



# City of Ann Arbor

## Formal Minutes - Final

### City Planning Commission

301 E. Huron St.  
Ann Arbor, MI 48104  
[http://a2gov.legistar.com/  
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Tuesday, January 5, 2021

7:00 PM

Electronic Meeting

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**1. CALL TO ORDER**

**2. ROLL CALL**

**Present** 9 - Mills, Milshteyn, Gibb-Randall, Sauve, Abrons, Hammerschmidt, Disch, Lee, and Clarke

**3. INTRODUCTIONS**

**4. APPROVAL OF AGENDA**

**Moved by Disch, seconded by Gibb-Randall, and approved unanimously as presented.**

**5. MINUTES OF PREVIOUS MEETING**

**5-a. [21-0012](#)** December 15, 2020 City Planning Commission Meeting Minutes

**Attachments:** 12-15-2020 CPC Draft Minutes.pdf

**Moved by Abrons, seconded by Hammerschmidt, 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 explained that the distribution of the Transportation Plan was approved, and discussed including City Council in the upcoming working session to where the relationship between Race and Land Use will be discussed. Disch also explained that the Floodplain Ordinance was approved.*

**6-b. Planning Manager**

*Lenart explained that member of City Council are welcome to attend Planning Commission Working Sessions, as they are public meetings. Lenart also discussed the Floodplain Ordinance.*

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

*No report.*

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

**21-0013** Various Communication to the City Planning Commission

**Attachments:** COMM 1.pdf, COMM 2.pdf

**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.)**

*Ralph McKee, 1116 Red Oak Road, Ann Arbor, expressed support for affordable housing within the city, and expressed opposition for Campus Business District zoning.*

*Tom Stulberg, 1202 Traver Street, Ann Arbor, expressed opposition for Campus Business District zoning.*

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

**8-a. 21-0014** Public Hearings Scheduled for Thursday, January 21, 2021 Planning Commission Meeting

**Attachments:** 1-21-2021 Notice of Public Hearing- Thur.pdf

**Received and Filed**

**9. UNFINISHED BUSINESS**

- 9-a. [21-0015](#)** Near North Townhomes Rezoning and Site Plan for City Council Approval with Planned Project Modifications - 700 North Main Street. A petition to rezone this 1.2-acre site from PUD (Planned Unit Development) to R4C (Multiple-Family Dwelling) district, and a site plan for 22 townhouses including a request to reduce the front setback from 25 feet to 10 feet and the rear setback from 33 feet to 22 feet. Development of this project will involve removal of 5 landmark trees, mitigation proposed, and some fill of the floodplain, mitigation proposed. Staff Recommendation: Approval

**Attachments:** Near North Staff Report w Attach-1-5-21.pdf, 12-17-20 Neighborhood Meeting Notes.pdf, Near North - Consideration Of Sustainab.pdf, NEAR NORTH RENDERINGS 1-4-21.pdf

*Brian Biskner, representing the project, presented the proposed changes and addressed the comments made at a previous Planning Commission meeting.*

*The Planning Commission took a break from 7:37 pm to 7:45 pm*

*City of Ann Arbor City Planner Alexis DiLeo discussed the staff report.*

***PUBLIC HEARING***

*Ken Garber, 28 Haverhill Court, Ann Arbor, encouraged the commission to look into the heat pump situation as proposed by the developer.*

*Tom Stulberg, 1202 Traver Street, Ann Arbor, explained that he owns properties adjacent to the proposed project. Stulberg expressed support for the project and discussed planned project modifications.*

**Moved by Milshteyn, seconded by Sauve, that the Ann Arbor City Planning Commission hereby recommends that the Mayor and City Council approve the Near North rezoning from PUD (Planned Unit Development) to R4C (Multiple-Family Dwelling).**

**And that the Ann Arbor City Planning Commission hereby recommends that the Mayor and City Council approve the Near North Site Plan with Planned Project Modifications to a) increase the maximum height to 33 feet 6 inches, b) decrease the south side setback to 15 feet, and c) decrease the rear setback to 22 feet,**

subject to i) maintaining 43% open space, ii) maintaining 132 feet north side setback, and iii) having front doors facing North Main Street, garages underneath and accessible only from the interior of the site, and Development Agreement, subject to receiving preliminary approval from the Washtenaw County Water Resources Commissioner and addressing outstanding Engineering comments prior to scheduling for a public hearing of the City Council.

#### COMMISSION DISCUSSION

*Commissioner Disch inquired about the electrification of units and solar within the project.*

*Biskner explained that the units that are proposed to be fully electric are proposed to have a very efficient and cost effective system. Biskner explained that due to the feasibility of solar at the site, the developer team has attempted to meet sustainability goals by being prepared for electric vehicles at the site.*

*Commissioner Alex Milshteyn inquired about mini split units utility location information and phasing.*

*Biskner explained the location for the screened area for each condenser unit. Biskner also explained that although phasing is unlikely, that the development team sees it as an important option to have.*

*Lenart explained phasing implications in the certificate of occupancy process.*

*Commissioner Lisa Sauve discussed alternative options to gas utilities in the corner units.*

*Commissioner Shannan Gibb-Randall expressed support for the project as presented. Gibb-Randall also inquired the resident participation meeting. Gibb-Randall encouraged more solar.*

*Biskner explained that the meeting was mostly questions about the patio area, landscaping, marketability, and in general, what it will look like.*

*Commissioner WonWoo Lee commented that the north elevation seemed a little boring, and encouraged complexity in that area, complimented on the condenser enclosure, and inquired about the construction timeline and sale price.*

*Briskner explained approximately 12 months, and that depending on the market, approximately three-quarters of a million.*

*Chair Sarah Mills discussed sustainability, and expressed support for the project.*

**On a roll call vote the vote was as follows with the Planning Manager declaring the motion passed.**

**Yeas:** 9 - Sarah Mills, Alex Milshteyn, Shannan Gibb-Randall, Elizabeth Sauve, Ellie Abrons, Sara Hammerschmidt, Lisa Disch, Wonwoo Lee, and Sadira Clarke

**Nays:** 0

## **10. REGULAR BUSINESS**

- 10-a. [21-0016](#)** FY 2022-2027 Capital Improvements Plan (CIP) - The FY 2022-2027 CIP is a plan for City capital investments to be undertaken over the next six years. This plan describes projects that address needs for municipal and park facilities, transportation improvements and utility infrastructure, along with proposed costs and scheduling. 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. Staff Recommendation: Postponement

**Attachments:** CIP Staff Report to CPC 1-5-21.pdf

*City of Ann Arbor Systems Planning Engineer Deb Gosselin presented the 2022-2027 Capital Improvements Plan (CIP) and the CIP process.*

### ***PUBLIC HEARING***

*Ken Garber, 28 Haverhill Court, Ann Arbor, commended staff on the work of the CIP, and encouraged the addition of geothermal loops in the roadways; he explained that recent projects have used air based loop systems. He added that geothermal systems are more efficient, but more expensive. Garber suggested that the City add geothermal loops to downtown streets; this would reduce the cost to adjacent property owners, citing that Boise has 6 million square feet of geo thermally heated space in the downtown, and explained that the recent Ashley first streets were a huge missed opportunity.*

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

**Moved by Milshteyn, seconded by Sauve:**

**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, A duly-noticed public hearing was held by the City Planning Commission on January 5, 2021;**

**Resolved, That the City Planning Commission hereby approves the FY2022-2027 Capital Improvements Plan as a supporting document for the City's Master Plan.**

*Commission Discussion:*

*Commissioner Lee inquired about received public comments about the CIP, and about time constraints.*

*Lenart explained that Planning has not received any.*

*Gosselin explained that it's normal to receive few questions about the CIP, and that more comments and questions are typically received after specific projects begin.*

*Lenart answered that the time constraints are more practical, and that it's helpful for the CIP to be approved prior to the budgeting process.*

*Commissioner Shannan Gibb-Randall inquired about any implications of COVID-19 on the CIP planning process.*

*Gosselin explained that changes were anticipated and planned for.*

*Commissioner Gibb-Randall discussed opportunity of meeting sustainability efforts when they line up with CIP projects.*

*Lenart added that there may be legislative constraints related to utility work.*

*Chair Mills agreed, and explained that the effort is worth exploring more.*

*Commissioner Milshteyn expressed support for the CIP as presented.*

**On a roll call vote the vote was as follows with the Planning Manager declaring the motion passed.**

**Yeas:** 9 - Sarah Mills, Alex Milshteyn, Shannan Gibb-Randall, Elizabeth Sauve, Ellie Abrons, Sara Hammerschmidt, Lisa Disch, Wonwoo Lee, and Sadira Clarke

**Nays:** 0

- 10-b.**     [21-0017](#)   Amendments to Permitted Uses in C2B and C3 Zoned Districts for City Council Approval - A proposed amendment to Chapter 55 (Unified Development Code), Section 5.15, Table 5.15-1 Primary Use Table, to eliminate warehousing and indoor storage as a primary use in the C2B and C3 districts. Staff Recommendation: Approval

**Attachments:**   Ordinance Amendment Staff Report w Attach - Storage Facilities.pdf

*Lenart presented the staff report.*

*PUBLIC HEARING*

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

**MAIN MOTION**

**Moved by Sauve, seconded by Milshteyn that the Ann Arbor City Planning Commission recommends amendment to Table 5.15-1 of Chapter 55 Unified Development Code to remove Warehousing and Indoor Storage uses from the C2B Zoning District.**

*Commissioner Milshteyn discussed storage facilities in C3 zoning, discussing the possibility of them being allowed as a special exception use.*

*Commissioner Hammerschmidt agreed with Commissioner Milshteyn, but expressed concern with C2B.*

*DiLeo explained that the Commission can continue to work on part of the proposed amendments while recommending to approve other parts.*

*Commissioner Sauve discussed that C3 are ideal candidates for a zoning change due to their size and location.*

*Commissioner Abrons expressed support.*

*Commissioner Lee discussed the need for storage facilities, and explained that there is a demand for warehousing uses.*

*Chair Mills discussed that this case supports the need for an updated Master Plan.*

*Commissioner Hammerschmidt discussed the option of rezoning for specific parcels.*

*Lenart encouraged the Commission to consider intent of the zoning.*

*Commissioner Gibb-Randall discussed how interwoven the districts are currently, and supported that this could be a bigger Master Plan issue.*

*Milshteyn discussed postponing decision on item 10-a to a future meeting, and discussing the item at the following week's working session.*

*Mills discussed potential problems with approving the motion as proposed.*

*Commissioner Sauve expressed support for moving forward with making changes to C2B.*

*Commissioner Abrons expressed concern with the time it would take to further deliberate.*

*Commissioner Milshteyn addressed City Council, explaining that a Master Plan update is needed, and that these conversations are becoming a regular occurrence.*

*Commissioner Clark expressed that a Master Plan update has more benefits than for land use decisions, explaining her experience from an affordable housing perspective.*

**On a roll call vote the vote was as follows with the Planning Manager declaring the motion passed.**

**Yeas:** 7 - Sarah Mills, Alex Milshteyn, Shannan Gibb-Randall, Elizabeth Sauve, Ellie Abrons, Sara Hammerschmidt, and Lisa Disch

**Nays:** 2 - Wonwoo Lee, and Sadira Clarke



- 10-c. [21-0018](#) Ruthven Nature Area Addition Rezoning, 3301 Geddes Road for City Council Approval - Rezoning an 8.48-acre addition to Ruthven Nature Area from R1A (Single-Family Dwelling) district to PL (Public Land) district. This addition was purchased and approved by City Council on April 15, 2019, see Resolution R-19-153. (Z20-053) Staff Recommendation: Approval

**Attachments:** Staff Report Ruthven PL Zoning 1-5-21.pdf

*DiLeo presented the Staff Report.*

**PUBLIC HEARING**

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

**Moved by Milshteyn, seconded by Lee, that the Ann Arbor City Planning Commission hereby recommends that the Mayor and City Council approve the Ruthven Nature Area Addition rezoning from R1A (Single Family Dwelling) to PL (Public Land.**

**COMMISSION DISCUSSION**

*Commissioner Lee inquired about the process for the recommendation.*

*DiLeo explained that in this case, the Planning Commission initiates the formal procedure of recommending the rezoning, and that the proposed land has been through the Parks land acquisition process.*

*Commissioner Gibb-Randall explained that the majority of the parcel is within the floodplain, which supports a public land zoning. Gibb-Randall supported installing sidewalks at the park to increase accessibility.*

*Commissioner Clarke expressed support for Gibb-Randall explained regarding sidewalks.*

*Commissioner Milshteyn further expressed Gibb-Randall's sidewalk remarks, and provided history about the parcel.*

**On a roll call vote, the vote was as follows with the Planning Manager declaring the motion passed.**

**Yeas:** 9 - Sarah Mills, Alex Milshteyn, Shannan Gibb-Randall, Elizabeth Sauve, Ellie Abrons, Sara Hammerschmidt, Lisa Disch, Wonwoo Lee, and Sadira Clarke

**Nays:** 0

- 10-d. [21-0019](#) Oakwoods Nature Area Addition Rezoning, 3382 Nixon Road for City Council Approval - Rezoning a 6.58-acre addition to Oakwoods Nature Area from R4A (Multiple-Family Dwelling) district to PL (Public Land) district. This addition was acquired and approved by City Council on April 6, 2020, see Resolution R-20-105. (Z20-054) Staff Recommendation: Approval

**Attachments:** Staff Report Oakwoods PL Zoning 1-5-21.pdf

*DiLeo presented the Staff Report.*

*PUBLIC HEARING*

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

**Moved by Sauve, seconded by Disch, that the Ann Arbor City Planning Commission hereby recommends that the Mayor and City Council approve the Oakwoods Nature Area Addition rezoning from R4A (Multiple-Family Dwelling) to PL (Public Land).**

*COMMISSION DISCUSSION*

*None.*

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

**Yeas:** 9 - Sarah Mills, Alex Milshteyn, Shannan Gibb-Randall, Elizabeth Sauve, Ellie Abrons, Sara Hammerschmidt, Lisa Disch, Wonwoo Lee, and Sadira Clarke

**Nays:** 0

**11. OTHER BUSINESS**

- 11-a. [21-0020](#) C1A and C1A/R - CPC Update Response to City Council Resolution R-20-267

**Attachments:** C1A and C1AR - CPC Update to City Council 1-5-21.pdf

**Moved by Milshteyn, seconded by Disch, that the Ann Arbor City Planning Commission hereby approves the following update in response to City Council Resolution R-20-267 and summarizes Planning Commission intent for proposed ordinance amendments.**

**STAFF RECOMMENDATION**

Staff recommends that the Planning Commission approve the revised summary and communication below as a status update to the City Council and declaration of intention to pursue related ordinance amendments.

**REPORT**

In in July of 2020, the City Council directed City staff and the Planning Commission to evaluate and make recommendations on the continued viability, and/or any proposed modifications to the C1A and C1A/R Zoning Districts. Based on this resolution, and the specific direction therein, the Planning Commission proposes the following response to the direction provided:

**RESOLVED**, That City Council hereby direct the Planning Commission to evaluate the continued viability of the C1A and C1A/R districts and make recommendations whether to eliminate or modify the C1A and C1A/R zoning districts consistent with this resolution within 180 days;

In evaluation of this direction, the Planning Commission discussed several aspects and/or approaches responsive to this direction, including:

- Consider potential overlap with transit supportive zoning development
- Community experience has evolved; Districts no longer serving small subset of City; University now a more significant impact on the City – primary driver of ~80k daily commuter trips

Broadway area; constant stream of non-motorized commuters to the medical campus; This area is appropriate to consider in context/connection of medical campus;

- District might be appropriate in its current state, but evolved from its campus-oriented descriptions and names
- Proposals for these districts often include a proposed height condition, consider adding a height limit
- Consider requiring mixed-uses
- Keeping districts affiliated with the University is appropriate, as it is the biggest influence on the City

Through analysis, the Planning Commission finds that the C1A and C1A/R Zoning Districts do provide a development typology that supports dense, mixed-use opportunities in proximity to University Campuses and the central areas of the City. The Planning Commission does not recommend elimination or modification of

**these districts at this time.**

*COMMISSION DISCUSSION*

*Councilmember Disch inquired about the likelihood of the distinction being used in areas where opposition has been expressed, and the importance of moving forward with item 11-a.*

*Lenart further explained the Planning Commission intent for proposed ordinance amendment.*

*Commissioner Hammerschmidt discussed the process for following through with proposed changes.*

*Commissioner Clarke expressed that certain requirements may have an unintended consequence of yielding a specific type of development.*

*Commissioner Abrons clarified that due to recent City Council changes, there may be other initiatives that are worth the time of the Commission.*

*Councilmember Disch expressed support in leaving the prioritization direction of this item to City Council.*

*Commissioner Lee requested to see the proposed map, and discussed adding item 11-a to a Working Session agenda,*

*Lenart and DiLeo explained the discussed locations.*

*Commissioner Milshteyn expressed support for the motion as is.*

*Hammerschmidt and Sauve discussed making modifications.*

*Commissioner Clarke discussed proposing to City Council a review of this topic as part of a larger scale effort rather than on a granular level.*

**On a roll call vote, the vote was as follows with the Planning Manager declaring the motion passed.**

**Yeas:** 7 - Sarah Mills, Alex Milshteyn, Shannan Gibb-Randall, Elizabeth Sauve, Lisa Disch, Wonwoo Lee, and Sadira Clarke

**Nays:** 2 - Ellie Abrons, and Sara Hammerschmidt

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

*AUDIENCE PARTICIPATION*

*Ralph McKee, 1116 Red Oak Road, Ann Arbor, expressed disappointment and opposition regarding the Planning Commission's discussion and decision regarding C1A/C1AR zoning.*

*Tom Stulberg, 1202 Traver Street, Ann Arbor, discussed the history of recent projects with a C1A or C1AR zoning. Stulberg discussed affordable housing implications.*

**13. COMMISSION PROPOSED BUSINESS**

*Chair Mills proposed discussing electric heating systems as part of the Planned Project Modification requirements.*

**14. ADJOURNMENT**

**Moved by Milshteyn, seconded by Abrons, to adjourn the meeting at 11:38 p.m.**

**Adjourned unanimously.**

Sarah Mills, Chairperson  
/mg

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<http://a2gov.legistar.com/Calendar.aspx>

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(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.)

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