

**PLANNING COMMISSION
MEETING MINUTES
FEBRUARY 20, 2008
COUNCIL CHAMBERS
7:30 P.M.**

I. CALL TO ORDER

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

II. ROLL CALL

Present: R. Johnson, G. Clark, B. McClemens, B. Lenart, D. Lautenbach,
C. Zuellig, J. Schultz, K. Smith

Absent: Roberta Andrews (excused)

Staff: Karen Hart, Planning & Development Director, Richard Murphy City Planner,
Nan Schuette, Executive Secretary

Chairman Johnson acknowledged the presence of the Jaycees in attendance to focus on city government.

Chairman Johnson introduced Richard Murphy, who has been promoted to City Planner II and will be representing staff assisting the Planning Commission. Nathan Voght has resigned to accept a new position in Howell. Chairman Johnson recognized Mr. Voght's contribution to the Planning Commission and to the residents of the City of Ypsilanti by bringing his sense of detail, thoroughness, and professionalism to the Planning Department and protecting the interests of the City of Ypsilanti.

III. APPROVAL OF MINUTES – January 16, 2008

Commissioner Lenart moved to approve the minutes of January 16, 2008 with correction on Page four "moved to recommend approval to City Council" (Support: G. Clark) and the motion carried unanimously.

IV. AUDIENCE PARTICIPATION

None

V. OLD BUSINESS

1. 2170 Washtenaw

R. Murphy, City Planner, stated that this is a request for a revision to an amendment of a condition of PUD approval. They previously asked to extend the closing time from 10:00 pm. to midnight and would also like to request extending their opening time from 8:00 a.m. to 7:00 a.m. The PUD was originally approved with various conditions, including limiting the hours of operation from 8:00 a.m. to 10:00 p.m. but Walgreen's would like to extend their hours to better serve their customers. Over the past few years, there have been a few neighborhood complaints regarding the hours being extended until 12:00 a.m. during the holiday season. No other changes to conditions or the site are requested.

The hours listed in that PUD require an amendment, which includes review by the Planning Commission and recommendation to Council and a public hearing and final approval by Council. The site is designated as mixed residential in the Land Use Plan of the 1998 City of Ypsilanti Master Plan. The B-1 Neighborhood Business District allows all commercial uses to maintain hours from 6:00 a.m. to 12:00 a.m. by right as a Permitted Use.

The site is bordered by commercial uses, with the exception of the EMU President's House to the north. Ypsilanti Township borders the site to the west and south, and all commercial uses in the Township are zoned B-3, General Business, which does not place any restrictions on hours of operation.

Staff recommends approval of the requested amendment to City Council since it is consistent with other uses in the district.

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

Since there was no public comment, Commissioner McClemens moved to close the public portion of the hearing (Support: G. Clark) and the motion carried unanimously.

After some discussion in which board members were in agreement that this would have no negative impact on the neighborhood, Commissioner Clark moved that the Planning Commission recommends to City Council approval of an amendment Planned Unit Development for 2170 Washtenaw Avenue, tax identification #11-11-06-430-004, to amend permitted hours of operation between 7:00 a.m. – 12:00 a.m. seven days a week, based on the following findings:

1. The proposed hours of operation are consistent with the City of Ypsilanti Master Plan, which specifically calls for local commercial uses consistent with the B-1, neighborhood Business Zoning. The B-1 zoning district allows commercial uses to be open 6:00 a.m. until 12:00 a.m. by right.

2. The proposed hours of operation are consistent with the surrounding land uses at the corner of Washtenaw and Hewitt.
3. The change in hours of operation of the commercial use will not adversely impact adjacent uses or the neighborhood.
4. Allowing extended hours of operation will more adequately serve convenience shopping needs of the area.
5. This motion supersedes the recommendation of the Planning Commission's recommendation of 1/16/2008.

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

VI. NEW BUSINESS

1. 901 Huron River Drive – Site Plan Review for parking Lot

Staff report was presented by R. Murphy who stated that the applicant, American Campus Communities, proposes to demolish an existing building on the site formerly known as the Wooden Nickel bar, and construct a 55-space off-street paved parking lot. The new parking will serve the Peninsular Place apartment complex on the north side of Huron River Drive, which was recently acquired by the applicant.

The lot will be accessed from Ann Street via a two-way drive. Landscaping and lighting will be provided. A sidewalk will allow users to walk to the corner of Huron River Drive and LeForge and cross the street. The site is approximately 0.58 acres in size. The site is zoned C/I, Commercial-Industrial, which allows Community Parking Lots as a Permitted Use. He reviewed the surrounding land uses.

He also reviewed the off-street parking and circulation noting that Planning Commission waiver would be required to allow 18 ft. effective stall depth for 13 of the 55 proposed parking spaces, which staff supports due to the site size, shape and other constraints such as need for retaining wall along southern property line.

The City consulting engineer's comments in his letter of February 13, 2008 recommend site plan approval contingent on the following comments:

- The sidewalk at the southeast corner of the entire site shall be five feet wide. The proposed walk along Huron River Drive shall be placed one foot off of the right-of-way. The existing retaining wall shall be removed, and the grading plan adjusted as necessary.
- The proposed ramp on the southwest corner of Ann and Huron River Drive shall align with the ramp on the southeast corner of Ann and Huron River Drive. A ramp directed across Huron River Drive is not necessary.

Landscaping issues were reviewed and a waiver of alternative parking lot screening to rights-of-way is required.

Staff recommends that the submitted site plan be approved and listed conditions and waivers that would be required in the staff report dated February 14, 2008.

Board members had a number of questions regarding the property line on the south, the retaining wall, width of driveway and monitoring wells, to which Mr. Murphy responded that these questions could be addressed by the applicant.

Tom Probert, Atwell Hicks – they are the consulting firm for American Campus Communities on this project. The main goal for this project is to provide additional parking for Peninsular Park Apartments, specifically more than 55 spaces. They are looking to get about 60 spaces. They propose to demolish the building, demolish the encroachments on the adjacent properties and build a new retaining wall along the south side. They would like to access the site on Ann Street. They would like to provide for the 55 spaces, which appears to be acceptable and would meet their needs.

Many questions were put forward by the board regarding identification of guests, the number of parking spaces for each resident, retaining wall and landscaping screening. Commissioner Zuellig also suggested installation of curbs by the islands to prevent damage from cars. Mr. Probert addressed all of the concerns.

Commissioner Zuellig moved that Planning Commission recommends approval of submitted site plan for 901 Huron River Drive with the following conditions and waivers:

Conditions:

1. City right-of-way permit required for work within the street rights-of-way.
2. Proposed 10 ft non-motorized path along Huron River Drive must be constructed along the street right-of-way line. This will require reconfiguration of area within right-of-way and removal of existing retaining wall within street right-of-way.
3. A cross-section of proposed non-motorized path should be provided and should comply with City or County non-motorized path standards.
4. Address City consulting engineer's site plan engineering comments from February 13, 2008, review letter.
5. Curbing will be placed on all landscaped islands that are not shown on the site plan already protected with wheel stops.

Waivers:

1. Planning Commission waiver to allow 18 ft. effective stall depth for 13 of the 55 proposed parking spaces, due to site size, shape and other constraints such as need for retaining wall along southern property line.
2. Planning Commission waiver of alternative parking lot screening to rights-of-way required, consisting of Spirea, Juniper, and Cranberrybush shrub plants, instead of a landscaped berm.

The motion was supported by Commissioner Lenart. A roll call vote was taken with a vote of 7:1. in favor. Commissioner McClemens opposed the motion.

2. 300, 318 West Forest and 305 Jarvis Master Plan Amendment Review.

The applicant is requesting a Master Plan amendment for two parcels that are part of the former Ave Maria College campus, intending to re-use the site as corporate headquarters, including office, light production, and warehousing uses. Planning staff recommends extending consideration of the amendment to a third parcel, also formerly part of the Ave Maria campus.

The primary parcel, 300-302 W. Forest, is approximately 2.91 acres, with two buildings totaling 20,000 square feet of floor area. These buildings were constructed as public elementary school classrooms and offices, and served similar purposes for Ave Maria College. The parcel at 305 Jarvis Street is 9,625 square feet and is vacant; a house on this site was demolished in 2003 and the site used for parking and a skating rink for the campus. The applicant intends to use this parcel, which abuts the primary parcel, for parking and additional vehicular access to the site. The applicant has requested that the Master Plan designation for these two parcels be changed from Public/Institutional and High Density Residential, respectively, to Mixed Residential/Commercial.

The parcel at 318 W. Forest was also a portion of the Ave Maria College campus, serving as the campus "President's House" and meeting space. This property area is 19,355 square feet, with a two-unit residential structure totaling 2,952 square feet of floor area. The parcel is not part of the application submitted, because it is not intended for the business use, but the applicant also intends to purchase it. Planning staff recommends changing the Master Plan designation for this parcel from Public/Institutional to High-Density Residential.

The applicant has also submitted an application for rezoning 300-302 W. Forest and 305 Jarvis from R2 and R4 to WS – Workshop/Studio for concurrent review. However, the Master Plan amendment required for this must be considered first to initiate the process.

Several questions were asked by board members and the City Planner responded in detail.

Stuart Cerier, CEO, American Photo – stated that they are currently located in Pittsfield. They feel that the location adjacent to Eastern Michigan University would be a better fit. They believe that they could offer 75 internships to college students. They would plan to use the "President's Home" as office. The other buildings would be used for light assembly of yearbooks and warehouse. They have submitted site plans which were not due for this meeting but noted that the City Codes require a number of parking spots based on the square footage. There is a two acre parcel of land behind the school that backs up to a number of properties. He stated that there was no way that a truck could be brought into the existing parking and making a turn without hitting a building, consequently, Jarvis seemed like the only means of ingress/egress to the property.

While he realized that this is not a hearing on the site plan, it gives an overall picture of what they are trying to do; to mitigate traffic, mitigate any construction, leave the buildings as they are and bring many jobs to the community.

Mr. Carrier mentioned that they have met with the neighborhood association on a number of occasions. At the last meeting, he showed them a preliminary drawing of the site plan and invited input from the neighbors. They did get some input and did make some changes based on their suggestions and are getting good feedback. They want to be good neighbors to the community.

Chairman Johnson reviewed the Master Plan Process as follows:

The State of Michigan planning enabling legislation requires the input of adjacent communities, Washtenaw County, and public utilities and railroads on proposed Master Plan amendments.

1. Planning Commission approves, in concept, the draft amendment
2. Draft amendment sent to surrounding communities, Washtenaw County, and public utilities.
3. Surrounding communities, county, and utilities have opportunity to provide comments within 40 days.
4. Planning Commission receives comments and schedules public hearing.
5. Official public hearing held.
6. Planning Commission adopts amendment.

Commissioner Lenart moved that the Planning Commission approve distribution of the proposed amendment as described as 300-302 W. Forest from Public Land to Mixed Residential Commercial, 318 W. Forest from Public Land/Institutional to Mixed Residential Commercial and 305 Jarvis from High Density Residential to Mixed Residential Commercial; that the proposed change be sent to surrounding communities for comment and schedule a public hearing for the Commission's April 16, 2008 meeting.

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

3. 300 West Forest and 305 Jarvis Rezoning

Mr. Murphy stated that there was an error in the notice that was posted. It stated that 305 Jarvis would be considered for rezoning from R4 Multiple Family Residential to PL Public Lands. Because of this error in not identifying the correct target zoning designation, the Commission cannot make a decision on this but can hold a public hearing and re-notice for continuance of the public hearing with the proper notice for the next meeting. Commissioner Lenart commented that since the applicant had mentioned the opportunity to use 318 W. Forest for office use but it is zoned One and Two Family Residential, Lenart suggested that staff get with the applicant to see if that should be included in the rezoning application for something that would accommodate office uses.

R. Murphy presented the staff report stating that this is a request for rezoning of 2.91 acre parcel from R2, One and Two-Family Residential, to W/S, Workshop Studio, and

rezoning of 9,625 square foot parcel from R3, High-Density Multiple Family Residential, to W/S.

The applicant has requested the rezoning of two parcels that are part of the former Ave Maria College campus, intending to re-use the site as corporate headquarters, including office and light production and warehousing uses. The primary parcel, 300-302 W. Forest, is approximately 2.91 acres, with two buildings totaling 20,000 square feet of floor area. These buildings were constructed as public elementary school class rooms and offices, and served similar purposes for Ave Maria College. This parcel is currently zoned R-2, One and Two-Family Residential. The parcel at 305 Jarvis Street is 9,625 square feet, and is vacant; a house on this site was demolished in 2003 and the site used for parking and a skating rink for the campus. The parcel is currently zoned R-4, Multiple-Family Residential.

Currently, 300-302 W. Forest and 305 Jarvis are Master Planned Public/Institutional and High Density Residential; the requested rezoning would not be appropriate under either of these designations. The applicant has requested a Master Plan amendment to designate both properties Mixed Residential/Commercial.

Mr. Murphy reviewed the rezoning standards. While staff recommends approval, it should be postponed until the March meeting because of the re-noticing.

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

Mike Rohde – listing agent for property. When the college bought the property from the Ypsilanti Public School District, there was a codicil on the deed that prohibited a public charter school. It does allow private schools. While he does have a private school that is interested, as well as a church, it was his opinion that the city needs tax base and jobs and that this would be a better use for the property. He is asking for approval.

Owen Christie, 631 N. Adams – he is not opposed to the project but had some concerns. He is asking the hours of operation, parking if they plan on having 200 new jobs. The lot only has 16 spaces. At his present location, how many semis and vans do they operate and what would be the volume of truck traffic that they will be bringing to the area.

Barb Hale, 310 N. Hamilton – owns several pieces of property and has been in that area since 1949. She objects to the ingress/egress on 305 Jarvis – wants Jarvis closed and thinks a traffic study should be done.

Patrick Rust, 307 Jarvis – his home is directly adjacent west of 305 Jarvis. His lot runs parallel to the proposed parking lot. He is asking the Planning Commission to consider the impact on his property. He would have a parking lot with lighting, etc. within 14ft of his house.

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

Chairman Johnson referred to the various issues of concern that were brought up, namely, hours of operation, parking, how many trucks, volume of truck traffic, Jarvis ingress/egress situation and the single family to the west of Jarvis. These are all issues of the site plan that will be considered. Johnson also added that the neighborhood association is a very active one and the fact that the applicant is working with them is positive and they will have some impact on the final outcome in terms of the zoning and site plan.

Some comments by board members included the concern that while the proposed project is positive for the City by bringing in new business and the possibility of more jobs, there is also the concern of the Jarvis Street parcel and how it could affect the adjacent property owners. Commissioner Lenart moved to postpone the item of rezoning for 300 West Forest and 305 Jarvis and continue the public hearing at the March 19th Planning Commission meeting (Support: K. Smith) and the motion carried unanimously.

VII. FUTURE DISCUSSION

Mr. Murphy reviewed the proposed agenda for March.

VIII. ADJOURNMENT

Since there was no further business, Commissioner Lautenbach moved to adjourn the meeting (Support: K. Smith) and the motion carried unanimously. The meeting adjourned at 9:50 p.m.

