

**PLANNING COMMISSION
MEETING MINUTES
DECEMBER 15, 2004**

I. CALL TO ORDER

The meeting was called to order at 7:32 p.m.

II. ROLL CALL

Present: F. Davis, R. Johnson, G. Clark, C. Knapp, N. Fosket
S. Schulze, M. Brandt

Absent: None

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

III. APPROVAL OF MINUTES – September 15, 2004

Commissioner Johnson moved to approve the minutes of September 15, 2004 (Support: C. Knapp) and the motion carried unanimously.

IV. AUDIENCE PARTICIPATION

None

V. WELCOME

Chairperson Davis welcomed a new member to the Commission. Sandie Schulze has previously served on the Economic & Development Board as well as recently serving as councilmember and will be a great asset to the Planning Commission with her past experiences.

He also stated that along with this good news, he had some bad news since Commissioner Knapp has resigned after serving the board for two years. He thanked Commissioner Knapp for his service to the community.

Commissioner Davis informed the board that Commissioner Enneking has also resigned and added that he appreciated the contribution Frank has made in the many years he had served.

VI. OLD BUSINESS

1. Lincoln St Area/Tucker House – Master Plan Amendment

This amendment has now been reviewed by surrounding communities and Washtenaw County and is scheduled for a public hearing. The amendment was requested by City Council as Marsh Plating expressed concerns about being rezoned from M-1 to C/I as part of the South Depot Town Neighborhood Rezoning. After review by City Council, they gave it back to Planning Commission with suggested changes that are here tonight for public hearing and further action.

Nathan Voght, City Planner, gave an update on the previous action taken adding that City Council requested Planning Commission consider adopting language regarding the block occupied by the historic Tucker House. Specifically, the language would encourage the application of a Planned Unit Development should the block be redeveloped to give the City more control. This area was originally included in the South Depot Town Neighborhood rezoning and proposed to be rezoned to CI, Commercial-Industrial. However, the rezoning was tabled by City Council pending the Master Plan update by Planning Commission. He included maps indicating the area in question. The new Master Plan text reflects the updated Land Use Map #5 in the Master Plan, some of which was implemented by City Council. The C/I portion was reserved by Council pending this Master Plan amendment. If Planning Commission approves this amendment, the City Council could then take action on the rezoning to C/I for this block.

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

Teresa Alexandra, Superior TV – 115 N. Park – asked what would the City of Ypsilanti do if Marsh Plating were to abandon their property. That property has housed 45 years of the plating industry and prior to that the Tucker automobile factory operated on that site. Industrial sites such as this require expensive, extensive rehabilitation in the event the existing business leaves. We are already mired in a multi-million dollar clean-up on the Water Street Project with no end in site. The City is best served with Marsh Plating and their expansion plans. We certainly do not need another Motor Wheel site in our city.

In the past year, she has spoken with many business owners and investors, some of whom have considered opening a business in Ypsilanti and some that

have closed. The consensus was that the City of Ypsilanti makes it too difficult to build, develop and operate a business here. She understands how we want some control over Marsh Plating but urges that we do not make it so difficult that Mr. Marsh decides to take his business elsewhere.

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

Commissioner Brandt asked if by doing this, we were taking one parcel and making it a sub-zone within a zone and Commissioner Davis responded that a PUD Development gives the City an opportunity to be creative. Commissioner Brandt further asked if this property is abandoned, how we would change the zoning. Voght responded that this is only a policy Master Plan change to strengthen the case that we would prefer a Planned Unit Development redevelopment approach. This action tonight is not a zoning change.

Commissioner Johnson moved to approve the stated language amending the Master Plan as written (Support: G. Clark). A roll call vote was taken and carried unanimously.

VII. NEW BUSINESS

1. 720/722 Lowell

Staff report was presented by N. Voght, City Planner who stated that this is a request for a Special Use/Site Plan for a use that actually already exists. Ave Maria College bought this property two years ago which was a former dance studio. It was two former homes connected with a breezeway. It has been used as a dance studio and expanded over the years with apartments. Ave Maria acquired it and basically uses it as offices, apartments, class room, study area and storage, however, one of the apartments was converted to a non-residential use.

Staff never knew about the changes that were made but after it was discovered, Ave Maria was informed that they would have to go through the proper land use approval. Voght has been working with them for months. There are many unknowns about Ave Maria College since they are moving to Florida but indicated the applicant may be able to expound on this issue. While the Special Use substantially complies with the Special Use standards, staff is concerned regarding an exit strategy for Ave Maria on how the property will be disposed of by the college.

Staff recommended that the Planning Commission approve the Special Use Permit to operate a private educational facility with the noted uses and floor

areas and also recommends that the Site Plan be tabled pending resolution of several items which he listed in his staff report.

Commissioner Johnson asked if an exit plan had been submitted and Voght responded that none had been submitted but felt that the current Special use and site plan application were something the Planning Commission must still could still address.

Commissioner Davis asked if Ave Maria did move, how would the prospective owner use the property and Voght responded that the approval should be tied to a specific use, such as private post-secondary educational institution.

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

Kirk McClure, Atwell Hicks and Mica Puscas representing Ave Maria – were in attendance.

Mr. McClure reviewed the concerns of Mr. Voght and had comments on the fourteen items listed:

1. Voght spoke with the applicant and agreed to combine both lots.
2. Side and front setbacks will be restated.
3. Lot area will be provided in acreage and square feet.
4. Will provide a legend on each page of the plan.
5. The portion left off the plan is a chimney – will add when resubmitting.
6. Topographic contours were taken from a USGS map – will add drainage arrow.
7. Will provide detailed floor plans to determine off-street parking requirements.
8. Voght stated that the number of parking spaces cannot include the public alleyway to the south – the required number is 11 and they do meet this requirement.
9. Will change the parking stalls depth of the Site Plan.
10. Will add wheel stops for all spaces.
11. Will add one additional foundation landscaping shrub.
12. Will add another 10" pine.
13. They are asking for a waiver on the underground irrigation since Ave Maria employs full-time maintenance staff for this purpose.
14. Agrees to coordinate with the Department of Public Works regarding whether sidewalk reconstruction/repair is necessary along Lowell.

Mr. McClure concluded his presentation by asking for Planning Commission approval.

Judy Mull, 704 Dwight – inquired if this property is on the tax rolls and Mr. Voght responded in the affirmative.

Mica Puscas, Facilities Director – stated that a decision had been made to relocate Ave Maria College to Florida and at this time, there are no plans for a post graduate site. After 2007, the college will cease to exist and the properties will be sold off. They have no plans to sell to EMU or any other university to take it off the tax roll.

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

Some discussion was held among board members after which, a motion was made. Commissioner Brandt moved to approve the Special Use Permit for Ave Maria for 720/722 Lowell for the purpose of private post-secondary educational facility (Support: G. Clark). A roll call vote was taken and carried unanimously.

Commissioner Johnson moved to approve the Site Plan pending amended plans being submitted to staff for administrative review of the 14 conditions listed by staff but including a waiver of the underground irrigation requirement in lieu of their plan to maintain landscaping by maintenance staff. A maintenance schedule should be included on the plan (Support: M. Brandt). A roll call vote was taken and carried unanimously.

2. Cross Street Rezoning

Commissioner Davis stated that City Council convened a study session recently at EMU Welch Hall to discuss the rezoning process and for residents to voice concerns. There were approximately 100 people in attendance. The most significant comments were non-zoning issues – crime, parking, fraternities/sororities and enforcement issues. Some presentations were made and some people were in favor supporting the whole concept while others had reservations. Commissioner Schulze stated that most homeowners support the rezoning.

VIII. ADJOURNMENT

Since there was no further business, Commissioner Knapp moved to adjourn the meeting (Support: G. Clark) and the motion carried unanimously. The meeting adjourned at 8:47 p.m.