

**PLANNING COMMISSION  
MEETING MINUTES  
June 18, 2008  
COUNCIL CHAMBERS  
7:30 P.M.**

**I. CALL TO ORDER**

The meeting was called to order at 7:35 p.m.

**II. ROLL CALL**

**Present:** R. Johnson, B. McClemens, B. Lenart, D. Lautenbach,  
C. Zuellig

**Absent:** K. Smith (excused), R. Andrews (excused), G. Clark (excused)

**Staff:** Richard Murphy, City Planner  
Nan Schuette, Executive Secretary

Commissioner Johnson, Chairperson, noted that Commissioner Schultz had resigned from the board due to acceptance of a job out of state. Johnson stated that Schultz has been a very fine addition to the Planning Commission and wished him well.

**III. APPROVAL OF MINUTES – May 21, 2008**

Commissioner Lenart moved to approve the minutes of May 21, 2008 as amended (Support: D. Lautenbach) and the motion carried unanimously.

**IV. AUDIENCE PARTICIPATION**

None

**V. OLD BUSINESS**

1. 518 Harriet – Special Use and Site Plan Review

Commissioner Lautenbach moved to remove this item from the table (Support: B. Lenart) and the motion carried unanimously.

R. Murphy, City Planner, stated that the applicant had provided revised plans addressing all of the issues that were a concern to the Planning Commission Members and as listed in the applicant's letter dated June 10, 2008. Mr. Murphy recommended approval of the Special Use and Site Plan with some conditions and waivers as stated in the staff report of June 12, 2008.

Commissioner Lautenbach asked staff to expound further on the easement to which Mr. Murphy responded that it may or may not be useful, if provided, since the property to the west is residential and the property to the east is shallow enough that it may not make any difference whether or not that property is accessed through a shared access easement, or its own driveway, and would mean removal of two parking spaces.

There were no comments from the applicant.

Commissioner Zuellig asked about the parking lot screening and recommendation for a waiver for the west side of the building. The purpose of this requirement is to put low enough shrubs there to screen the cars. There are several boxwoods being planted and she requested that a note be made on the site plan on the sizes of shrubs. The applicant agreed.

Commissioner Lenart moved to approve the Special Use Permit for government and institutional use pursuant to the application for 518 Harriet Street with the following conditions:

- 1) Hours of operation shall be limited to between 7:00 am and 10 pm.

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

Commissioner Zuellig moved to recommend Planning Commission approval of the site plan for the Hope Clinic expansion at 518 Harriet Street with the following conditions to be addressed prior to final construction approval and waivers as listed:

Conditions:

- 1) Shade trees within right-of-way subject to Department of Public Works approval.
- 2) Provide shared access point easements for future access to properties on east and west.
- 3) Label minimum shrub sizes on the plant list.
- 4) Add shrubs along the west parking lot to meet parking lot screening requirements.

Waivers:

- 1) Waiver provided for new parking to be located in a side yard.
- 2) Waiver provided for parking spaces to be 18 feet in length.
- 3) Waiver required for west greenbelt to be less than 10 feet wide.
- 4) Waiver required for remainder of Entryway greenbelt shade tree requirement (750 linear feet/25 trees) to be waived.

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

## VI. NEW BUSINESS

### 1. Water Street – Master Plan Amendment

City Planner, Richard Murphy, presented his staff report stating that this is a proposed Master Plan Amendment to amend primarily the Water Street Target Area description within the 1998 Master Plan as well as the future land use map within the master plan, and minor amendment to the East Michigan Avenue Target Area. This is the first step in the process which consists of the Planning Commission's review of the proposed amendments, approves them in concept and then makes a recommendation to the City Council. City Council reviews the recommendations and approves distribution of the draft to surrounding communities, which then have 45 days to provide comments, after which, the Planning Commission will hear those comments and hold a public hearing and take action to adopt the amendment.

The intent of this amendment is to reflect the current status of the Water Street property and project. The target area as written was before the project was begun and prior to acquisition of the land or seeking developers. The purpose of this amendment would be to update the target area and some of the concerns with that project, as well as to provide the City with some flexibility. Mr. Murphy reviewed both the 1998 Master Plan Future Land Use and the proposed Future Land Use. Past development scenarios have focused on a primarily residential development with some commercial uses mixed into the Michigan Avenue frontage. However, many other development scenarios could be possible that would take advantage of the site's location and advance general goals such as improving the tax base, adding residents and jobs, and removing blight. Also, discussion of Water Street in the past has revolved around an assumption that the property would be developed as a Planned Unit Development under a single developer, however; currently the City sees development of the site in parts by multiple developers as an option.

Board members had a number of questions of staff regarding compatibility of zoning districts, which Mr. Murphy responded to in detail.

Chairman Johnson reiterated that this meeting is to change the Master Plan by way of a map with different designations and simplifying it. Also, we would be changing the process by having a Public Hearing then going to City Council prior to being sent to surrounding municipalities.

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

**Cheryl Farmer, 214 N. Huron** – read comments that were sent to her by Ed Connell and Laith Hermiz, who were the two developers from Freed when that company was involved with this project. Since she felt that she did not have the qualifications to comment on this, Ms. Farmer asked for their advice to bring to the Planning Commission. Mr. Connell stated that “regarding Water Street, it would be a shame to break the property apart but if the City and Planning Commission can implement an Overlay District as part of the zoning, similar to a

Planned Unit Development designation, that clearly spells out block by block the City's goals and overall development intent for the property, empowering both the City Planner and Building Department to enforce adherence to the plan, the City may get to where it wants to be."

It is the opinion of Ms. Farmer that the river frontage is more valuable than the commercial frontage on Michigan Avenue. Very few cities have a river running through the heart of it and it is becoming part of a county-wide trail that will act as a walking trail, biking trail, as well as for wildlife. It should be planned around and respected if it is going to continue to be an asset. Some park land should be considered. The idea of a stadium or ballpark is completely out of the question because the last thing needed is acres of parking lot for cars, etc. She referred to other property in the City that will be vacated that could accommodate something like that.

**Jan Katz, 1824 Roosevelt** – commended the Planner for this design. Is happy to see it is being focused on the trail along the river and also to see that it is being open to mixed residential commercial and that multiple developers are being considered. She thinks this is a much better plan and very viable for this property.

**Kevin Hill, 108 Washtenaw** – commended the Planning Commission for opening up possible uses for the Water Street site and keeping options open. He believes that the City has an opportunity to invent itself and to create an area that will be both vibrant and commercially successful with limited residential.

**Steve Pierce, 118 S. Washington** – disagrees with the former mayor, Ms. Farmer, and the possibility of a baseball park. It is his opinion that we have to look at all options and encourages both the Planning Commission and citizens of the community not to dismiss something because it may be a bad idea – hear out the plan first.

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

Some of the ideas put forth by the various residents were discussed and it was agreed that all options should be considered. Commissioner Lenart stated that based on market conditions and the history of redeveloping this site, it logically leads to flexibility and we have a tall order in front of us articulating what we would like to see but not being too prescriptive. Commissioner Zuellig agrees that flexibility will help and looking to more than one developer is helpful. She suggested that Workshop Studio (W/S) be added as one of the goals as well as language that emphasizes the importance of the multiple developers to coordinate on infrastructure and other common site elements.

Commissioner Lenart moved to draft Master Plan Amendment to City Council as presented with two changes to be incorporated by staff:

- 1) Addition of the recognition of the importance of coordination and collaboration between multiple developers in approaching infrastructure and other common site impacts if developed by multiple parties.
- 2) Staff explores the appropriate inclusion of Workshop Studios – is it appropriate and if so, how?

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

2. 619 Emmett Street – Special Use and Site Plan Review

Staff report was presented by the City Planner. The property is currently a four unit apartment structure with 3 bedrooms in each unit. The applicant proposes to use it as a sorority house, which is a Special Use within the R3 District inside the Student Overlay District. They do not plan any physical changes to the structure with the interior remaining the same; however; the special use approval would be primarily so that the chapter can hold meetings and special functions and mount a sign on the exterior of the house for identification. Staff has discussed with the applicant that if this change were to increase the total occupancy of the building or intensify the degree of use, it may require revisiting the special use approval as an expansion of the use.

Mr. Murphy reviewed the surrounding land use and zoning. He reviewed the special use criteria with his comments as follows:

**SPECIAL USE CRITERIA**

Because a sorority house is a Special Use in the R3 district within the Student Overlay, Special Use approval is required for the site. Section 122-165 provides standards for reviewing special use requests. Below we provide the Special Use standards and staff responses to each:

- (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.*

COMMENTS: The use is appropriate to the zoning within the Student Overlay District, and the site appears to be one of the few sites available in the city where the zoning would allow a new sorority house to be created. Few sites meet the requirements for lot area, building square footage, and distance from R1 and R2 districts. As noted in the intent section of the Overlay, higher density of development is appropriate in this area, due to the proximity to the University, a block away, and the reduced need for parking provided by that proximity, as well as proximity to goods and services on Cross Street, downtown, in Depot Town, or by nearby transit lines.

- 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.*

COMMENT: Fraternities and sororities at EMU are now subject to fairly strict codes of conduct, particularly with regards to alcohol, parties, and other subjects that have historically been concerns with these organizations' properties. The applicant has provided excerpts of some of

these policies. Additionally, the use of the sorority house in this case is subject to oversight by the national Alpha Xi Delta sorority, which holds the lease and will be subleasing space to the residents. Staff suggests that the special use permit be linked to these existing oversight mechanisms rather than recreating them – that findings of a violation by Eastern's Student Judicial Services trigger a review of the special use permit.

- 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 used 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.*

COMMENTS: No new construction is proposed, and, due to the 2005 site plan review, the property already generally meets relevant standards – the site is one of the few in the immediate area that can make that claim. In the interest of continual improvement, though, a few modifications may be appropriate beyond straight compliance with the ordinance, in the context of the Cross Street Neighborhood Improvement Plan.

The parking space in the front yard is not necessary to meet the parking requirements for the proposed 12 residents. While it is permitted within the site plan standards under a variance granted by the Washtenaw County Circuit Court in 2002, including its removal as a condition of the special use would advance the goal of reducing front yard parking; removing the parking space and drive approach would additionally create a new on-street parking space, creating no net loss of parking.

Second, the gravel – rather than paved – surface of the rear parking lot is additionally permitted under the Court's variance. The Cross Street NIP recommends requiring continuous curbing or other barrier at the edges of unpaved parking areas, both to prevent residents from parking on landscape areas and to minimize "gravel creep" into yards. The parking spaces already have concrete wheel stops, and providing concrete curb for the gravel parking area may be overkill for the size of the parking area, but staff recommends some sort of hard landscape edging be added to better delineate yard and parking.

- 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.*

COMMENTS: The site is in a high-traffic location, and will draw large groups for meetings or social functions – the total membership of the sorority is approximately 55 women, most of whom will not live at the house, but at dorms or other near-campus housing. However, the proximity of these members will allow them to walk to the house for these functions – behavior that the limited on-site parking and permit-restricted street parking will enforce. Additionally, the site's proximity to major thoroughfares – West Cross and Washtenaw are both within a block – will minimize the impact of local vehicular traffic.

- 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.*

COMMENTS: The use is not expected to provide additional demand for public facilities or services. Occupancy as a sorority house is proposed to be similar to occupancy as a 4-unit apartment. The potential for chapter members or visitors to overwhelm parking in the area is limited by the residential parking system. The police noted no known issues with the sorority.

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

COMMENTS: The site is one block from campus and in an area generally characterized by campus-oriented, multiple-family residential units. The use will not change the existing make-up of the area.

**SUMMARY:** The house is located within sight of Eastern's campus, and is a very appropriate location for the proposed sorority house, within the intent of the Student Overlay zoning district and the Cross Street Neighborhood Improvement Plan. Staff has noted some recommended conditions to ensure the site is held to high standards, both in site plan and activity, and recommends approval of the Special Use Permit.

The site plan was reviewed and Mr. Murphy stated that it meets most standards but there are a few things to be addressed such as screening and landscaping although they are things that generally exist on the site. They do appear to meet standards but are not indicated on the plans. It is a matter of placing them on the plans or updating some of the landscaping that has died since initial installation. Mr. Murphy recommended approval of the site plan with some conditions and two waivers of landscaping and underground irrigation.

Commissioner Johnson asked about a letter that was submitted from an adjacent property owner who does not support permitting a use that is fairly high density and intense as far as residential uses go. The writer referenced history of the site under past owners. Mr. Murphy stated that this has been resolved. Commissioner Lautenbach referred to removal of a parking space on Emmett and noted that there is a trash can at the end of that parking space. Mr. Murphy responded that this is not a dumpster that requires a truck to pick up – it is an enclosure for recycling containers that are moved out to the curb but well screened. The applicant will discuss this issue. Commissioner Zuellig asked about the statement that the applicant “hopes” to lease the property to the sorority. She wonders what happens if this is approved but they end up not leasing to the sorority. Mr. Murphy explained in detail. She also asked how EMU enforce standards and Mr. Murphy responded that it is his understanding that there is a campus judicial process for both individual students and organizations such as sororities and fraternities. He expounded on this in more detail. Mr. Lenart added that many things relate to general city ordinances and nuisance ordinances but in the event we had an issue and were not satisfied with EMU's process, there is a revocation process, as long as records of any problems were compiled. Commissioner Johnson referred to some things that are not included in EMU's Greek Standards and while there is mention of alcohol, there is no mention of general nuisance such as garbage problems, furniture out and noise. Mr. Murphy responded that those are matters of city ordinance enforcement.

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

**Eric Walz**, stated that both he and his wife are owners of the property in question. He has already signed a five year lease and feels comfortable with the charter and by-laws.

**Regan Borden, Chapter Advisor** – is a volunteer and will be working closely with the members of the sorority 1-3 days a week. She referred to various awards to the sorority for good grades and being good citizens.

**Megan Riley, President of the chapter** – added that rules do not permit alcohol on the premises, no boys allowed to stay overnight.

Commissioner Zuellig asked how the university keeps track of who is living in the sorority and Ms. Borden stated that it is her responsibility to ensure that no one is allowed to live there that is not a member of sorority.

**Noah Borden, Coordinator for Greek Life** – works out of the Campus Life Office – stating that the university has a student code of conduct that would include all student organizations at EMU.

Commissioner McClemens asked about qualifications for membership and residence to live at the sorority. Ms. Borden stated that they must be full time students and explained in more detail the qualifications.

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

Commissioner Johnson stated that the City does not have rules of conduct for sororities/fraternities but it may be something to consider in the future. Commissioner Lenart stated that it was his opinion that the ordinance is adequate enough to cover most issues that come up regarding noise, nuisances, etc. Commissioner Zuellig referred to the waiver for plant material and asked staff if he could quantify it better so that in the future, we are clear on what is allowed or not. Mr. Murphy agreed. She also referred to the comment on condition of plant material, and suggested a condition on the approval referencing the section on installation and condition of plants to ensure that prior to receiving their C/O, those standards are met.

After further questions and comments by board members, Commissioner Lenart moved to approve the Special Use Permit for the Alpha Xi Delta sorority house at 619 Emmet with the following 5 findings and 3 conditions:

Findings:

- 1) The proposed use complies with the goals of the zoning ordinance and Cross Street Neighborhood Improvement Plan, and compatible with surrounding uses.
- 2) The sorority's activities will be subject to scrutiny by Eastern Michigan University and the national chapter.

- 3) The site's proximity to campus and to non-resident sorority member housing, as well as the limited parking availability, will promote pedestrian access to the site and limit traffic impacts.
- 4) The use will not create a detrimental demand on public services.
- 5) The use is consistent with the pattern of uses in the neighborhood.

Conditions:

- 1) The special use permit shall be subject to review if the sorority organization or residents are found to be in violation of the Eastern Michigan University Student Conduct Code, Greek Standards, or risk management policy, or any similar policy.
- 2) The parking space and driveway apron at the eastern edge of the front yard shall be removed and grass or similar material established in this location.
- 3) The gravel parking lot at the rear of the site will be provided with a solid edge where it abuts lawn or landscaped areas.

The motion was supported by C. Zuellig. A roll call vote was taken and carried unanimously.

Commissioner Zuellig moved to recommend approval of the site plan for the Alpha XI Delta sorority house at 619 Emmet, with the following four conditions to be addressed in a revised site plan submitted for staff review, and the following two waivers:

Conditions:

- 1) Verify existing sidewalk condition and ADA compliance or areas where sidewalk improvements must be made.
- 2) Indicate screening fence on site plan.
- 3) Delineate foundation landscape area on landscape plan.
- 4) Prior to issuance of the Certificate of Occupancy, the applicant provide evidence or illustrate to City staff that they have met the standards of Sec 122-712, (4) which is the landscaping and greenbelt screening ordinance.

Waivers:

- 1) Waiver granted for the number of shade, ornamental, and shrubs provided on landscape plan to meet foundation and greenbelt landscaping requirements as long as the landscape plan has been updated.
- 2) Waiver granted to not provide underground irrigation.

The motion was supported by B. McClemens. A roll call vote was taken and carried unanimously.

**Staff Comment:** In the process of working with the applicant to identify an appropriate site for this use, staff determined that extremely few sites remain in the City that could meet the requirements for a fraternity or sorority house use. In particular, the 2006 down-zoning of properties in this neighborhood brought the R2 zoning district in close proximity with large portions of the Student Overlay, creating issues with the 200 foot separation requirement. As a

number of uses within the zoning district have such proximity requirements, future rezonings should consider the impacts on these uses, which may occur outside the area actually rezoned, and potentially consider modifying the proximity requirements according.

### 3. Adaptive Reuse – Ordinance Amendment Discussion

The City Planner, R. Murphy, stated that some time ago, he had contacted Dale Winling, University of Michigan, to make a presentation to the Planning Commission on a project they had been working on in class. This came about because of the discussion by the Planning Commission and staff on amending the zoning ordinance to allow some non-residential uses to be created as Special Uses within the Historic District or throughout the city. Students did some work on this concept focusing on a few sites intensively and have come up with some case studies in other cities as well as concentrating on some specific buildings in the city.

**Dale Winling, Instructor, Historic Preservation and Urban Conservation at the University of Michigan, Taubman College of Architecture and Urban Planning** – stated that one of a number of semester projects that his students conducted this summer is the one that they will briefly summarize - Michael Barton, undergraduate student in Architecture, Joan Slusky, Master Student in Landscape Architecture and Susan Misure, Master Student in Urban Planning. This presentation gives the board the opportunity to see the students' engagement with broad public and municipal issues, in addition to being part of their educational process. Mr. Winling added that he and Mr. Murphy discussed potential projects that would provide not only some real life experience for students as part of their education but could also contribute to public efforts in Ypsilanti such as adaptive re-use within the Historic district and urban revitalization.

The students concentrated on four specific addresses within the Historic District; 218 E. Forest, 218 N. Adams, 401 S. Adams and 123 N. Adams, all of which are churches. They divided them into three categories: residential, entertainment and commercial/institutional uses. They showed slides from other cities of churches, one of which was turned into a condo unit but could be adapted to multi-family, senior housing, or a care center that might only be occupied during the day, etc. The advantage of this would be that the building would be privately owned and go back on the tax rolls. The disadvantage might be concern from residents in the area.

The next presentation was a discussion on entertainment uses. Susan stated that churches could be used successfully for entertainment. She showed slides of a church in New Orleans that had been turned into a restaurant, a church in Pittsburgh that had been turned into a local pub and brewery and another that had been turned into a café/community center. All of these had been adapted with minimum change to the structure. The only disadvantage could be an increase in traffic.

The last student showed slides of churches that had been used for commercial uses, i.e. offices, etc. She showed a slide from Davison, North Carolina. The City purchased the property and leased it to the Community Players, a theatrical group that needed a building. She showed one from Ann Arbor, Michigan – Hobbs & Black, an architectural firm who bought the First Unitarian Church for their new headquarters. The last one was in Buffalo, New York which was bought by the city to be used as their manuscript library. The churches in Ypsilanti could be adapted to these types of uses. The church on E. Forest could be used as a health club or a community

center for various artists with the auditorium being used for showings. The disadvantage could mean an increase in traffic.

In summary, they took all of these different uses and tried to apply them to the various buildings and sites. The purpose of this type of report is to state that although these buildings are difficult to be adapted for other uses, they can be re-used and provide a tax base for the City. A written report was provided to Mr. Murphy.

Mr. Murphy added that for all the uses which were discussed, there would probably have to be some changes to the zoning. Prior to the meeting, he had a discussion with Commissioner Lenart about the issue of PUD's. PUD's are generally applied to **large and fairly complicated** projects, whereas these are all **small and fairly complicated** projects based on the reuse of the structure and the neighborhood context, but this could be an interesting idea to pursue. Criteria could be added that would meet public benefits.

The board thanked the students and Mr. Winling for all of their efforts and opening up our minds to the various possibilities. Mr. Barton added that it was their intent to provide some kind of uses for something that had not been thought of previously, where it would be a lot easier to come up with many uses for property in the Historic District that are not as specific as churches.

## **VII. FUTURE DISCUSSION**

Mr. Murphy reviewed the various issues that will be on next month's agenda.

## **VIII. ADJOURNMENT**

Since there was no further business, Commissioner Lenart moved to adjourn the meeting (Support: B. McClemens) and the motion carried unanimously. The meeting adjourned at 9:56 p.m.