

**PLANNING COMMISSION
MEETING MINUTES
June 21, 2017
CITY COUNCIL CHAMBER
7:00 P.M.**

I. CALL TO ORDER

The meeting was called to order at 7:00 p.m.

II. ROLL CALL

Present: H. Jugenitz, A. Bedogne, L. Dahl MacGregor, P. Hollifield, J. Talaga, C. Madigan

Absent: C. Zuellig (excused) M. Dunwoodie (excused) T. Dennis (excused)

Staff: Bonnie Wessler, City Planner
Cynthia Kochanek, Associate Planner
Nan Schuette, Executive Secretary

III. APPROVAL OF MINUTES

Commissioner Bedogne moved to approve the minutes of May 17, 2017 (Support: P. Hollifield) and the motion carried unanimously.

IV. AUDIENCE PARTICIPATION

Ms. Gelletly, owner of 414 N. River, has owned the property since 1974 – current tenants have lived there for 21 years and would like to ensure that quality of life remains the same for residential purpose. Ms. Gelletly has many concerns about the proposed building rehab at 400 N. River, which she listed as follows: hours of operation, smoke between buildings, grease handling, trash, noise, lighting, etc. She also is concerned about the north bound chain link fence and how it would affect egress from their home – needs access to that side of the building for maintenance. She referred to the landscaping since trees will take light away from her property in back – also concerned about privacy in the back. She is concerned about snow removal and the walk way on the north side. She is asking that the owner address these and other stated concerns she had regarding water, solar panels and parking. They are happy with the proposed business but hoping that they will address all of her concerns.

Amber Fellows, 300 Jarvis – concerned about housing affordability in Ypsilanti. She is against the 12 years tax breaks to developers. Another major concern is parking. Developer has not communicated with residents and should be required to have additional parking or have an agreement that rents should not exceed \$950.

Nathaniel Romero, 413 Pearl - Feels that more affordable housing should be addressed.

V. PRESENTATION AND PUBLIC HEARING ITEMS

None

VI. NEW BUSINESS

1. 400 N. River

C. Kochanek, Associate Planner, noted that the application date of February 16, 2017 is being reviewed under the ordinance that was in effect at that time. It was reviewed under the multi-story zoning requirement. This is an application for approval of site plan for building rehab and parking lot installation. A 2009 fire gutted most of the commercial structure and it has since sat vacant. The vacant part of the parcel on the east side of the structure held a house that was torn down in 2012 after a structure fire and a period of neglect. This lot was combined with 400 N. River in 2014 and the portion of the alley that had previously divided the two lots was also vacated and combined as part of a Planned Unit Development (PUD) that was approved at the time. This PUD expired in 2016 due to lack of progress. The eastern portion of the lot had retained its original zoning of CN-SF, and was rezoned to Center in 2016.

The current owner is restoring the structure with the intent to have restaurant/bar use on the lower level and apartments on the second and third levels. A two-story addition is proposed to the northeast corner of the building; this addition squares off the existing rear profile of the building, provides room for an additional commercial room/bay, an additional apartment, a roof deck amenity, and a second stairway. A parking area is proposed on the east side of the lot for resident parking.

The property is currently zoned C-Center, which permits by right a bar/lounge, a sit-down restaurant and apartments located above the ground floor of permitted residential uses. The applicant is proposing a resident parking lot to the east of the structure with 23 spaces, including one ADA compliant space, with a dumpster enclosure at the north end of the lot. Bike parking is located off N. River adjacent to the outdoor seating area for restaurant patrons and at the rear of the building for apartment tenants. The applicant also has a purchase agreement for City right-of-way for an area immediately adjacent to the building to the west (the raised outdoor dining area and an area encompassing the steps) and a portion of City right-of-way over which the existing building encroaches to the south. Council, DDA, utilities and City departments have been involved in discussions regarding the remaining right-of-way on River. There were no comments from the Fire Department or YCUA.

Staff recommended approval to the Planning Commission with findings, waivers and conditions.

Dick Mitchell, Mitchell & Mouat Architects – was in attendance to represent the applicant accompanied by Marilyn Crowley, Construction Manager and Rob Wagner, Midwestern Consulting.

Mr. Mitchell did a slide presentation on the project which included photos of the building from 1852 up to the present time and included an update of the proposed construction. This

included the site plan of the layout, parking, lighting, landscaping, fencing, dumpster location, outdoor seating, new walkway etc. etc.

Ms. Crowley also addressed the concerns of Ms. Gelletly and agreed that they are very willing to work with her on her concerns to ensure that they will be good neighbors.

Commissioner Bedogne referred to the potential problem of customers smoking outside in front of Ms. Gelletly's property asking if some kind of signage could be considered, i.e. "no smoking zone". Ms. Crowley responded that they will work on something. Bedogne stated that they had shown a barrier free scenario where there might be modification to the city right-of-way and sidewalk, but since this is outside of their jurisdiction, Bedogne wondered if this was included in the budget and ability to make it happen. He also asked if they would be comfortable including this in the conditions, to which Mr. Mitchell agreed. Bedogne also asked how deliveries would be made, to which Mr. Mitchell responded indicating on the drawings. Commissioner Bedogne complimented the architect on their presentation adding that it looked like many of the concerns have been addressed, except for affordable housing.

Commissioner MacGregor asked about the fence and consideration of solar panels on the roof as well as ventilation. Ms. Crowley responded that the owner would like to put solar panels on the whole roof if possible. They have been pricing it out. Commissioner MacGregor also asked about ventilation to which Mr. Mitchell referred to the slide presentation that showed the location of vents. Commissioner MacGregor also stated that she was saddened that she did not agree with council to talk about what could be done to increase accessibility in light of getting the tax abatement.

Chair Jugenitz asked if there had been any communications with the community on saving some space as more affordable space in this development. Ms. Crowley stated there is a lack of market rate housing in the City of Ypsilanti and they had not considered an affordability proponent in this project. Chair Jugenitz asked about pricing and Ms. Crowley responded that it will be competitive with other downtown properties.

Chair Jugenitz asked about the issue of noise and Ms. Wessler stated the noise ordinance is in effect from 10:00 p.m. until 7:00 a.m.

Commissioner Hollifield agreed that tax breaks should be passed on to residents.

Ms. Wessler explained the tax abatement (OPRA) policy to the commissioners and how it works. The owners were approved for a 12 yr OPRA – the express intent of this particular type of tax abatement is to take properties that are obsolete and no longer in use and no longer able to be put to use and encourage the redevelopment of them. It caps the tax at the current value for a certain amount of time and then afterwards, they start ramping up and then by year 13 they are paying full taxes.

Since there were no further questions, Commissioner Talaga moved to approve the site plan for the Thompson Block Rehabilitation at 400 N. River Street with the following findings, waiver, and conditions:

Findings:

1. The application substantially complies with Sec 122-127.

Waiver:

1. A waiver is requested for screening from the right-of-way and the street tree requirements on E Cross & N River due to the ramp location, existing utilities and space constraints.

Conditions

1. Applicant to submit final sign plan details and measurements with the sign permit application.
2. Applicant to provide an additional ramp on the N River side just south of the central stairs with a 5' pathway to the north of the new ramp.
3. Waiver requested for screening from the ROW on the west side of the parking lot due to ramp location.
4. Applicant to apply for a variance for the parking space shortage.
5. The westernmost tree south of the parking lot on E Cross is within the 10'x10' triangle and shall be maintained higher than 8'
6. Applicant to revise and resubmit photometric to accurately reflect all proposed lighting and ensure lighting standards are met.
7. Applicant to provide more details on the dumpster enclosure for staff review, including pick up schedule and to verify if the size is sufficient for the site.
8. The chain-link fence proposed at the north end of the site is not 80% opaque, applicant to provide an alternative fence option that meets the requirement.
9. Applicant to move the proposed location of the historic sign to accommodate the new ramp and to verify sufficient visibility in its new location.
10. Applicant to consider adding ornamental grass plantings around the new transformer for screening.

Commissioner Bedogne offered a friendly amendment to strike condition number two and to modify it to read the following:

“Applicant to provide a barrier-free space in the N. River right-of-way as presented on this site plan at the meeting and to finance the same.”

Commissioner Bedogne offered an additional friendly amendment “to strike condition #9 regarding the moving of the historic sign, as that condition was no longer needed.”

Commissioner Talaga accepted the friendly amendments (Supported: P. Hollifield) and carried unanimously. A roll call vote was taken and carried unanimously.

2. Elections

Heidi Jugenitz, Chair and Liz Dahl MacGregor, Vice-Chair were nominated by acclamation. Jared Talaga was re-nominated as the Planning Commission representative to the Zoning Board of Appeals.

VII. OLD BUSINESS

1. Ms. Wessler gave an update on the Boys/Girls Club property adding that an RFQ had been sent out with a closure date of 6/1. There had been five submissions, three of which are being reviewed with a proposed meeting of the top choice in July.
2. Ms. Wessler gave an update on the Water Street property adding that City Council had accepted a letter of interest.
3. Ms. Wessler stated that the city also had received a letter of interest on the property on Huron River Drive /Superior by Ozone House in Ann Arbor moving from their current location in Ann Arbor to Ypsilanti to include their administrative offices. Ozone House is a non-profit that deals with homeless and other people who need assistance.

VIII. FUTURE BUSINESS DISCUSSION/UPDATES

1. Revision of Special Use at 206-210 N. Washington
2. Presentation on Affordable Housing in July or August

IX. COMMITTEE REPORTS

1. Non-motorized Advisory Committee – June Minutes

Commissioner Bedogne stated that they will hold a public session on June 28th in the Freighthouse Café and encouraged as many members as possible to attend. The Non-Motorized Committee has also completed the “Walk Friendly” application and will find out if we qualify in the very near future. They also plan to apply for the “Bike Friendly” designation in August.

X. ADJOURNMENT

Since there was no further business, Commissioner Hollifield moved to adjourn the meeting (Support: C. Madigan) and the motion carried unanimously. The meeting adjourned at 8:35 p.m.