

**PLANNING COMMISSION
MEETING MINUTES
OCTOBER 15, 2003**

I. CALL TO ORDER

The meeting was called to order at 7:30 p.m.

II. ROLL CALL

Present: F. Davis, R. Johnson, C. Knapp, J. Adams, N. Fosket, M. Brandt

Absent: F. Enneking (excused) G. Clark

Staff: N. Voght, City Planner
N. Schuette, Secretary

III. APPROVAL OF MINUTES – September 17, 2003

R. Johnson moved to approve the minutes of September 17, 2003 (Support: C. Knapp) and the motion carried unanimously.

IV. AUDIENCE PARTICIPATION

None

V. OLD BUSINESS

1. Supportive Housing Zoning Ordinance Text Amendment – Public Hearing

N. Voght gave an update on this issue stating that last month he reviewed the changes to the text and the board agreed to schedule the public hearing. The hearing was scheduled for October to receive public input on the proposed text amendment and if recommended for approval, would be forwarded to Council for final approval.

Commissioner Brandt moved to open the public portion of the hearing (Support: R. Johnson) and the motion carried unanimously.

Since there was no input from the public, Commissioner Johnson moved to close the public portion of the hearing (Support: M. Brandt) and the motion carried unanimously.

Commissioner Adams had a concern about informing the public and asked Voght what steps were taken for public noticing. Voght responded that it was published

in the Ypsilanti Courier, which is the paper of record for the city and also he had provided the draft text to Mary Jo Callen of Ozone House in August, but she not respond.

Commissioner Brandt moved to recommend this item go forward to City Council for their approval as presented at the September 17, 2003 Planning Commission Meeting (Support: R. Johnson). A roll call vote was taken with a vote of 5:1. Commissioner Adams voted against the motion. The motion carried.

2. South Depot Town Neighborhood Master Plan Amendments

Voght reviewed the history on this issue stating that neighborhood residents had formed a South Depot Town Neighborhood Association indicating their interest in making changes to the Master Plan. Several meetings were held with various groups of neighbors and business owners in the area in early 2003. A walking tour was conducted with the neighborhood giving the Commission an opportunity to become acquainted with the area in question to assist in making a decision. Planning Commission held a special meeting to develop a final Master Plan amendment recommendation. Voght continued that this is an official public hearing after which the Commission may take action to adopt the Master Plan revision. This change does not have to go before City Council.

Commissioner Johnson moved to open the public portion of the hearing (Support: C. Knapp) and the motion carried unanimously.

Since there was no public input, Commissioner Brandt moved to close the public portion of the hearing (Support: C. Knapp) and the motion carried unanimously.

Commissioner Knapp moved to adopt the proposed changes to the Master Plan in the South Depot Town Neighborhood area, based on the existing land use analysis which indicated areas of land use conflicts in the neighborhood and also neighborhood interest in making changes that are beneficial to the area (Support: R. Johnson) and the motion carried unanimously.

3. Cross Street Area Master Plan Amendments

Voght presented a color map of the Cross Street Master Plan Amendments Study Area indicating existing and resulting non-conforming uses. He stated that the pink parcels on the map indicate all existing non-conforming residential uses based only on lot area, zoning and number of units. The map does not look at parking, setbacks, landscaping and other possible non-conforming aspects. Indicated in red are parcels that will become non-conforming if a rezoning occurred to implement the proposed Master Plan amendments. The map shows a total of 642 residential parcels, of which, 330 are existing non-conforming and 312 are conforming. After a rezoning, an additional 57 properties would become

non-conforming, which is a 17% increase in the number of non-conforming parcels.

Commissioner Adams asked if the basis for the non-conforming parcels on the presented map is based on our current land area and Voght responded that the analysis considered lot area, current zoning, and number of units, and that parcels with over six (6) units have a certain density standard. If it is a four unit, it is based on a different formula. In some districts, 8000 sq. ft of lot area is required to have a multi-family of three apartments or more, for example. Adams continued by stating he believed this requirement had changed and asked at what point had this change taken place on the zoning requirement for a specific lot area for seven and below. Voght responded that this has been in effect for quite a number of years, but believed it was adopted with the 1994 Zoning Ordinance. Adams also asked about parking changes and Voght responded that this changed in 1994 with the adoption of the current zoning ordinance.

Commissioner Johnson said that he only saw one property that could be negatively affected by these changes.

Commissioner Knapp asked if modifications can still be made from the map presented by Voght and Commissioner Davis answered in the affirmative. If there is additional input, we can still make changes since this is not set in stone. Knapp also referred to “sprawl” adding that although this does not affect us directly, it is very much a part of our lives with traffic.

Commissioner Davis stated that we need to hold a public hearing to invite anyone to come forward and make presentations in regard to this item. We have made available several opportunities to discuss these proposed changes previously, i.e. the open house at the Senior Center. He also referred to an earlier question put forth by Commissioner Adams regarding “penalty for a burned unit” and some discussion about changing that. Voght responded that it this has been discussed and it would be a rather simple change, which staff would support, since the current resumption of non-conforming uses formula could be more reasonable. This zoning ordinance text amendment can be addressed and implemented during the zoning implementation of the area.

Commissioner Adams would like to have prepared draft language for the non-conforming replacement issue prior to the public hearing. Voght recommended that if the Commission would like to consider recommending this change to Council now, it could be handled on a parallel track. Further discussion was held on this issue by all board members on the language for replacement and Commissioner Davis asked Voght to consult with our attorney on the text agreement to which he agreed. Davis added that Commissioner Adams’ concern is that that any opposition to this change will likely involve people who could be significantly impacted by changing the non-conforming use and if a change were proposed for the non-conforming formula, they may be less opposed to it. All we

can do is give our recommendation to Council but we could move forward with the Master Plan on a parallel track. Commissioner Johnson indicated that he had no problem going ahead with the public hearing on a parallel track, looking at both issues separately.

Commissioner Brandt moved that the changes to the Master Plan be scheduled for public hearing at next month's meeting and at that meeting we will have a discussion on a draft of a change to zoning text ordinance in regard to our non-conforming reconstruction (Support: C. Knapp). A roll call vote was taken with a vote of 5:1 and the motion carried. Commission Adams did not support the motion.

VI. NEW BUSINESS

1. LeForge Station Student Housing – Peninsula Paper

Voght presented his staff report stating that this is a request for Planned Unit Development and Site Plan approval from Edwards Communities for the former Peninsula Paper site. There are two parcels, one on either side of LeForge Road. The western parcel is where the current facility is located and on the east, the property is currently vacant. There is a total of approximately 8 acres and they are proposing two separate buildings with a total of 190 apartments aimed at the student market because of proximity to the campus. The west side is zoned M2, Medium Industrial and the eastern property is zoned CI (Commercial-Industrial).

The submittal package is substantially consistent with all information requirements for a PUD, however, at a future time, additional information will be required for complete review of the project.

Staff met with the developers on a number of occasions and discussed with them some initial concerns on the plan. A PUD is a rezoning so it will go to City Council for final approval.

Voght reviewed the land uses and density adding that the proposed density of 510 rooms exceeds the maximum allowed under standards for R-4 multiple-family. He reviewed all the standards for setbacks, off-street parking, natural resources and stormwater management, landscaping, lighting and other considerations. While staff generally supports the proposed project and recommends that the Planning Commission schedule a public hearing for the November meeting, the application should be tabled to allow the applicant to address several items which were listed in Voght's report.

The subject parcels are located within what is designated as the River Preservation District adopted in the 1998 City of Ypsilanti Master Plan. This district was adopted with the goal of providing pathway along the river so people can utilize that resource and appreciate the river and the City can connect its green

spaces. The only green spaces currently connected in the city are in Frog Island and Riverside Park. The goal eventually is to be able to be part of a larger network, and connect to Ann Arbor. Additional setback at least on the easterly parcel is needed for a potential pathway, and it should be constructed along the northern property border.

Planned Unit Development design must be based on underlying zoning or the City of Ypsilanti Master Plan. The proposed use is high density residential, therefore, the applicant is requesting a Master Plan amendment to High Density Residential. Staff recommends the Planning Commission approve the change of all subject properties to High Density Residential. Staff will request that City Council authorize the distribution of the draft plan to surrounding communities and Washtenaw County, in order to bring back to Planning Commission for public hearing. Voght listed a number of facts to support staff's position.

Richard Kirk, Partner – Edwards Communities, Columbus, OH – was in attendance to represent the company as well as Mike Fite, Design Consultant. Mr. Kirk presented pictures of a number of other high end developments they had been involved in. He stated that his company has lots of experience building around water developments. They are proposing one, three and four bedroom apartments, each room with its own bathroom. He reviewed the architectural drawings of the proposed plan.

Mr. Fite added that this is not only a case of putting two buildings on a piece of vacant property but making it a gateway to the city. In order for a PUD to stand on its own they have to address community issues, which they feel they have done by the design of the building, site specific – spending a lot of time addressing the City's concern of the river and taking advantage of the view. Not only are they improving the site from a use standpoint but helping the river by putting additional vegetation there which will help the erosion.

Some discussion was held on the bike pathway and pathway connections along the river and Mr. Fite stated that he felt some compromise could be reached to resolve this issue. Traffic is a big issue as well as parking and Mr. Kirk stated that a traffic study will be held to determine a resolution. He feels that this is one of the most difficult sites they have worked on but yet one of the most intriguing because they are dealing with a number of elements. It does require flexibility given the geometry, the land uses around it, the railroad track and the intersection.

They have hired Atwell Hicks in Novi, Michigan to begin their brownfield plan which is part of the programs that are available for demolition and remediation of the existing building and will take several months. The traffic study is underway with Midwestern Consulting and should be complete within the next several weeks. They are very excited about this project.

Commissioner Davis asked the sizes of each apartment and Kirk responded that the one bedroom would be approximately 490 sq. ft, 3 bedroom – 1000 sq. ft. and 4 bedroom 1345 sq. ft and as mentioned earlier, each with their own bathroom. Commissioner Brandt asked if these apartments would be restricted to students and Mr. Kirk responded that they will not be restricted to students. She followed up by asking the approximate rent and Kirk responded that the range would be approximately \$600+ for a one bedroom to \$1600 for a four bedroom. Kirk added that although this is a speculative project, he feels that the competition in the area is very limited and they have been very successful with other communities. Commissioner Davis asked about parking since this is a big problem and Kirk responded that they plan to have one student per bedroom and plan to give almost one space per bedroom. Commissioner Knapp asked if a one bedroom could be rented to a married couple and the response was in the affirmative. Knapp stated that this could create a parking problem since it would be probable that they would both own cars.

Commissioner Davis stated that it is an exciting project; however, density is an issue. There is a huge challenge with that intersection. He asked Voght about scheduling a public hearing and Voght responded that the appropriate time for the hearing is when we are reasonably assured that the general layout is close to finalized. Davis agreed that we do have to look at density, parking and traffic and address as many as possible of the 42 items referred to by Voght in his staff report.

Commissioner Adams asked who owned the dam and Voght responded that it is owned by the City. Adams is concerned about liability to the City and is questioning if this liability can be shifted to the property owner. Voght responded that this could be referred to the City Attorney. Adams stated that the City has the responsibility of caring for the dam but it was noted that the U.S. Corps of Army Engineers actually takes care of it. Adams would like this clarified. Adams noted that the architect's seal is from the State of Ohio and asked if they had a seal from the State of Michigan and Mr. Fite responded that they had retained Atwell Hicks for the Engineering drawings who do have a State of Michigan seal but for landscaping architecture it can be any state seal.

2. Election of Officers

Voght stated that there are two positions to be filled and asked for a nomination for Chairperson. Commissioner Johnson moved to nominate Fred Davis as Chairperson (Support: M. Brandt). Mr. Davis accepted the nomination and the motion carried unanimously. Commissioner Knapp moved to nominate Roderick Johnson as Vice-Chair (Support: J. Adams). Mr. Johnson accepted the nomination and the motion carried unanimously.

3. Tyler Road

Voght gave an update on this issue adding that Mr. Scott Klaasan has been unable to secure a sub-tenant so has decided not to pursue his project. Voght sent him a letter to inform him that his Special Use had expired and put him on notice as well as the current owner out of Ann Arbor that the current use of the property is unauthorized, the permit has been revoked and that operations must cease immediately.

VII. ADJOURNMENT

Since there was no further business, R. Johnson moved to adjourn (Support: J. Adams) and the motion carried unanimously. The meeting adjourned at 10:18 p.m.