

**CITY OF YPSILANTI
PLANNING COMMISSION
MEETING MINUTES
JULY 18, 2007
7:30 P.M.
COUNCIL CHAMBERS**

I. CALL TO ORDER

The meeting was called to order at 7:31 p.m.

II. ROLL CALL

Present: R. Johnson, B. Lenart, C. Zuellig, R. Andrews,
P. Lippens, B. McClemens, D. Lautenbach, K. Smith

Absent: G. Clark

Staff: K. Hart, Director of Planning
N. Voght, City Planner
N. Schuette, Executive Secretary

III. APPROVAL OF MINUTES – June 20, 2007

Commissioner Lenart moved to approve the minutes of June 20, 2007 (Support: B. McClemens) and the motion carried unanimously.

IV. AUDIENCE PARTICIPATION

None

V. OLD BUSINESS

None

VI. NEW BUSINESS

1. 1510-12-14 Washtenaw

Staff report was presented by N. Voght, City Planner, who stated that this is a request for a rezoning of two adjoining properties from B-1, Neighborhood Business, to B-2 Community Business. The applicant is requesting to rezone a 4,600 s.f. commercial building from B-1, Neighborhood Business to B-2, Community Business. The owner of the adjoining property to the east at 1510 Washtenaw, which is occupied by a 6,600 s.f. building, has also joined the petition. Total land area involved is approximately 35,600 s.f. The Master Plan calls for Mixed-Residential/Commercial in this area.

Voght included a matrix of all uses allowed in both the B1 and B2 zoning districts. This matrix shows those that would be permitted by right and those that would require special use approval. In the B-1 there is a limitation of a building of 3,000 s.f. for a single tenant and 5,000 s.f. for a multi-tenant building but that restriction does not apply to the B-2.

Voght reviewed the rezoning standards that apply with his comments as follows:

1) Is the proposed change consistent with the goals, policies and future land use map of the City of Ypsilanti Master Plan?

No. The Master Plan designation of Mixed Residential-Commercial is intended to provide for a mixture of residential and lower-intensity commercial uses. The intensity of the commercial uses allowed would depend on site characteristics. While the Master Plan generally contemplates that the R/C, Residential-Commercial zoning would be the primary zoning designation to implement its recommendation, it is not appropriate in this particular location given that the R/C district allows a few more intense non-residential uses that may be incompatible with adjacent land uses. In addition, the R/C district is more suited for corridors with a mix of commercial and residential land uses, where these few blocks along Washtenaw are dominated by commercial uses.

The requested designation of B-2, Community Business also is not appropriate as it also allows a variety of uses that are incompatible with surrounding land uses, would likely require larger spaces than the existing buildings in combination with shallow parcels, and does not limit size of commercial spaces. Finally, the many more intense uses in the B-2 would not be adequately served by the existing building and property configuration of the parcels, given off-street parking, access, and maneuverability requirements of these uses.

2) Is there evidence that the owner cannot receive a reasonable return on investment through developing the property with one of the uses permitted under the current zoning?

No. However, the rezoning is not requested for these reasons. Rather, the applicant desires a particular use that is not permitted in the B-1 district.

3) Are the uses permitted in the proposed zoning district compatible with existing surrounding land uses?

No. The proposed B-2 zoning potentially allows many uses by right that may not be compatible with surrounding land uses, such as funeral/mortuary establishments (Special Use in the B-1), hospitals, community garages and parking lots, drive-through restaurants or banks, outdoor retail sales/display, beer gardens, bars/lounges, and others. Uses in the B-2 are permitted by right to extend their hours until 2:00 a.m., as well, where uses in the B-1 are only allowed to extend their hours until 12:00 a.m. by right.

4) Are city utilities and services sufficient to accommodate the uses permitted in the proposed zoning designation?

Yes. Existing city utilities and services are sufficient to accommodate any use in the B-2.

5) Can the existing street system safely and efficiently accommodate the expected traffic generated by uses permitted in the proposed zoning district?

Maybe. The site is located on a major thoroughfare but some potential high-traffic generating uses would have to be carefully restricted from access to Mansfield, which is a residential street.

6) Is there apparent demand for the types of uses permitted in the proposed zoning district compared to the amount of land in the City currently zoned and available to accommodate the demand?

No. However, various proposed uses throughout the city have had difficulty fitting in the B-1 designation due to the narrow list of permitted uses. This has resulted in uses seeking alternate locations or requests similar to this one.

7) The boundaries of the requested rezoning district are reasonable in relationship to adjacent zoning and development of the site will be able to meet the dimensional regulations for the proposed zoning district.

Yes and no. Two adjoining property owners have jointly applied for this rezoning. Zoning to the north and west is residential, while street rights-of-way border the properties to the east and south. The boundaries are appropriate. However, some of the permitted uses will likely not be able to meet set-backs, off-street parking, or maneuverability standards given the layout and sizes of the properties in question.

8) If the rezoning is appropriate, is the proposed designation the most appropriate considering all other districts, from the City's perspective?

No. At this time, the existing B-1 designation is the most appropriate for these properties because it is the most restrictive for commercial land uses, which will ensure the most compatibility with the adjacent neighborhood.

9) If the rezoning request is for a specific use, is rezoning the land more appropriate than amending the list of permitted or special land uses in the current zoning district to allow the use?

No. It would be more appropriate to add the desired use to the list of permitted uses in the B-1 than to rezone the properties to the proposed B-2 designation.

10) Will the requested rezoning create an isolated and unplanned "spot zone"?

Yes. A rezoning of these parcels may be considered spot zoning because the Master Plan does not support the change, and zoning directly across the street to the east and south is B-1 zoning.

The proposed rezoning from B-1, Neighborhood Business, to B-2, Community Business on balance is not consistent with the City of Ypsilanti 1998 Master Plan. The Washtenaw Avenue corridor was carefully studied and significant neighborhood input was given, which resulted in the current policies of residential and low intensity commercial uses for this area. Although the R/C zoning district was crafted to implement this future land use designation, in this case it is advisable to keep the existing B-1 zoning in place. Staff recommended denial of this rezoning.

Commissioner McClemens moved to open the public portion of the hearing (Support: D. Lautenbach) and the motion carried unanimously.

Chundra Johnson, 3228 Hocks Avenue, Ann Arbor – stated that she is the owner of 1512 & 1514 Washtenaw and is also representing the owner of 1510 Washtenaw in this request. Ms. Johnson purchased this property in April 2007 and then applied for a certificate of occupancy and, at that time, found out that she did not meet zoning requirements for both size and use. She intends to use the entire building for a quality consignment store. Similarly, 1510 Washtenaw is 6600 s.f. and has always been a single use. The owners are currently looking to lease/sell that business and are concerned that the current zoning limits their ability to attract a buyer or tenant.

Ms. Johnson stated that she and her husband started a consignment business three years ago selling clothing, accessories, furniture, small appliances and housewares. They have been selling items on-line while looking for a location.

Chairperson Johnson asked her to confirm how this arrangement works. Ms. Johnson responded that interested parties would bring items to her, which must be in good condition. A contract would be signed, after which time she would display it and list for sale in her store. After the item is sold, they split the proceeds 50/50.

Commissioner McClemens asked they how plan for inventory intake and Ms. Johnson responded that customers would bring some items. However, she also finds items in estate sales. McClemens asked about hours of operation and Ms. Johnson responded that the hours would be Monday – Saturday from 10:00 – 6:00 with some evening hours on Wednesday until 9:00 p.m.

Pattie Trout, 1239 Washtenaw – stated that she has checked with surrounding communities regarding consignment shops, all of which have B-2 zoning. This same type of request by Bethel Lutheran was denied years ago. She also checked with other consignments shops in the area as well as non-profit, none of whom fare well. She is not supportive of this request.

Judy Moray, 1205 Whittier – stated that if B-2 were granted, a precedent would be set since Hollywood Video and Courtland Square are for sale. The Master Plan is to preserve the integrity of the neighborhood and the Gateway to the west side of the City.

Harry Hutchison, 2020 Roosevelt – has been a licensed State Realtor for 60 years. It is his opinion that this “spot zoning” is detrimental to the community. If a business person wants to have a property rezoned, she should have exercised due diligence prior to purchase of the property. There are areas in Ypsilanti that are zoned B2. This would have an adverse impact on the community since this request runs with the land. This could set a precedent. He did not feel this is a good idea.

Clare Beck, 460 Owendale – strongly emphasized that this property is very shallow and abuts single family homes with no buffer space between. She has lived there since 1978. There are always pressures to rezone but this is not suitable for B-2.

Jim Anderson, 2260 Kirk Street, Ypsilanti – stated that he knows the applicant – they are good Christian people. Washtenaw Avenue is mostly businesses. He supports this request.

Chris Barron, 478 Douglas – she is against this rezoning because it does not matter who is going into it right now – whether they are honest, have integrity, etc. The real point is that if they don't do well or have to move, anyone else in the area can go into it and the city would not have any control over it.

Michal Mannheim, 1637 Whittier – is not in support of rezoning to B-2 to a more commercial use. The site is very close to the neighborhood.

Joe Golder, 1002 Washtenaw – is supportive of this request. Washtenaw Avenue is not residential for the most part. Other communities are suffering for lack of business and we don't want to end up like Highland Park or Hamtramck.

Yvonne Abdo, 2028 Collegewood – residents in the area are actively involved in protecting their neighborhood because of the impact of traffic. She cannot understand people who are interested in opening businesses to not do due diligence to find out what is allowed for what they want to do. She does not feel that this is an appropriate business and is not supportive of this request.

Jane Salcau, 2124 Roosevelt Blvd – does not support B-2 – agrees with other speakers since this zoning change would stay with the land.

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

Chairperson Johnson stated that the Master Plan carries a lot of weight and intends that this be a low impact business area. Citizens have been actively advocating for the city to uphold the Master Plan zoning.

Commissioner Lenart stated that it is his opinion there is room within the Master Plan for a variety of commercial districts for this corridor, but he does not think that B-2 is appropriate and does not intend to support this request. Some of the uses that are located in B-2 are inappropriate for this area. It is also his opinion that R-C, Residential-Commercial could be appropriate in the future.

Commissioner Lautenbach stated that B-2 is not appropriate since it does go with the property.

After further discussion by board members, Commissioner Lenart moved that the Planning Commission recommend denial of the rezoning of two adjacent parcels, 1510 Washtenaw with tax id# 11-11-05-351-016 and 1512-1514 Washtenaw with tax id# 11-11-05-351-015, with a total area of approximately 36,600 s.f., from B-1 Neighborhood Business to B-2, Community Business, based on the following findings:

- a) The rezoning is not consistent with the goals, policies, and future land use map of the 1998 Master Plan. The proposed B-2 zoning permits a variety of uses that are more intense than permitted in the B-1 district, and would be incompatible with surrounding uses. The Mixed Residential/Commercial future land use designation calls for lower intensity commercial uses and residential uses than those allowed in the B-2 district.
- b) There is no evidence presented that the property cannot be reasonably used under the current B-1, Neighborhood Business zoning.

- c) Some of the uses permitted in the proposed B-2 zoning that are not currently allowed in the B-1 zoning are potentially incompatible with existing surrounding land uses.
- d) The depth of the existing lots, size of the buildings, and available off-street parking are not suitable for many of the more intense uses permitted in the B-2 zoning district.
- e) There is no apparent demand specifically for the B-2 zoning district; rather, the requested rezoning is to accommodate a specific use that is not currently permitted in the B-1 district.
- f) It is more appropriate to request that the proposed use to the list of permitted uses in the B-1 zoning district than to rezone the property to another commercial zoning designation that already permits the use.

The motion was supported by Commissioner Lippens. A roll call vote was taken and carried unanimously.

2. 1512-1514 Washtenaw

N. Voght presented the staff report for a request for a zoning ordinance text amendment to add antique, consignment and resale stores to the list of permitted uses in the B-1, Neighborhood Business district. These uses are currently allowed as permitted by right in the B-2, B-3 and B-4 zoning districts.

The applicant recently acquired 1512-1514 Washtenaw, a 4,600 s.f. commercial building and would like to open a resale/consignment store. B-1 zoning does not list this as a permitted use and because it is listed elsewhere in the ordinance, it is not permitted in B-1. If this were not addressed across the whole ordinance, it might be allowed in this district, so it is prohibited by the construction of the ordinance.

In looking at the Master Plan, there are a variety of areas in the City where a single-family residential or commercial uses are in close proximity, and this area is one of these. Reducing land use conflicts in these areas is recommended through a variety of means, including proper land use transitions, buffering, careful site planning and overlay districts. The B-1, Neighborhood District is intended for commercial areas that serve adjacent residential neighborhoods by providing convenience and personal service shopping.

Voght provided a zoning district analysis as follows with his comments:

The B-1, Neighborhood Business district has the following purpose and intent, from section 122-351:

The Neighborhood Business District is intended to provide for the convenience shopping of persons living in nearby neighborhood residential areas and for general uses and activities of a retail and personal service character. Only those

uses which are necessary to satisfy the local needs, and which occur so frequently as to require commercial facilities in proximity to residential areas, should be permitted. In addition, low-intensity business and professional offices may be allowed. Each use within this district shall be no larger than 3,000 square feet for a single business occupant development and no larger than a total of 5,000 square feet for a multi-tenant business development. The Planning Commission shall be authorized to allow an additional 1,000 square feet of building size for projects consistent with the character and intent of the Section.

In reviewing permitted uses in the B-1 district, they are limited to low-intensity commercial and office uses with restrictions on the size of the space, traffic flow, external impacts, hours of operation, and type of use. For example, single-tenant occupants are limited to 3,000 s.f. outdoor retail sales and display is not permitted, sale of alcohol is not permitted for consumption on the premises, higher traffic-generating uses like funeral homes, hotels/motels, and drive-through banks are not permitted, and hours of operation between 12:00 am and 6:00 am require Special Use approval. The B-1 zoning is generally, though not exclusively, intended for uses that serve nearby residential areas.

The commercial zoning hierarchy is based on intensity/type of use and the area served. Antique, consignment, and resale stores have been intentionally omitted from the B-1 district with the idea that this use is inconsistent with the intent of the B-1 zoning district. However, staff's opinion is that a resale or consignment retail use should not be treated any differently than other retail uses, provided all other standards are observed, such as outdoor display being prohibited.

Further, additional review may be warranted of the commercial zoning hierarchy of the ordinance. The Zoning Ordinance text should reduce emphasis on trade area and proximity of population served, and place more attention on performance or characteristics of the use, itself.

The proposed zoning ordinance text amendment would allow antique, consignment and resale retails uses in the B-1 zoning district. This change is consistent with the 1998 Master Plan in that it will still ensure adequate protection of commercial corridors currently zoned B-1 that are adjacent to residential areas. The new use is not incompatible with residential areas, and will be subject to similar size, outdoor display, and hours of operation restrictions as other retails uses in the B-1 district. Staff recommends approval of the Zoning Ordinance text amendment.

Commissioner Lenart confirmed with staff that, in conversation with the applicant, the basis for requesting this be added as a permitted use is because it is similar to other retail uses that are also permitted in B-1 as opposed to a special use in the B-1. Voght responded that he thought that this was similar to other B-1 uses that are currently allowed.

Commissioner Johnson asked if any consideration had been given to the coming and going of large items that were not previously included in B-1 to the point where it might be considered a furniture store and not a retail store; is that the

reason why antiques resale have been in the other districts and not the B-1? Voght responded that he did not know why this was developed in this way. The language goes back to at least 1994.

Commissioner Andrews stated she is concerned with staff's comments that this use is the same as any other new retail store in that retail stores are supposed to be for people residing in the adjacent neighborhoods, yet there is clearly a separate designation for antique and consignment retail stores which is distinct from other retail uses. She has a concern that we are changing the Zoning Ordinance when the use is clearly separated out already. Voght responded that he questioned if there is enough justification to treat a store selling used goods differently from any other store that sold something new. It is his opinion that too much emphasis has been put on the trade area. One could point to a lot of uses that are allowed in the B-1 that clearly do not just serve the adjacent neighborhood.

Director Hart stated that antiques are already allowed in B-1 under 11 (b). In B-1 it is listed as a personal use item which is perhaps different from an antique store.

Commissioner Andrews stated that the definition limits the space to 3,000 s.f. for a single business and the property is 4,600 s.f. Also, the property next door is 6,600 s.f. and questioned what the intended use is for the 6,600 s.f.

Voght has discussed this point with the applicant to explore options. The former Dollarmania (6,600 s.f.) has always been one space, so it is grandfathered. The applicant's space was divided into an office suite and a copy shop, which complied. The spaces have been combined so it is no longer grandfathered. The owner would have to request an exception for an additional 1,000 s.f. from the Planning Commission and carve out the remaining as an office suite, as it was previously.

Commissioner Zuellig referred to the extra 1,000 s.f., asking if they could get a variance to occupy it. Voght responded that the applicant could apply for a variance from the Zoning Board of Appeals.

After further discussion, Commissioner Lenart moved to open the public portion of the hearing (Support: C. Zuellig) and the motion carried unanimously.

Chundra Johnson, owner of 1512-1514 Washtenaw – clarified that the owners of 1510 joined her on the first application but not on the text amendment request. She discussed her business and how she conducts it. They operate the business like any other retail store. It will be an upscale resale shop, not a junk shop. The consignment goods would be coming from the community.

Commissioner McClemens asked if there would be a 120 day policy if the items were not sold and what do they do with these items. Ms. Johnson responded that they would be donated to Goodwill and Salvation Army. Commission Zuellig asked about cleaning items. Ms. Johnson responded that they would only accept clean items and they would not be doing any cleaning on the premises. Commissioner

Johnson asked who sets the prices and Ms. Johnson responded that she does. Commissioner Smith asked how they would prevent drop-off in front of the store and Ms. Johnson responded that you cannot be 100% sure but this would not be encouraged and she would communicate that to customers with consignments.

Sheila Most, 1646 Whittier – stated that other thrift stores have the problems with drop-off and she could foresee the same problem. She is against this request.

Judy Moray, 1205 Whittier – while she believes the applicant is well intentioned, a good business person would not buy property without first checking to confirm its use.

Joe Golder, 1002 Washtenaw – stated that he noted a new yoga business that opened down the street, which somehow got approved in the same B-1 zoning.

Margaret Krasnoff, 416 E. Huron, Ann Arbor – has known the applicant for many years and knows that she has spent many hours planning this business. She is a member of professional consignment associations around the country and attends conferences. She would be an asset to the City as an owner/operator of the business. She is very supportive of this request.

H. Hutchison, 2020 Roosevelt – asked where would the line be drawn -- would it be possible to have a pawn shop? We need to be very careful that we are not making decisions on what one person does but be cognizant of one very valuable point – that approval runs with the land. Petitioner made a good argument for not granting this change.

Clare Beck, 460 Owendale – this is a tough issue – while Ms. Johnson seems a fine person, we should keep in mind that this is changing B-1 designation for the whole city. Would it be better to make it a Special Use with carefully worded conditions?

Yvonne Abdo, 2028 Collegewood – concerned with the dumping off of items. She asked if this applies to the whole city; had notification been made to all surrounding homes of the City that would be impacted.

Sheila Most, 1646 Whittier – stated that in the late 80's a resale shop tried to come in and it was defeated. This would allow a resale shop to come in. A consignment shop might be nice but it is partnered with the resale shop. If this business fails and moves out, we could get in there what they have tried so hard to keep out in the late 80's.

Pat Trout, 1239 Washtenaw - If our surrounding communities all have the zoning that the City of Ypsilanti has now, collectively this wisdom must be there for some reason. Bethany Lutheran tried to go in there as a resale shop and was denied. She does not support this request.

Joe Golder, 1002 Washtenaw – at one time, Depot Town had many of these kinds of businesses, antiques, Apple Annie’s, etc. They have been quite successful.

Commissioner Johnson asked the applicant if her shop was resale or consignment and what is the difference. Ms. Johnson responded that her shop is strictly consignment: she takes in an item from a customer and when it sells, they share the proceeds. A resale shop is one that purchases merchandise outright from a business or person and when the item sells, the store keeps all proceeds.

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

Board members had many comments. Commissioner Johnson stated that, if we were to go with recommending the text amendment, “no drop offs after hours allowed” be added. Commissioner Lenart stated that he would be uncomfortable with this as a permitted use and feels it is more appropriate as a Special Use. Commissioner Johnson stated that this change might hinder businesses from coming in. Commissioner Andrews stated that she did not doubt the applicant wishes to create a quality store but did not feel that it conforms to the residential area. She agreed that a Special Use could be considered, which would allow control of conditions. Commissioner Lippens felt that it is a positive use and would support it as a permitted use. Commissioner Andrews asked staff about notice that was brought up by one resident; Voght responded that a text amendment is not a geographic rezoning. It is just notification to the paper of record, which is what occurred. Commissioner Zuellig liked the idea of a consignment store, felt it is a neighborhood type of use, and would support as a special use. Commissioner McClemens asked staff for clarification, i.e., could this building open as a grocery store with delivery trucks, etc.? Voght responded that with a change of use, a site plan would be required if certain conditions are met, i.e., increased off-street parking requirements, landscaping, maneuvering, etc. Commissioner Lautenbach asked how a pawn shop would fit and Voght responded that it is an adult regulated use and not permitted in this zoning district. Commissioner Lenart stated that a Special Use would require a site plan, to which Voght agreed.

Commissioner Lenart moved that the Planning Commission recommends approval of a Zoning Ordinance Text Amendment to add “Antique, consignment and resale stores” to Section 122-353 as a Special Use based on the following findings:

- a) The proposed land use that will be added to the B-1, Neighborhood Business District is not inconsistent with the purpose and objectives of that district. Although it may draw from areas outside of immediately adjacent neighborhoods, many other permitted commercial uses also rely on a wider trade area.
- b) The proposed use may be appropriate for areas currently zoned B-1, which are generally in close proximity to single-family neighborhoods.

- c) The proposed use will be subject to the same restrictions as any other commercial use in the B-1 district, including maximum size, no outdoor display, hours of operation, and no drive-through facilities.
- d) The current hierarchical nature of the City's commercial zoning districts places significant emphasis on the trade area of the use-whether local personal service/convenience retail, comparative/regional shopping centers, or pedestrian-oriented, zero lot line central business district uses. This organization is outdated and does not reflect the current nature of retail. The proposed zoning text change is a reflection of the changing character of retail in our culture, and requires that our current commercial zoning code be revisited.

Commissioner McClemens supported the motion. A roll call vote was taken with a vote of 4:4. The motion failed.

After further discussion by board members, Commissioner Lippens moved that the Planning Commission recommend approval of a Zoning Ordinance text amendment to add "Antique, consignment and resale stores" to Section 122-352 Permitted Uses, of the Zoning Ordinance, based on the following findings:

- a) The proposed land use that will be added to the B-1, Neighborhood Business District is not inconsistent with the purpose and objectives of that district. Although it may draw from areas outside of immediately adjacent neighborhoods, many other permitted commercial uses also rely on a wider trade area.
- b) The proposed use is appropriate for areas currently zoned B-1, which are generally in close proximity to single-family neighborhoods.
- c) The proposed use will be subject to the same restrictions as any other commercial use in the B-1 district, including maximum size, no outdoor display, hours of operation, and no drive-through facilities. This will ensure the use will perform like any other permitted retail use.
- d) The current hierarchical nature of the City's commercial zoning districts places significant emphasis on the trade area of the use-whether local personal service/convenience retail, comparative/regional shopping centers, or pedestrian-oriented, zero lot line central business district uses. This organization is outdated and does not reflect the current nature of retail. The proposed zoning text change is a reflection of the changing character of retail in our culture, and requires that our current commercial zoning code be revisited.
- e) Direct staff to revisit language of the antique, consignment and resale shops with more defined guidelines for B-2, B-3, B-4.

The motion was supported by Commissioner Smith. A roll call vote was taken with a vote of 5:3 in favor of the motion. Commissioners Lenart, Andrews and Zuellig were opposed.

3. Review of Accessory Dwelling units

As at previous meetings, the Planning Commission continued to discuss the merits of Accessory Dwelling Units and how they might be implemented in the Zoning Ordinance. As many other communities have found, this issue has been difficult to come to a conclusion. The difficulty may be that City Council has an "end" in mind, but has left the "means" for the Planning Commission to work out. Regardless, the Planning Commission needs to formulate a recommendation that is a reflection of good zoning practice and is in the best interest of the community. At the June 20th meeting, staff asked Planning Commission members to submit ideas for how to proceed. Staff did not receive any additional input so they identified options as noted below.

The concept of ADUs has been selected as an approach to the specific circumstances that relate to the Midtown Neighborhood, and surrounding rental housing area, all of which underwent significant zoning study and change in 2006. However, the question remains if ADUs, in some form or another, will achieve what City Council intends for this area of the City and the community as a whole.

To move this debate forward and formulate a recommendation, staff recommended that the Planning Commission consider the following options:

- 1) Create a set of simple Accessory Dwelling Unit standards.
- 2) Either:
 - a) Create a new R-1a zoning district based on the existing R-1, Single-family district, and integrate the new ADUs standards as an accessory use option; or
 - b) Adopt the new ADU standards as an accessory use option in all R-1 and R-2 zoned areas.
- 3) Make a recommendation not to adopt ADUs in the Zoning Ordinance.

Staff recommended the following standards for Accessory Dwelling Units, whether added to one or more zoning districts or as part of a new zoning district:

- 1) Minimum lot area of 5,000 s.f. required.
- 2) Owner occupancy of the principal dwelling required and deed restricted.
- 3) Limit of one ADU per lot.
- 4) Minimum two off-street parking spaces total shall be provided per lot.
- 5) Maximum size 900 s.f. or 35% of principal dwelling, whichever is less.
- 6) The ADU shall be attached to or part of the principal dwelling, with separate entrance on side or rear.
- 7) Occupancy limited to one family in ADU, as defined in Zoning Ordinance.

Should Accessory Dwelling Units be adopted in the Zoning Ordinance in a new district, an appropriate Master Plan amendment should be considered to strengthen the defensibility of the City's zoning decisions.

After much discussion and deliberation by all the board members, it was agreed that the board cannot reach a consensus on the viability of R1a, that the council resolution was hasty, that we should not pursue ADUs in this neighborhood or city at this time. There is not enough support for R1a. It was also agreed that we should recommend to City Council that they re-visit the non-conforming use changes they made as well as the non-conforming change they made in 2000, which was to allow re-build of non-conforming structures within 18 months. It doesn't make sense to do any other zoning changes in Midtown until we do some Master Planning to figure out what the goals are. Staff was directed to draft a resolution to city council, summarizing these facts, for Planning Commission consideration at the next meeting.

VII. FUTURE BUSINESS DISCUSSION

Commissioner Lenart stated that long-term, we should think about the Washtenaw Corridor. As a commercial corridor, it is not functioning well. Therefore, we should look at how we define commercial uses along that corridor to make it economically viable or start thinking about the stronger portion as residential from the business district in to campus. We should not rule out the possibility of shifting it to a more residential oriented corridor.

VIII. ADJOURNMENT

Since there was no further business, Lenart moved to adjourn the meeting (Support: B. McClemens) and the motion carried unanimously. The meeting adjourned at 11:10 p.m.