City has also received a communication from the developer's attorney challenging the validity of some of the protest petitions. At this time, the status of a supermajority requirement is unknown, and will not be determined until nearer to a second reading and public hearing associated with this rezoning.

Passing the proposed rezoning on first reading only requires a majority vote this evening. At second reading a valid protest petition would require approval of the rezoning by a supermajority vote.

**CC:** Derek Delacourt, Community Services Administrator  
Chris Cheng, City Planner