1. Council Meeting Agenda

    Documents:

        12-14-17 AGENDA.PDF

2. Council Meeting Packet

    Documents:

        DECEMBER 14 COUNCIL PACKET.PDF

CITY OF YPSILANTI
COUNCIL WORK SESSION AGENDA
COUNCIL CHAMBERS - ONE SOUTH HURON STREET
THURSDAY, DECEMBER 14, 2017
7:00 P.M.

I. CALL TO ORDER –

II. ROLL CALL –

Council Member Bashert	P A	Council Member Robb	P A
Mayor Pro-Tem Brown	P A	Council Member Vogt	P A
Council Member Murdock	P A	Mayor Edmonds	P A
Council Member Richardson	P A		

III. INVOCATION –

IV. PLEDGE OF ALLEGIANCE –

"I pledge allegiance to the flag, of the United States of America, and to the Republic for which it stands, one nation, under God, indivisible, with liberty and justice for all."

V. AGENDA APPROVAL-

VI. AUDIENCE PARTICIPATION -

VII. REMARKS FROM THE MAYOR –

IX. WORK SESSION –

— Discussion regarding the 220 N. Park St. Development.

X. AUDIENCE PARTICIPATION –

XI. REMARKS FROM THE MAYOR –

XII. ADJOURNMENT -

Resolution No. 2017-291, adjourning the City Council Meeting.

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INFORMATION MEMORANDUM

To: City Manager, Mayor, Council, and City Attorney

From: Beth Ernat, Director of Community and Economic Development

Date: December 14, 2017

Subject: Working Session – Development Agreement – 220 N. Park

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The representatives from Norfolk Development Corporation have provided draft development agreement proposals for the purposes of discussion at the work session. Below is a **starting point** for discussion.

OBLIGATIONS OF THE COMPANY

1. **Minimum Investment in the Development.**

   a. The Company agrees that it will submit to the City for Planning Commission Approval will contain no fewer than 25 residential dwelling units ("Site Plan"). The expected combined market value of these 25 units is anticipated to be in excess of $4.6 million.

2. **The Density (Units per Acre) and the Location of Units.**

   a. The Company agrees that the Site Plan it will submit to the City for approval will contain no fewer than 25 and no more than 60 residential dwelling units. The resulting range of the Density of the units on the 4.4 acres will be 5.7 to 13.7 units per Acre. The Company further agrees that the Site Plan will depict Units fronting on Park, High and Grove Streets as well as on newly constructed internal drives and street(s) to be constructed on the Subject Property ("Development").

3. **Affordable Housing Requirements.**

a. The Company will not be offering affordable housing units.

4. **Sustainability and the Use of "Green Energy".**

a. The Company will offer extra cost options to purchasers of the residential units that will help to decrease the energy consumption of the occupants of the units, or which will help to decrease the consumption of fossil fuels within the local environment. These options may include, without limitation, wall and ceiling insulation with a greater "R-Value", Garage Doors with a higher "R-Value", Tankless water heaters, Furnaces and appliances with higher efficiency ratings if available, and in-garage charging connections for electric and hybrid vehicles.

5. **The search for and selection of local contractors.**

a. The Company and the City will cooperate to make every effort that qualified sub-contractors and construction material suppliers based within the Ypsilanti City limits, or within the boundaries of Washtenaw County, have the opportunity to provide labor and materials for the construction of the infrastructure and the residential units within the Development. In addition, the Company and the City will cooperate to make every effort that qualified residents of the City seeking employment in the construction field have the opportunity to be employed by sub-contractors and construction material suppliers involved in the construction of improvements within the Development. The City will provide any names of sub-contractors, material suppliers or residents of the City seeking employment in the construction field, to the Company for consideration of their qualifications to participate in

the development to be built on the Subject Property.

6. **Public Infrastructure Improvements to serve Development.**

a. The Company acknowledges and agrees that all costs related to the acquisition, construction and financing of the portion of the sanitary sewer system and water system constructed within the Subject Property to provide service within the Subject Property by or on behalf of the City, if any, for the Subject Property's benefit shall be paid by the Company. The Company shall be required to pay sanitary sewer or water tap fees with respect to the residential equivalent units constructed on the Subject Property; it shall pay sanitary sewer and water tap fees for such units at the rates prevailing at the time of such connections.

b. The Company acknowledges and agrees that all costs related to the acquisition, construction and financing of driveways, private and public roads within the Subject Property, shall be the sole responsibility of the Company.

7. **Dedication of Public Infrastructure Improvements.**

a. The Company shall dedicate to the City, or to such public agency designated by the City, through the grant of an easement for the construction, installation, maintenance and repair thereof, and delivery of a bill of sale for the particular improvement, all public utilities necessary of any sanitary or storm sewer and water improvements on the Subject Property, as well as any necessary rights-of-way for the construction, maintenance and repair of all public roads on the Subject Property.

OBLIGATIONS OF THE CITY

1. The City is responsible to provide adequate sanitary sewer and water system capacity to the Subject Property.
2. The City will cooperate with the Company to obtain title to, or easements across, any adjacent property that will enhance the Subject Property, such as the no longer used street ROW's at the closed railroad crossings on Park and Grove Streets, the MDOT ROW between the Subject Property and Cross Street, and the MDOT owned parcel to the West.
3. The City will cooperate with the Company to pursue any Brownfield Development funds or other similar fund sources if site development activity on the Subject Property uncovers environmental contamination not identified in the Phase 1 Environmental Site Assessment conducted by AKT Peerless for the City dated October 9, 2015.

STAFF COMMENTS:

During the development of the concepts and request for qualifications at the joint meeting of the Planning Commission, Zone Board of Appeals, and Historic District Commission, it was discussed and preferred that Locust Street be extended through the development area to create better circulation, additional street frontage for multi-family units, and additional parking. Also, it was recommended that any of extension of Locust remain a public right-of-way and a restriction of any gates or designation of a closed community.

Additional concerns were about garages being predominant to the street frontage. This is an issue that could also be addressed in the development agreement by limiting the garage to less than 50 percent of the street frontage.

As the development abuts the street closures on both Park and Grove streets, improvements to the current conditions would be recommended. Improvements in the form of accessibility and landscaping.

Nonmotorized access should be addressed within the design of multi-family units and extension of Locust Street.

Providing accessible units within the multi-family development area was also discussed at the joint meeting, it would recommended that at least two fully-accessible units be provided.

Insurance of completion of development plan should be included in the development agreement with penalities for not meeting construction timelines or goals.

Construction times and maintenance of public streets during construction and issues that would directly impact the surrounding neighborhood and should be addressed.

As the design of the project will not be finalized until after a development agreement is created, it would be recommended that additional neighborhood meetings be required prior to the Planning Commission and Historic District Commission review to allow the neighborhood to participate in the design concepts.

INFORMATION MEMORANDUM

To: City Manager, Mayor, Council, and City Attorney

From: Beth Ernat, Director of Community and Economic Development

Date: December 14, 2017

Subject: Work Session for development agreement – 220 N. Park

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The purchase agreement for the property at 220 N. Park was approved at the November 28th meeting and executed on December 7th. The purchase agreement created 90 days for City Council and the purchasers, Nofolk Homes, to agree to a development agreement. The 90 days expires on March 1st. Based on Council meeting schedule the agreement would have to be approved by February 20, 2018.

As a community benefits ordinance/agreement policy has not yet been adopted by Council, staff recommended a temporary process to move forward with creating a development agreement. The first step in the process is to have a Council work session to discuss the goals and objectives of for a development agreement.

A development agreement is a voluntary contract between a local jurisdiction and person who owns or controls property within the jurisdiction detailing the obligations of both parties and specifying the standards and conditions that will govern development of the property. The terms of the agreement should be terms not otherwise required through existing regulations. The terms of the agreement need to be enforceable and specified within the agreement.

Representatives from Norfolk have indicated that they will provide a proposed agreement that they have used for similar past developments as a starting point. The agreement will be provided to Council for review and discussion as soon as it is received. The goal of the work session is to provide direction to City staff and legal staff to negotiate terms to be brought back to Council in the form of a proposed agreement.

Terms otherwise governed:

1. Planning Commission review and approval
2. Engineering standards and approval
3. Historic District compatibility and approval
4. State Building Code review and plan approval

Terms specified in Request for Qualifications:

1. Create new, for-sale residential options in a combination of single-family detached, duplex, and townhome formats
2. Include at least 10% of units as accessible and barrier-free
3. Offer site layout and building design that respects and complements the adjacent

Historic East Side Neighborhood

4. Include east to west public access via a bike/walk path across the southern edge of the property and a street or alley through the property, aligned with existing Locust Street to the east
5. Offer residences ready for occupancy within two years of property sale
6. Not require a payment in lieu of taxes (PILOT) or other long-term tax abatement

Current Zoning

The site at 220 N. Park is zoned Core Neighborhood Mid. This form-based designation is described in part as a walkable urban plan supported through a network of interconnected, tree-line streets, a diversity of housing choices and a mix of appropriate commercial and residential uses in a compact form. These areas also support public transit due to their compact nature. Housing types range from mansions to cottages, with multiple-family and single-family uses.

Terms for consideration

- The developer retains the land until it is sold to the ultimate purchaser
- Streets shall be maintained in a clean and accessible condition (evenings and weekends)
- Mitigation and fencing during construction
- Construction commencement date
- Percentage of construction to be completed by date
- Guarantee of delivery – Minimum and maximum units/building types
- Local contractor preference
- Infrastructure improvements to streets or access
- Dedication of new right-of-way
- Green infrastructure requirements

The attached sustainability goals memo describes how recommendations from the sustainability commission are already in use and built into ordinances.

As stated, the purpose of the work session is to have Council provide input and guidance to staff moving forward with crafting an agreement. Additional information will be provided as necessary.

City of Ypsilanti
Community & Economic Development Department

Memo

To: Darwin McClary, City Manager

From: Bonnie Wessler, City Planner

Date: November 1, 2017

Subject: Sustainability Commission Recommendations

Background
In early September, the Sustainability Commission adopted a resolution directing the City Council and Planning Commission, when applicable, ensure certain standards are met for all development plans, until such time as a Sustainability Plan is drafted. In early October, staff received direction to review the recommendations and provide further information on each.

Discussion
LEED RATING OF AT LEAST SILVER;

- Background
  LEED (Leadership in Energy and Environmental Design) is a green building rating system developed by the U.S. Green Building Council (USGBC), a 501(c)3 nonprofit. New construction, rehabilitation, neighborhoods, homes, and campuses are all eligible to apply for certification; projects must then be recertified every five years and provide continuing energy and water usage data. Project rating levels are Certified, Silver, Gold, and Platinum; how many points a project earns dictate its ranking. USGBC charges for certification are based on square footage, and start at $9,920 for a new construction commercial single-building project with less than 250,000 square feet and no appeals. LEED is the most recognizable green building ranking system available, but alternatives exist, such as Green Globes, the Living Building Challenge, Energy Star, and Build It Green.

- Climate Action Plan
  The 2012 Climate Action Plan (CAP) recommended the City adopt a Green Globes certification requirement for any development project receiving $10,000 or more in municipal incentives or tax abatements in a single year. This was estimated to reduce emissions by an equivalent of approximately 272 metric tons of carbon dioxide, presuming that 10,000 square feet annually were developed or redeveloped under this standard. This standard was chosen with an eye to the redevelopment projects of a scale and type we typically see in the City- budget-conscious, entrepreneurial, and generally consisting of less than 250,000 square feet.

- Discussion
  Generally, where a city has incorporated certifications in their zoning code, they have been experiencing significant development pressure and done so by incentivizing, not requiring, certification. (Such incentives are discussed later in this memo.) This can be challenging, as

it is potentially a cart-before-the-horse approach; the City would be relying upon the future actions of a third party (the USGBC) to permit a development to go forward. Neither the developer nor the City could compel the USGBC to grant a certain ranking, and such standards change. Although green building certification is a useful public relations tool for the developer, involving a third party in the approval of built projects is challenging; a better path would simply be to review the requirements for certification and, where desired and possible, adopt such standards in the zoning code.

It is also notable that the City may not make modifications to the State Building Code- that is, they may not require as a matter of course that a building have certain elements above and beyond those required in the State Building Code, such as green building elements. Thus, requiring that a building must incorporate certain elements may be legally fraught. It may, however, choose to - it may only enact those requirements as part of a contract, such as when granting an incentive.

- Recommendation
  At this point in time, staff recommends that Council incorporate the original recommendation of the CAP into the Community Benefits Ordinance discussion and that Council recommend to the Sustainability Commission that they work to identify specific incentive-based zoning recommendations as part of the upcoming Sustainability Plan.

<u>SOLAR ENERGY;</u>

- Background
  There are three types of solar energy in the context of development projects: passive solar construction, which aims to capture the heat from the sun to minimize use of HVAC and is most popular for single-family home construction and greenhouses; solar water heating, which uses a thermal collector to heat water and can be used in residential, commercial, or industrial applications; and photovoltaic energy production ("solar panels").

- Climate Action Plan
  "Monitor financing opportunities for solar installation and publicize via Solar Ypsi. The City should monitor grant opportunities for solar hybrid systems on high water-usage public buildings, such as the Rutherford Pool and Fire Department, and remain alert for low-cost ways to support private installations; a PACE [Property Assessed Clean Energy] program would be one such option. A target of 20 kW of new installed capacity within the city annually would build on recent momentum." (p18)

- Discussion
  Zoning permits construction of "passive solar buildings" – essentially defined in the code as hoophouses or greenhouses – as primary uses in the Parks, PMD, or as an accessory use/structure in R1, MD, CN-SF, CN-Mid, CN, HC, NC, GC, and HHS. Solar water heating is permitted in all districts, provided the thermal collectors are attached to a building. Photovoltaic production is permitted as an accessory use in all districts when attached to a building; solar farms are permitted in Parks and in PMD. Photovoltaic panels are also permitted to be attached to pole lights, such as those found in parking lots, in all districts. These regulations were put in place following extensive feedback from the community during the 2013 Shape Ypsi master plan process and the 2014 zoning code update process. Building permits must be pulled prior to installation to ensure safe installation of both any electrical or plumbing components as well as supporting structural members; in the Historic District, such installations must also be reviewed to ensure compatibility with the historic fabric of the community.

The Ypsilanti Fire Department installed a 50kW photovoltaic array in 2017. The Rutherford Pool is currently operated by a 501(c)3 nonprofit, Friends of the Rutherford Pool, who will be exploring options to renovate the existing bath-house in the near future. The City has had PACE financing available through the Southeast Michigan Regional Energy Office since at least 2014, but to date no development has expressed interest. In 2013, the City adopted a resolution supporting a goal of 5MW in photovoltaic production locally by 2020, on average, this is 700kW per year, well in excess of the CAP goal.

The City is on track to meet and exceed the CAP goals regarding photovoltaic production and permits other types of solar energy capture in alignment with the goals of the CAP. The City does not publicize grant or financing opportunities, however, as it does not currently have the capacity to do so. Solar Ypsi remains the primary local resource to connect interested parties with funding opportunities.

- Recommendation
  Staff recommends that the Council recommend to the Sustainability Commission that they work to define specific goals regarding alternative energy production locally as part of the Sustainability Plan.

<u>WASTE STREAM REDUCTION AND/OR DIVERSION, INCLUDING RECYCLING;</u>

- Background
  We assume, for the purposes of this memo, that the Sustainability Commission is referencing only solid waste, not wastewater, although the CAP addresses both. Waste stream reduction can be accomplished through the production of less waste, while waste stream diversion refers generally to recycling and composting, opposed to landfilling. Reduction is generally programmatic, not something that can be predicted or regulated as part of the development or redevelopment of a site, and can be difficult to monitor over time, requiring an ongoing system of incentives and disincentives. Diversion can be enabled through provision of programs, and encouraged through an ongoing system of incentives and disincentives. Zoning does not specify how to handle solid waste, but does specify how outdoor waste receptacles, such as dumpsters, trash bins, or recycling containers, must be stored and screened.

- Climate Action Plan
  - **Work with neighborhood associations and Eastern Michigan University to hold a recycling competition, based either on improvements over past performance or on town vs. gown recycling rates.** The challenge for Ypsilanti residents should be to collaborate with or out-compete neighbors, but also on an individual level, to achieve the national average rate of recycling: 34.1%. The City should consider using a neighborhood competition as a pilot—perhaps working only with a few neighborhoods to begin with or seeking to later expand to include local businesses, as well. (p32)
  - **Partner with EMU, local schools, and the DDA to create an artistic trash bin design contest, incorporating local sponsorships and educational efforts.** Test the program first on EMU's campus while exploring options to expand downtown recycling, then move outwards into city itself. Additional savings could be generated by investing in an outdoor recycling service in the city's parks and downtown areas. (p33)
  - **Partner with Growing Hope and local businesses that are high generators of food waste to implement a pilot program for a municipal kitchen compost system using the drop-off site method.** Solid waste, alternative energy or similarly targeted grants should be explored to fund installation of a biodigester at any selected pilot site. (p35)

- Discussion

Currently, commercial trash, recycling, and waste oil or compost pickup are done via private contract between the producers and the waste handlers.
For residential properties, the City provides weekly single-stream recycling pickup year-round, and weekly yard waste (non-food compost) pickup during spring, summer, and fall, primarily to single-family residences. The City contracts with Republic for weekly rubbish pickup, and allows Simple Recycling to do curbside pickup of specialty recyclables.
A dropoff station for specialty recyclables currently open three days a week in Depot Town.
No incentives or disincentives are in place. Washtenaw County administers "Waste Knot," a program for local businesses to help them reduce or divert their waste. This program is purely voluntary and no cost.

- Recommendation
  At this time, no progress has been made towards these goals of the CAP. Staff recommends that the Council recommend to the Sustainability Commission that they evaluate the barriers to completion for these goals and consider alternative goals as part of the Sustainability Plan. Note that City Council has governing authority over residential waste streams, and would have to enact new policy and updates through scavenger contracts.

<u>LED LIGHTING IN ALL PUBLIC SPACES;</u>

- Background
  LED is a popular lighting type that draws relatively little power compared to other technologies. The City recently converted its streetlights to LED fixtures, as well as the lights in City buildings. It is unclear, however, what the Sustainability Commission intends by "public spaces," and if the intent includes lighting previously unlit areas.

- Climate Action Plan
  - **Upgrade lighting in city buildings as soon as possible. Advertise the availability of low and no cost energy audit services to help building owners prioritize the energy work they would like to do in their buildings. Partner with relevant organizations to help market available services.** (p16)
  - **Upgrade as many street lights as possible with the city's revolving loan fund, working with the DDA, EMU and Regional Energy Office to achieve the best price through bulk upgrades and to identify any grants or other funding opportunities.** This should be undertaken as soon as possible, so that savings from initial upgrades can pay for additional lights in future years. The DDA and Public Services Department should also review existing light levels during this process—in some locations, additional energy and cost savings may be achieved through removal of unneeded fixtures. (p28)

- Discussion
  The zoning code does not address the power consumption of outdoor lighting, however, it does regulate outdoor light placement, brightness, glare, and pollution. Outdoor lighting within the Historic District is reviewed for appropriateness. Indoor lighting is regulated under the State Building Code. Staff is not presently aware of communities that mandate LED light fixtures, either indoor or outdoor.

- Recommendation
  Staff recommends that the Council recommend to the Sustainability Commission that they work to define the scope and intent of this item and evaluate the progress made by the City since the CAP adoption as part of the Sustainability Plan.

ENERGY STAR-RATED APPLIANCES;

- Background
  It is unclear when, where, and how the Sustainability Commission is proposing these be required. Currently the City does not have a mechanism to require or incentivize certain types of appliances be used. Mechanical & plumbing-related installations are governed by State Building Code or, in specific circumstances, County Public Health. Staff is not currently aware of a mechanism by which Energy Star appliances could be required.

- Climate Action Plan
  The CAP does not mention Energy Star appliances in its recommendations.

- Recommendation
  Staff recommends that the Council recommend to the Sustainability Commission that they work to define the scope and intent of this item and evaluate the progress made by the City since the CAP adoption as part of the Sustainability Plan.

BIKE-FRIENDLY ROADS;

- Background
  Bike-friendly roads mean different things to different people, and in different contexts. On some roads, bike friendliness includes painted and protected bike lanes; on others, no particular infrastructure improvements would be required. Generally, bike friendliness can include signage, striping, bike lanes, protected bike lanes, separated bike lanes, speed of vehicle traffic, traffic light timing, traffic light sensors, street lighting, volume of vehicle traffic, presence or absence of other bicyclists, and more. Bike-friendliness also depends a great deal on the assumed skill level of the bicyclist. The City has adopted a Complete Streets ordinance that applies to newly constructed streets or reconstructed streets; this ordinances mandates that bicyclists be considered as part of the design process.

- Climate Action Plan
  - **Continue development of bicycle and pedestrian network in coordination with Townships, WCRC, and Border to Border (B2B) trail development.** Considering existing, predominantly east/west commuting patterns, roads like Forest Avenue, East Cross and West Cross/Packard may hold the most benefit in terms of converting traffic from motor vehicle miles to bicycle miles. (p 38)
  - **Engage community partners in an effort to understand residents' travel needs and develop a marketing plan to meet those needs.** Provide bicycle maps, designated routes, and other wayfinding mechanisms to make the transition to bike commuting easy and convenient. Special attention should be paid to the connections between EMU's campus and Ypsilanti's downtown and Depot Town areas, encouraging students to explore the surrounding city. The existing Non-Motorized Advisory Committee should lead this effort within the city. (p 41)
  - **Partner with Eastern Michigan University to create a bike-sharing program and to expand the carsharing network both on-campus and downtown.** The programs can originate at the university, targeting students as the primary users with the source of information available online and at new student orientation. University faculty and employees, and downtown employees, should be targeted with information on bike- and car-sharing options as a support for car-free commutes; landlords and neighborhood

associations can provide residents with information on car-sharing as a cost-saving alternative to a second household car. (p 43)

- Discussion
  In 2011, the City adopted the Complete Streets Ordinance, which requires any street undergoing a certain level of construction be reviewed by the Planning Commission and staff to ensure the road will be able to serve all modes, taking into such considerations as grades, legal obligations, street trees, and other issues. Due to a limited budget, few roads are reconstructed to that level, however, recent successes include West Cross from Washtenaw to Elbridge. The success of Complete Streets has also led to street rehabilitation projects that do not trigger the extensive review incorporating features such as curb bump-outs, which improve pedestrian visibility and help to prevent excessive speeds.

- Recommendation
  As the Non-Motorized Committee (a subcommittee of the Planning Commission) is currently working on revising and updating the Non-Motorized Transportation Plan, staff recommends that the Council recommend to the Sustainability Commission that they relay their input to that committee, and coordinate the recommendations of the Sustainability Plan with those of the Non-motorized Transportation Plan to ensure that they are complementary, not conflicting or duplicative.

<u>ACCESS TO PUBLIC TRANSPORTATION FOR HOUSING DEVELOPMENTS;</u>

- Background
  Staff assumes that this means that stops and routes be placed conveniently to areas of denser housing development. The Ride (AAATA) serves the Ypsilanti area with public transportation, and is a separate entity from the City.

- Climate Action Plan
  The CAP speaks of public transportation, access to it, and ways to improve access, but quite a bit more broadly. See pages 39-42 for more information.

- Discussion
  As part of any housing development or redevelopment process that involves a site plan or special use application, staff works to ensure that the developers and AAATA communicate, and that the needs of each and the future residents are addressed.

- Recommendation
  Staff believes that current practice satisfies this goal to the best of the City's legal ability and recommends that the current practice be continued.

<u>BIO-SWALES OR RAIN GARDENS UPSTREAM OF STORM WATER DRAINS AND WETLANDS;</u>

- Background
  Staff assumes the intent of the recommendation is to provide for detention of stormwater and removal of sediment as well as some pollutants from stormwater, thus improving area water quality.

- Climate Action Plan
  The CAP does not address stormwater.

- Discussion

The City has adopted the Design Standards of the Washtenaw County Water Resources Commissioner, which are available here: http://www.ewashtenaw.org/government/drain_commissioner/dc_webPermits_DesignStandards/dc_Rules/frontpage. The City is responsible for review of stormwater management designs under the WCWRC rules. These standards provide for stormwater detention, and require stormwater be handled according to best management practices, which may include rain gardens, vegetated swales, detention ponds, or engineered storage solutions, based on the needs of the applicant and the unique properties of the site. Not all sites or projects will be able to accommodate a surface solution, such as a raingarden or swale; some will require engineered solutions.

- Recommendation
  Staff believes that the City's current practice meets and exceeds the desires of the Sustainability Commission, and recommends a continuation of current practice.

PROPERTY TAX RELIEF AND RENT PROTECTION FOR LOW INCOME AND RETIREMENT-AGE RESIDENTS;

Please see the previous memorandum from the City Attorney regarding property tax relief and rent controls.

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AND INCENTIVES IN ZONING (EXPEDITED REVIEW, DENSITY BONUS, TAX REDUCTION, ETC.) FOR COMMUNITY BENEFITS (E.G., OPEN SPACE CONSERVATION, AFFORDABLE HOUSING, SUSTAINABILE [sic] DEVELOPMENT BEYOND THESE MINIMUM REQUIREMENTS).

- Background
  Staff assumes the intent of the recommendation is to provide for public benefit on particularly large, impactful, or complex projects.

- Discussion and recommendations on individual elements
  The City cannot further expedite review of projects. Currently City review is constrained only by the timing of legally required meetings and the applicant's ability to submit complete plans and turn around revisions requested by Planning Commission or staff. This review time is considered one of the shorter review times in the state, per conversations with Michigan Department of Economic Development staff, discussed as part of the Redevelopment Ready Community certification process.
  Staff does not recommend a change to current practice.

  Provision of a "density bonus" is commonly used in larger cities. In Ypsilanti, zoning standards already permit, either by right or with a special use permit, the densest residential and commercial development the community expressed a desire for during the 2013 master plan development and 2014 zoning code development. To engineer a "density bonus" we would either be lowering densities below what the community has already established, or pushing the maximum higher than what the community has expressed a desire for.
  Staff does not recommend a change to current practice.

  Provision of a "tax reduction" is only available as part of incentive packages that the City already offers, such as PILOT, brownfield, OPRA, NEZ, etc.
  Staff recommends that this be part of the Community Benefits Ordinance discussion.

- Discussion on overall concept

The City does already have a tool similar to that proposed for certain types of projects. Planned Unit Development (PUD) projects generally are used in larger or more complex projects, and allow for certain exceptions from the zoning code to secure a public benefit. These PUDs are reviewed by Planning Commission and ultimately approved by Council. More information is in Chapter 122, Article VII, Division 1 (sections 122-700 through 709), available at cityofypsilanti.com/zoning.

Note that the City is considered a Redevelopment Ready Community by the MEDC. This voluntary designation generally indicates that the City's development and redevelopment processes are clear, quick, and consistent; the designation also enables the City to apply for certain MEDC funding. To maintain that status and eligibility for funding, clarity, speed, and consistency must all be taken into account if or when zoning incentives are designed.

Conclusion

The recommendations of the Sustainability Commission are generally aligned with the intent and purpose of the Master Plan (Shape Ypsi), the Climate Action Plan, the Non-Motorized Transportation Plan, and other plans adopted by the City. However, the specific recommendations as presented conflict with the specific recommendations of these plans, lack public input, and do not reflect an understanding of the existing development processes and regulations. Staff recommends that the Sustainability Commission seek out more information about the existing development processes and controls within the City, and about best practices regarding plan creation, including public comment, and work with staff to develop future recommendations.

Resolution No. 2017-291
December 14, 2017

RESOLVED BY THE COUNCIL OF THE CITY OF YPSILANTI:

That the City Council Meeting be adjourned, on call, by the Mayor or two (2) members of Council.

OFFERED BY: _____

SUPPORTED BY: _____

YES: NO: ABSENT: VOTE: