

**PLANNING COMMISSION
MEETING MINUTES
MAY 19, 2004**

I. CALL TO ORDER

The meeting was called to order at 7:33 p.m.

II. ROLL CALL

Present: F. Davis, J. Goulet, C. Knapp, F. Enneking, N. Fosket

Absent: M. Brandt (excused) G. Clark (excused) R. Johnson (excused)

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

III. APPROVAL OF MINUTES

Commissioner Knapp moved to approve the minutes of April 21, 2004 (Support: N. Fosket) and the motion carried unanimously.

IV. AUDIENCE PARTICIPATION

Commissioner Davis stated that the rules of conduct for the Planning Commission are that we allow anyone to address the commission on items that are not on the agenda. There are two items on the agenda, namely Cross Street Zoning Amendments and Master Plan Text Amendment for South Depot Town.

Rick Jarzembowski, 4539 Link Ct, Ann Arbor – wished to discuss the May 14th memo that addressed the Cross Street Zoning. He feels that the statement “*the value of multiple-family properties is strongly correlated to the size of the structure, rather than the number of units*” does not make sense. He has stated before the commission previously that the “taking of property rights” takes away the marketability of the property and he wished to reiterate this point.

Rodney Nanney, 40 S. Summit – also received a copy of the memo and compliments the City Planner on his diligence on keeping residents informed. He is disappointed with the proposed amendment and disagrees with staff's review of the guidelines and his conclusion and does not feel that this amendment should move forward. He noted that the proposed amendment deals with an effort to deal with the non-conforming issue. It still treats it as a Special Use allowing improvements to a non-conforming property. Property owners should be able to re-build the non-conforming structures "by right". This proposed amendment only affects the R2 district and it is his opinion that this still does not address all of the issues

Joe Lawrence, 212 S. Huron Street – stated that following on what has been said by the previous speakers, he feels that it is not persuasive that staff has reviewed the guidelines and disagreed with the conclusion. He was not aware of any mortgage banking qualifications of staff. Mr. Lawrence also reviewed the guidelines and noticed that the appraiser, under those guidelines, has to note any adverse condition with respect to a non-conforming use but when reviewing some of the staff recommendations, while it may be possible to get a Special Use Permit to re-build a five unit to a three unit, this is not adverse in terms of the income stream and types of things that are applicable when a person finances income property.

He referred to a letter from the Bank of Ann Arbor, Head of Mortgage Lending, citing as his authority one of the primary underwriters with MGIC. So with Fannie Mae, we now have 2 of the three underwriters on record (not included is Freddie Mac) but not once have we had any citation of authority by staff as to why these guidelines do not apply. The staff may be fine on planning but it does not have any mortgage banking credentials that he is aware of. He referred to the statement that was mentioned by a previous speaker and asked Mr. Voght for the authority for that statement. Mr. Voght referred to a memo by the City Assessor, Carole Clare, which deals with how assessments go on the city rolls but do not have any connection with how mortgage bankers view income properties.

V. OLD BUSINESS

1. 712 North River Rezoning

Commissioner Davis stated that this is an item that was initiated last month and was tabled. Commissioner Goulet moved to remove this item from the table (Support: C. Knapp) and the motion carried unanimously.

City Planner, Nathan Voght, stated that last month the Planning Commission held a public hearing on a proposed rezoning of one property with the address of 712 N. River and after reviewing the lot area of this property and realizing that the

applicant owned the property to the south also, we determined that we should leave it up to the applicant as to whether or not she would like to include that property to avoid split zoning. Mr. Voght discussed this with the applicant at length and she did agree that she wished to go forward with joining the parcels. Voght re-noticed the hearing to include the additional lot to the south with the intention of expanding the area proposed for rezoning from R1 Single Family to R2 One and Two Family Residential.

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

Faith Rouster, 712 N. River – did not have any additional comments from the previous meeting. She has spoken with N. Voght and it is her decision to combine the two 4,500 s.f. lots giving her 6,000 s.f. required to be in compliance and wants to have the property rezoned. Commissioner Davis confirmed that the applicant was aware of the advantages/disadvantages of this decision and Ms. Rouster agreed that Voght had pointed out the pros and cons but that she decided to proceed with the combination of lots. The next step is for Ms. Rouster to request a lot combination and Voght will discuss this with her at a later date.

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

Commissioner Goulet moved to recommend to City Council the rezoning of 712 N. River to include both tax parcels as re-noticed from R1 to R2 (Support: F. Enneking). A roll call vote was taken and the motion carried unanimously.

2. Cross Street Zoning Amendments

Staff report was presented by N. Voght, City Planner, who stated that he attached to the May 14th memo two pages beginning with "Division 3, R2 One and Two Family Residential District" which is the text from the Zoning Ordinance of the R2 District. Any underlined words are proposed text. Voght stated that we plan to add to the R2 district only as a Special Use the ability to restore or place a legal non-conforming multiple apartment and/or rooming house structure. This is only in the event the structure has been damaged, removed or severely damaged in accordance with Section 205 (5) which is the non-conforming section. In other words, if there is a multiple family structure in the R2 damaged beyond the 100% of SEV, then the owner would be able to apply for Special Use to the Planning Commission to restore it.

Voght reviewed each of the sections of the proposed language changes with board members and after much discussion, Commissioner Goulet moved to

adopt the language as written with the following exceptions under **Section 122-811 Restoration of legal non-conforming multiple apartment structures in the R-2, One and Two Family District.**

Purpose and Intent:

Second paragraph, add to first sentence "Subject to following criteria". Eliminate second sentence "Applicant shall be made to the Planning Commission for Special Use and Site Plan approval."

Under (4) Change wording to read "two of the three following criteria"

Remove criterion "d" and;

Direct staff to complete text amendment language for R1 and R3, bringing back for consideration at a public hearing next month. The motion was supported by Commissioner Knapp and a roll call vote was taken which was carried unanimously.

VI. NEW BUSINESS

1. 510 W. Cross

City Planner, Nathan Voght, presented his staff report indicating that this is a request for Special Use and Site Plan Review. He corrected his staff report which stated this was R2 and should read B3, Central Business District.

The applicant, Robert Barnes, is proposing a fraternity/sorority facility with ten beds. The owner of record of this property at this time is a Mr. Kircher, however, it has been in the courts for several months and is in receivership and according to our City Attorney, Mr. Barnes has enough legal interest in the property to apply for a fraternity/sorority.

The property is on the north side of W. Cross between Perrin/College Place with land uses in the area of multiple family and mixed use on the south side of W. Cross. The zoning in the area is B3 with the exception of the properties on the north which are R4 Multiple Family. The property is located in our Student Overlay District. Voght reviewed the Special Use Criteria with his comments:

Section 122-165 (b): Approval of a special land use permit shall be based on the determination that the proposed use will comply with all the requirements of this chapter, including all site plan review criteria (Section 122-127) and the applicable site development standards for the specific use. In addition, the following standards shall be met:

- (1) The location, scale and intensity of the proposed use shall be compatible with adjacent uses and the zoning of the land.

The Student Overlay District was created to define an area near campus where standards for fraternities and sororities would be relaxed. These include minimum lot area, open space, and parking. The intent of the overlay is to encourage this type of use to locate within the overlay. The initial delineation of the overlay came in the late 1980s. We believe that conditions that supported this initial delineation are largely unchanged.

Surrounding land uses include 4 and 6 unit multiple-family uses, and convenience store on the corner of Ballard. The proposed use is compatible with surrounding land uses.

- (2) The proposed use shall promote the use of land in a socially and economically desirable manner and shall not be detrimental, hazardous, or disturbing to existing or future neighboring uses, persons, property or public welfare.

The use will not be disturbing to existing or future neighboring uses, as adjacent uses are multiple-family and commercial. This area is planned for more intense commercial uses to serve campus and the student community.

- (3) The proposed special land use shall be designed, constructed, operated and maintained to assure long-term compatibility with surrounding land uses. Consideration shall be given to the placement, bulk, and height of structures; materials uses in construction; location and screening of parking areas, driveways, outdoor storage areas, outdoor activity areas, and mechanical equipment; nature of landscaping and fencing; and hours of operation.

The structure is existing and parking will be better organized in the rear. The applicant owns property on both sides of the subject property, which will allow improved management of all aspects of this block, including parking, waste management, lighting and general facility management.

- (4) The proposed special land use shall not present unreasonable adverse impacts on traffic circulation. Consideration shall be given to the estimated traffic generated by such use, proximity to major

thoroughfares, proximity to intersections, required vehicular turning movements, and provisions for pedestrian traffic.

Traffic will remain unchanged, and likely improved through organized parking in the rear and common ownership of the subject property and surrounding properties.

- (5) The proposed use shall not create additional requirements at public cost for public facilities and services that will be detrimental to the economic welfare of the community.

The proposed use will not create additional need for public facilities or services.

- (6) The location of the proposed use shall not result in a small residential area being substantially surrounded by nonresidential development, or a small non-residential area being substantially surrounded by incompatible uses.

The proposed expansion will not change the existing neighborhood dynamic in terms of non-residential and residential uses.

Voght reviewed the area, width and setbacks adding that there is no change to setbacks, with the exception of the rear barrier-free ramp which complies but a brief project description is required on the site plan. The proposed use complies with the Student Overlay District. Dimension of the parking does not meet our requirements therefore a variance is required for 16 ft. parking stall depth and 8 ft width. Proposed gravel surface for 8 car parking lot requires Planning Commission approval for surface material.

Landscaping was reviewed and a waiver is requested to use ornamental parking lot trees, rather than standard trees. A waiver is also requested to allow ornamental greenbelt trees instead of standard trees due to the small size of front yard and considerable foundation landscaping proposed and underground irrigation requirements due to small size of site and availability of hose bibs. Applicant needs to provide an overall site landscaping calculation.

Signage permit is required. Applicant should indicate what exterior improvements are proposed on the architecture and with regard to lighting, applicant should provide information on type of fixture and bulb on the rear of the building.

Staff recommends approval of both the Special Use and Site Plan with conditions as listed.

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

Robert Barnes, Jr., 215 N. River Street – is proposing taking an old non-conforming building and bringing up to city code and standards. They have had a lot of demand to conform fraternity/sorority use and after discussion with the City Planner, N. Voght, they found out that they could move forward. This particular fraternity does exist on Normal Street and wants to move to this building at 510 W. Cross Street.

They are bringing it up to city standards and ADA handicap accessibility for the main floor.

He realizes that there are many concerns with fraternities/sororities with difficulties of noise, etc. He stated that this particular building is three doors from his office so he will not allow this to happen. He has discussed this with the residents of the fraternity emphasizing to them that he will not allow this kind of behavior. The block where this is located is exclusively student rental.

Barbara Hale, 310 N. Hamilton – owns 4 units in the area. The lot in question is approximately 60 ft wide. There are currently six fraternities/sororities in the area. Parking is already a problem and when/if W. Cross becomes a two way, it will be more of a problem. We do not need any more high density in the area, especially fraternity houses. She feels that this is a burden to single family residents who live in the neighborhood and is opposed to this request.

D. Kircher, 50 S. Summit – stated that he was unable to get addresses of Planning Commission members in an effort to contact them. He continued by stating that Mr. Barnes is not the receiver of this property – he has a contract with the city to repair certain code items which, under his stewardship he created. Instead of repairing six code items, he created another 185 code items. This contract was not bid out according to the City Charter. In his experience, once a fraternity is allowed, who knows how many people will be allowed to stay there instead of the 10 stated. He urged the board not to approve this because he does not feel this meets the requirement of the owner. The owner should be the one to make the application or a representative of the owner to give permission. He owns another property within a block and is not anxious to have more fraternities in the area.

Ron Rupert, 421 N. Huron – commends Barnes & Barnes on the restoration of properties in the area as well as the whole city. Being a member of the Historic District Commission overseeing properties in the historic district, they also look at other areas even although they have no jurisdiction, citing homeowners for their

diligence on improvement. He stated that there are many fraternities on Normal Street and the parties on Thursdays, Fridays and Saturdays spill out on to the street. Law enforcement has to be called and it creates havoc. He is concerned about the parties that would take place at 510 W. Cross and is opposed to this request.

Bob Barnes, Jr. – responding to complaints about frat parties – he stated that he has 9 people living at the property to the east, 14 in next, 10 in next and 16 next to that and does not allow these “80 people type parties”. Even if this was not a fraternity, it would still be student rental and is still under control of his corporation.

Bob Barnes, Sr. – feels that his company does a good job in Ypsilanti and will continue to do a good job. If it goes back to Mr. Kircher, that may not be an option.

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

Commissioner Goulet moved to approve the Special Use Permit to allow a fraternity or sorority at 510 W. Cross, based on the following findings:

- a) The subject property is currently a condemned/vacant property formerly containing an illegal, non-conforming use.
- b) The property is zoned B3, Central Business District and located within the Student Overlay District.
- c) The Student Overlay District was adopted in the Zoning Ordinance to encourage the location of fraternities and sororities in proximity to campus, which will reduce impacts on surrounding neighborhoods and promote the interaction of the Greek community with campus life.
- d) The proposed use is compatible with surrounding land uses consisting of multiple-family residential, commercial/retail land EMU owned properties.
- e) Off-street parking, waste management and facility management will be improved as a result of the proposed use and improvements.
- f) The use will not present an adverse impact on traffic patterns and circulation.

The motion was supported by C. Knapp and a roll call vote was taken and carried unanimously.

Commissioner Goulet asked staff the difference between an ornamental and standard tree and Voght responded that he generally relies on the list that is in the Zoning Ordinance. Goulet’s concern was that they have enough clearance for people to walk under or affecting cars in the parking lot. Commissioner Davis referred to the question of the parking width and depth of stalls and Voght

responded that any approval made would have to include that condition otherwise they would have to re-design the lot. This would mean losing two spaces angling them more severely, which would be a much less efficient use of space.

Commissioner Goulet moved to approve the site plan together with the identified waivers regarding the underground irrigation and ornamental trees, subject to variance being granted by Zoning Board of Appeals and to the following items to be addressed in a revised plan to be administratively reviewed by staff:

- a) Provide brief project description on site plan sheet.
- b) Variances required for 16 ft parking stall depth and 8 ft. width.
- c) Proposed gravel surface for 8 car parking lot requires Planning Commission approval for surface material.
- d) Planning Commission waiver requested to use ornamental parking lot trees, rather than standard trees.
- e) Planning Commission waiver requested to allow ornamental greenbelt trees instead of standard trees due to the small size of front yard and considerable foundation landscaping proposed.
- f) Provide an overall site landscaping calculation.
- g) Planning Commission waiver requested of underground irrigation requirements due to small size of site and availability of hose bibs.
- h) Sign permit required for proposed fraternity/sorority sign from the Building Department.
- i) Applicant should indicate what exterior improvements are proposed.
- j) Provide information type of fixture and bulb on rear of building.

A roll call vote was taken and the motion carried unanimously.

2. Sheridan/Cross Alley Closing

N. Voght presented the staff report stating that this is a request from City Council at the request of two residents of Sheridan who live on either side of the alley in question. The alley in question runs north, south between Sheridan and W. Cross and is approximately 230 ft long. The process for either closing or vacating an alley is in a separate code section, #94, and with an alley closing, it can either be initiated by a majority of the abutting owners or by motion of City Council. City Council agreed to have Planning Commission hold a public hearing and make a recommendation for consideration. This is a request for an alley closing, not a vacation, which is usually done by a barricade or some other structure.

The zoning of the area is R1 Single Family along Sheridan and R3 Multiple Family along W. Cross. The area along W. Cross is proposed for the graduated R1 to

R4 which has not yet been approved. Voght reviewed alley vacation and closing process as well as the standards as follows:

The process prescribed by City Code includes the following steps:

- a) City Council Motion or Petition by majority of abutting owners initiates process.
- b) Planning Commission holds public hearing.
- c) Planning Commission makes recommendation to City Council.
- d) City Council receives the recommendation and then schedules a public hearing within four weeks.
- e) Notice of public hearing published in newspaper at least once per week for two successive weeks, not less than four weeks prior to the hearing.
- f) City Council makes final decision.

Section 94-271 provides standards to be followed for closing a public alley, and any other factors that would be important to consider in this specific case. The five (5) standards required to be considered and our comments are as follows:

- a) Whether the alley services a residential, single-family, multiple-family or business area.

The area in question is zoned R1, Single-Family and R3, Multiple-Family Residential and consists of primarily one-family uses on Sheridan with one, two and three-unit structures on West Cross. The alley is used by all abutting residential uses for access to garages and parking.

The closing of the alley could be accomplished with barriers placed at the center. It appears that adequate access to parking and garages could still be provided for adjacent uses if closed.

- b) Whether the closing will create an undue burden on traffic.

The location of this alley between West Cross and Sheridan does not provide useful traffic function, except for access to adjoining properties. Summit Street and Oakwood Avenue provide north/south travel from Sheridan to Cross, and vice-versa. The closing of the alley would not create an undue burden on traffic.

- c) Whether the closing is necessary to prevent traffic from traveling through the neighborhood to destinations outside the neighborhood or other safety factors such as speed of traffic, frequency of use, the size and condition of the alley.

The adjoining Sheridan Street owners have cited a variety of concerns with regard to current use of the alley and safety. These include excessive speed, ignoring stop signs at the end, and inappropriate use. Closing the alley would clearly address the above issues. Additional input should be sought during the public hearing to assist the Planning Commission in determining whether the above concerns are widespread.

We question whether an unreasonable number of vehicles indeed utilize the alley for destinations outside the neighborhood, given the proximity of Oakwood and Summit. It is possible that vehicles on Elm traveling north would attempt to utilize the alley to access Cross Street.

d) The wishes and desires of the majority of the neighborhood.

The abutting Sheridan Street owners provided a signed petition representing 10 properties in the immediate vicinity. It appears to be the third page of a letter sent to City Council. However, as no information is provided on the petition page indicating its purpose, the usefulness of this petition to determine the wishes and desires of the neighborhood is in question. We recommend that the Planning Commission receive public input to properly evaluate this standard.

e) The present and future interests of the city considering planning for the entire city.

Sheridan Street is planned and zoned R1, Single-Family. The western half of the block of West Cross behind Sheridan is proposed for rezoning to R1, and R2 zoning. The closing of the alley will be in keeping with these future goals of this area of the city.

Voght stated that he distributed emails from the Department of Public Works, Fire Department and Police Department for the board's review. They did not have any comments on closing the alley. Staff is not opposed to the closure of this alley and listed reasons for support.

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

Bill Nickels, 311 N. Wallace – is a City Council Member and is in attendance representing the City Council. He stated that when he was first elected to City Council, he received a telephone call regarding the alley and re-occurring calls have taken place during the last five years with the issue never disappearing.

Both he and Council Member Gawlas moved council initiative to close the alley in an effort to have a public hearing of the issue and hear both sides of the argument making a decision that will finally determine the future for the alley. He gave some history on alleys in Normal Park adding that there are eleven recognized alleys that are north/south throughout this area, 8 of which are closed by barricade, fence or overgrowth of vegetation and 3 are still functional.

Voght passed out copies of various letters that had been submitted by residents.

Karen Jefferson, 956 Sheridan – distributed various pictures. She stated that many people drive through there without stopping in order to catch the light on the next street. They have put toys and tricycles there to try to make people aware that they need to slow down but in some cases, they have been stolen. They are not trying to make things difficult for neighbors; they are more concerned about safety for children.

Heidi Dziak, 954 Sheridan – sent a petition around in January which 15 people signed requesting close of the alley. She feels that it is a hazard and feels that there is a safety concern for children. She is asking for a barricade to help make the neighborhood safe. She has talked to the Police Department on several occasions and they have agreed to take license plate numbers when they can get them. They have tried to talk to neighbors with no results and would like guidance from the Planning Commission. One of the tenants of Mr. Loy parked in front of her garage and when she contacted him, he suggested that she have it towed. She does not feel that this would be very neighborly and informed Mr. Loy that it was his responsibility to inform his tenants.

Commissioner Goulet asked the type of barricade they would propose and Ms. Dziak responded that whatever was suggested would be fine as long as it worked preventing cars from going through.

Matt Loy, 955 W. Cross – stated that he has three tenants, two of which park on the side of his garage and if a fence was installed cutting the alley in half, the tenants will not be able to back out. This is a safety concern. The alley is fully functional. He has a landscape trailer that he needs to back in and out of the garage and he would not be able to position it correctly if there is a barricade in the middle of the alley. He does not want the alley closed.

Susan Roelofs, 963 W. Cross – stated that she has lived there for 22 years and raised three children. The alley is completely safe compared to W. Cross. She is asking that the board not close the alley.

Rodney Nanney, 40 S. Summit – commented that his daughter delivers papers in Normal Street and she would like to see the alley kept open to at least

walk/ride bicycle through since Sheridan is a particularly long block without a through street.

Joseph Faraoni, 947 W. Cross – stated that if the alley was closed it would be almost impossible to back out and turn around and if this was the only way in/out, they would be blocked in. There is a sign stating “no parking” but cars park there regardless and do not get ticketed or towed. He does not think there is much traffic going through the alley and does not support closing the alley.

Mrs. Gelletly, 921 Sheridan - is not directly affected but she walks the neighborhood and has noticed a lot of fast traffic through the alley. She also owns a rental on W. Cross and her tenants have found a creative way to solve the problem of backing out into W. Cross. When they come home, they back in so they have visibility.

Joe Dorian, 947 W. Cross – he is concerned about blocking off the alley because when he comes home, he pulls in from W. Cross and pulls out on to Sheridan down to Oakwood. He does not feel the alley is dangerous although the condition is very poor. If the alley was blocked, to try and turn his car around inside the alley with cars on either side would be impossible. He is opposed to closing the alley. Most cars do not go any faster than 20 miles per hour which he does not feel is dangerous.

Jill Clouse, 22 S. Normal – is a paramedic and has taken care of kids that have been hit by cars going 20 miles per hour. She is a sister of one of the residents and will not let her children play outside while visiting. It is very unsafe.

Kim Dow, owner of 947 W. Cross – lives at 5542 Crane, Ypsilanti – stated that he lived on the alley for ten years. He never experienced any of the problems that the petitioner is referring to. He is opposed to the closing of the alley. It would pose an economic hardship for Mr. Loy and himself since they both use the garages on a regular basis. The alley has a 16 ft. right-of-way and there is no way to move a trailer or landscaping equipment to pull in and then try to back out. There is no record of any accidents that he is aware of. He submitted some pictures of the area. If the board decides to close the alley, he would like to see some kind of site plan on how it would resolve the parking issues on these four properties. He is not supportive of the alley being closed.

Dave Kargol, 947 W. Cross – wished to emphasize the fact that there is not much traffic going through the alley. He is not in support of closing the alley.

Commissioner Goulet moved to close the public portion of the meeting (Support: N. Fosket) and the motion carried unanimously.

Commissioner Davis stated that this is not a clear issue. There is the question of the accessibility to allow safe maneuverability of cars. Some discussion was held on various options on how this alley could be closed, i.e. speed bumps, etc. Voght added that in discussing this option with Harry Hutchison, Director of DPW, he stated that he is not in favor of this since it is difficult to go through there in the winter to plough. Commissioner Goulet would like to see a sketch of how people could maneuver their cars or park. Voght stated that he could check Sanborn Maps and also check with owners to see if they have mortgage surveys and then piece them together. Commissioner Davis stated that we do not have a clear mandate on this, therefore, if we are going to make a recommendation to City Council, we should have a further study or recommend an alternative.

Commissioner Knapp moved to direct staff to study the area in more detail specifically looking at the geometry of the various properties and structures for parking viability and speed mitigation. Also study possible placement of a barricade (Support: N. Fosket). A roll call vote was taken with a vote of 4:1. Commissioner Goulet voted against the motion.

4. North and South Huron Public Parking Lots – Site Plan Review

N. Voght, City Planner, presented the staff report indicating that this is a request for Site Plan Approval for three lots that the Downtown Development Authority is planning to improve. The parking lots are North and South Huron and N. Adams. They are upgrading these lots, providing landscaping and complying with our current standards in terms of parking lots. They came before the Zoning Board of Appeals the previous week and got variances for parking setback and pole height for the S. Huron lot which was granted. There are some waivers that they are requesting from Planning Commission for landscaping.

Staff is recommending approval of the site plans with seven conditions and waivers that Planning Commission will have to authorize for material landscape islands.

Commissioner Goulet added that the Downtown Development Director had asked him to update the board on the status of the alley on the N. Huron lot. They have been working with the owner of the property involved to try to come to a resolution on the parking issue. Voght added that they are providing common dumpster enclosures in the center of all the parking lots to get them away from the back of the buildings to help clean up the lots.

Commissioner Enneking referred to the parking lot behind Computer Resources adding that they use this alley to get their vehicles in and out of their building to the north. The site plan shows a curb which was not previously there. Voght responded that this will be addressed by Beckett & Raeder.

Kristy Summers and Marie Page, Beckett & Raeder – stated that they have been working with the Downtown Development Authority for over a year starting with the Master Plan of the whole downtown area and assisted them through a public process of determining the highest priority for the second phase of streetscape implementation. Through that process, it was determined that the parking lots were the highest priority for the community.

The DDA has bonded approximately \$995,000 for improvements, which unfortunately does not cover the cost of full removal and replacement of all three parking lots. Consequently, they have been working with the DDA to decide the most important priorities in each parking lot to be made with the monies available to get the most for the money. Ms. Summers reviewed each lot and the proposed improvements of traffic plan, landscaping, signage and lighting.

Commissioner Goulet moved to approve the site plan for all three parking lots with the condition that revised plans be submitted to be reviewed administratively to address the following comments:

- a) The proposed barrier-free space near the dumpster enclosure, and one proposed near South Washington in the South Huron lot do not have a service aisle.
- b) All proposed improvements on private property will require appropriate easements.
- c) A table of landscaping standards and whether proposed landscaping complies should be placed on each landscape sheet.
- d) Planning Commission waiver of interior landscape island per 16 parking spaces based on the overall improvements to the existing parking lot and elimination of numerous non-conformities, and addition of landscaping elsewhere in the sites.
- e) Provide formula for overall landscaping as a percentage of lot area. Staff recommends Planning Commission waiver if less than 10% is provided, based on an overall increase in landscaping and elimination of non-conformities.
- f) A note should be added to the plan that underground irrigation will be provided, or waiver requested by Planning Commission.
- g) Photometric contour studies required for all parking lot to demonstrate compliance with 122-641.

Including addressing the issue of the cars exiting on Washington and signage on side of building from the S. Huron Street Parking Lot (Support: F. Enneking) and the motion carried unanimously.

4. 967 W. Michigan

Voght stated that this is a re-submittal of an expired site plan for the Davis-Lewis Chapel Funeral Home. It was formerly a home then vacant for a number of years after which it was proposed for a funeral home conversion. It was approved in August 2001 but has since expired.

Since this was basically a re-submittal, Voght informed them that they could submit the same plans since all of the landscaping plans were adopted previously. Voght spoke with Don MacMullan, the project architect, since he was not the City Planner at the time and had a few items he wanted addressed. Staff recommends approval with conditions which he listed.

Don MacMullan, 308 N. River – does not see any problems with Voght's comments but did not totally understand the greenbelt requirement. Voght explained that the greenbelt requirements are one tree for every 30' of the entire greenbelt. He would get with Voght to resolve the turnaround at south end of parking lot.

Commissioner Goulet moved to approve the site plan subject to staff's conditions, leaving the resolution of #2 to staff:

- a) The front lot line is inconsistent between the landscape plan and Sheet S-1.
- b) Provide turn-around bump-out at the southern end of parking lot.
- c) Sidewalk repair/replacement/installation requires right-of-way permits from City Department of Public Works and Michigan Department of Transportation. City Building Permit also required.
- d) Additional greenbelt trees are required.
- e) One additional parking lot tree is required.
- f) Foundation landscape beds should be defined and additional foundation landscaping is required.
- g) Proposed sign must be ground or monument style sign, as pylon style signs are not permitted.
- h) Provide light fixture details.

The motion was supported by C. Knapp and a roll call vote was taken with a vote of 4:0. Commissioner Enneking abstained due to a conflict of interest. The motion carried.

5. Master Plan Text Amendment

Voght stated that as part of the South Depot Town rezoning, we had recommended the block where Marsh Plating is located to be CI, where it is

currently M1 Light Industrial. CI would require any industrial use to have a Special Use and M1 allows permitted use. In discussing this with City Council, they did not adopt the CI but instead asked Planning Commission to devise some language in the Master Plan that specifically sets up this block to encourage application of a Planned Unit Developed if it is ever going to be developed. Marsh Plating's long-term plan is to acquire the properties on that block and expand their facility. If this goes through, City Council would take this off the table, adopt the zoning and Marsh Plating would have a certain degree of certainty for future expansion since they will have to go through both the Planning Commission and City Council.

The language is the same as Voght previously suggested a couple of months ago with no changes. The focus is encouraging PUD if the block is going to be re-developed.

Jim Nelson, Attorney – was in attendance to represent Marsh Plating who is interested in participating in the process. They would like the property to remain MI. During the past approximately four years, they have spent about \$600,000 acquiring the bulk of the property in that block and developed plans for expansion, most probably for shipping and receiving.

Commissioner Davis stated that the next step is for this to go forward.

VII. ADJOURNMENT

Since there was no further business, Commissioner Goulet moved to adjourn the meeting (Support: C. Knapp) and the motion carried unanimously. The meeting adjourned at 11:38 p.m.