

1. Planning Commission Regular Meeting Agenda

Documents:

[01-19 JULY 2017 AGENDA.PDF](#)

2. Planning Commission Regular Meeting Packet

Documents:

[JULY 19, 2017 PC MEETING PACKET.PDF](#)

**Agenda
Planning Commission
Council Chambers
Wednesday, 19 July 2017 – 7:00 P.M.**

I. Call to Order

II. Roll Call

Heidi Jugenitz, Chair	P	A
Liz Dahl MacGregor, Vice Chair	P	A
Anthony Bedogne	P	A
Toi Dennis	P	A
Matt Dunwoodie	P	A
Phil Hollifield	P	A
Chris Madigan	P	A
Jared Talaga	P	A
Cheryl Zuellig	P	A

III. Approval of Minutes

- June 21, 2017

IV. Audience Participation

Open for general public comment to Planning Commission on items for which a public hearing is not scheduled.

V. Presentations and Public Hearing Items

- 206-210 N Washington
Special Use

VI. New Business

- None

VII. Old Business

- None

VIII. Future Business Discussion / Updates

IX. Committee Reports

- Non-motorized Advisory Committee: Public Input Session

X. Adjournment

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**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.



Memo

To: Planning Commission

From: Bonnie Wessler, City Planner

Date: 14 July 2017

Subject: 206-210 N Washington: revision of Special Use Permit

At the Commission's regular April 2017 meeting, it approved the site plan and special use permit for the reconstruction of 206-210 N Washington St. The Special Use approval was with the conditions that *"Barrier free access into the structure and barrier-free units are not addressed. Applicant to make two units barrier-free, add barrier free access to the structure, and provide two barrier-free parking spaces."* The associated site plan approval was with conditions including *"provide barrier-free entry to buildings from parking areas"* and *"provide one barrier-free space in the eastern parking lot,"* although the applicant has not specifically called out these conditions in the reapplication, staff believes they should be considered together.

The Special Use condition was based upon three factors: the applicant was proposing a reduction in the overall number of units, thus reducing the overall density of the downtown residential area and limiting housing options; adding barrier-free units would increase housing options for those with mobility disabilities, especially needed in this area with older, non-barrier-free housing stock; and it appeared at the time to be quite doable, given the damage to the building and relatively modern construction. The applicant had not yet evaluated what work would be involved in such a conversion, but was generally amenable and supportive.

Since April, the applicant has invested significant time and effort into determining what modifications would be necessary to the property in order to provide the required two barrier-free units. Unfortunately, the barrier to achieve barrier-free is quite high; the only unit that could practically be converted is the four-bedroom in the one-story portion of the building. In this unit, two of the four bedrooms are in the basement, and significant changes would have to be made to the kitchen and bathroom on the main level, including completely re-working the floorplan, plumbing, and electrical in that unit. Heating units would have to be relocated as well. All told, renovations to this single unit are projected to add more than \$52,000 to the cost of the renovation.

The applicant is requesting that Planning Commission reconsider the aforementioned condition of the Special Use permit. Staff supports removing the condition that two units be made barrier-free; staff would like to request that Planning Commission also reconsider the Site Plan approval conditions noted above in light of new information and potentially changed conditions.

Rationale for request:

In May 2017 the Planning Commission met and approved my plan to convert the existing 16 apartments at 206/210 N. Washington St. to 14 units provided I complied with 8 conditions as spelled out by the Commission at the hearing. One of those conditions was that I convert 2 of the 14 apartments to ADA accessible units.

In order to determine which units I should select to convert to accessible units I hired Randall Rewerts to do a preliminary inspection of all of the ground floor units in both buildings. Mr. Rewerts, in addition to being a General Contractor, is a qualified ADA inspector. I asked him to assess both buildings (206 and 210 N. Washington Street) and to come up with a plan to convert two ground floor apartments to ADA accessible units.

Mr. Rewerts did a site visit and determined that none of the ground floor units at 210 N. Washington could be practically converted to ADA accessible units because of the existing layout of the building.

At 206 N Washington he determined that the 4 bedroom main floor apartment could be converted to an ADA accessible apartment if some major modifications were done to the building, to the apartment and to the neighboring apartment. His initial estimate for these modifications was \$52,000 with the caveat that the cost could well exceed \$60,000 because we do not know exactly what lies behind the walls, ceilings and floors. Because there are no existing mechanical, electrical or plumbing drawings for either building there are a lot of unknowns which makes an accurate assessment difficult.

I am asking, therefore, that the Planning Commission reconsider the condition to require any ADA accessible apartments because of the prohibitive cost and complexity of modifying the building for ADA compliance.

The cost alone to restore the two buildings back to a fully functioning apartment complex will be significant. To add \$60,000+ to that cost will essentially put the project's viability at risk. Even without any ADA requirements the ROI for the Phoenix Apartments Restoration project will be negative for more than 10 years after project completion.

My intent is to fully restore the fire-damaged building, renovate the undamaged building, improve the curb appeal of both buildings and provide attractive housing options for local residents while complying with the requirements of the Planning Commission, the HDC and the City Building Inspectors. However, I am requesting that the requirement of ADA accessible apartments at 206/210 N. Washington St. be removed as a condition of the Special Use Permit.

>>

>>> Attached is a copy of the letter Mr. Rewerts wrote after conducting his site visit to 206/210 N. Washington St.

Thank you for your consideration.

Regards

Greg Davel
Balmoral Holdings LLC
Phoenix Apartments Restoration Project



June 9, 2017

Greg Davel
Phoenix Apartments
206-210 N. Washington St.
Ypsilanti, MI 48198

Dear Mr. Davel,

Per your request, I have completed the ADA assessment for properties located at 206 N. Washington St. and 210 N. Washington St.

Based on the International Code Council Accessibility Building Code, the 210 N. Washington St. Address has no accessible parking or accessible route to any 1st floor apartments. In addition, there are no ADA ramps/elevators or chair lifts for either address.

The 206 N. Washington address requires ADA parking. This will include repaving the parking space to provide "handicapped only" parking with an access aisle and an ADA accessible route to the entrance of the building.

Per Ypsilanti Historical District Commission, an ADA compliant ramp designed to match the existing building will be required.

The entrance to the 206 building will require a larger surface area for maneuvering to accommodate ADA and pedestrian access.

The facade and entrance door will need to be removed and changed to allow for a forward approach, per ADA requirements.

In the foyer of the building, the walls will need to be moved and all doors will need to be widened.

In addition, after walls are relocated, the ceilings will require repair. The entire room will also need to be repainted.

The existing hardwood flooring will need to be removed and replaced over the entire length of the wall. Additionally, the new floors will need to be refinished.

Electric outlets and switches' will require relocation, as well as any vent stacks.

There are existing heating units built into both walls. These units would need to be relocated.

The existing kitchen was designed for standard requirements and must be changed for accessible reach, per ADA requirements.

The bathroom needs a complete change out to accommodate ADA requirements.

Without knowing the electrical, plumbing and existing conditions this cost could well exceed this estimate.

A budget cost for one ADA compliant apartment at the 206 N Washington St. Address would be \$52,000.00. and could exceed \$60,000.00.

Please see comments below

CME, Inc.

1335 Shotgun Rd. Sunrise FL 33326 • 954.533-2940 • info@cmeusa.net • CA30966 • CGC057667
CONSTRUCTION MGMT. • PROJECT ADMIN. • CONSTRUCTION • DESIGN-BUILD • ENGINEERING • HISTORICAL RESTORATION • CONSULTING

This assessment was based on a non-destructive, visual inspection. Please feel free to contact me regarding other ADA requirements as follows:

- Cabinets and countertop heights
- Cabinet hardware
- Lavatories, vanities, shower enclosure dimensions
- Grab bars, door hardware
- Shelving height and depths
- Flooring and transitions
- Access to thermostats, light switches, outlets
- Fire Alarms
- Communication elements
- Signage

The items listed above are provided as a reference only and is not to be construed as a complete list of applicable ADA Code requirements.

Without selective demolition of interior, exterior walls, soil proctors and soil conditions for weight loads a conclusive cost is not obtainable.

Regards,



Randall Rewerts
Sr. Project Manager/ Lead Estimator

Original Staff Review of 206-210 N Washington Special Use



March 31, 2017

**Staff Review of Special Use Application
Phoenix Apartments Restoration Project
206-210 N Washington**

GENERAL INFORMATION

Applicant: Greg Davel
Balmoral Holdings
PO Box 20242
Cheyenne, WY 82003

Project: Phoenix Apartments Restoration Project

Application Date: March 11, 2017

Location: East side of N Washington St, between Washtenaw and Emmet St

Zoning: CN- Core neighborhood

Action Requested: Approval of Special Use for multi-family

Staff Recommendation: Approval

PROJECT AND SITE DESCRIPTION

Parcel 11-11-40-411-003 is 0.45 acres; this includes both the 206 and 210 N Washington addresses with frontage on N Washington St. There is an existing 7,197 square foot three floor apartment building with an attached 2,903 square foot single story apartment building. There are two outbuildings on the east side of the site at 504 square feet and 407 square feet respectively. Parking is located to the south and to the east of the structure. The parking spaces are currently unmarked therefore it is unclear as to how many are currently on site.

The three story structure has been used as an apartment building since it was built in approximately 1926. Multiple family dwelling units for more than two families were a permitted use for this parcel when it was built. In 1926, the ZBA allowed a variance from the 800 square foot requirement for each family dwelling unit. No special use permits have previously been approved for the property. The 1 story office was added in 1944 and an addition to the rear of the office was built in 1955. The one-story addition was converted to apartment use likely at the time of the 1955 addition, but the files are silent on precise timing. A fire on January 1, 2017 resulted in substantial damage to the structure and the cost of restoration is expected to exceed the 100 percent of the state equalized value, thus prompting the need for a special use application under §122-205(4). At the time of the fire there were 16 units in the building; the applicant is seeking approval for 14.

The parcel is zoned **CN- Core Neighborhood**, which allows for multiple family dwellings of more than 4 units per building after approval as a special land use. Special land use is regulated under Article V of the zoning code. The plans submitted call for a reduction in the number of units to 14 and some additional landscaping while retaining the pre-fire site layout. A single barrier-free parking space has been added to the site with the new plans.

Figure 1: Subject Site Location



Figure 2: Site Aerial (2015)



Figure 3: photograph of site



Note: see additional photographs included in packet.

Figure 4: Land Use and Zoning of Surrounding Area

	LAND USE	ZONING
NORTH	Multi-family residence & club	CN- Core Neighborhood
EAST	Single & multi-family residences	HC- Historic Corridor
SOUTH	Garage & multi-family residence	CN- Core Neighborhood
WEST	Multi-family residences	CN- Core Neighborhood

SPECIAL USE: CRITERIA AND REVIEW

§122-165(b)

(1) The proposed use conforms with all the provisions and requirements of this chapter, including site plan review standards (section 122-128) and the applicable site development standards for the specific use, as well as the spirit and intent of this chapter and the Master Plan. The location, scale, and intensity of the proposed use shall be compatible with adjacent uses and the zoning of the land. Height, location and size of buildings shall be compatible with uses and buildings on adjacent properties. The intensity of the proposed use, such as volume, frequency and times of operation, and its compatibility shall be considered.

COMMENTS: The location, scale, and intensity of the proposed use is compatible with adjacent uses as many other structures in the area are multiple-family, including one structure on the same block at 211 N Washington that is 33 units. Core Neighborhood zoning allows for the use of the structure as multi-family residential for more than four units once approved as a special use. No change in the height, location or size of the building is proposed and it is compatible with the uses and buildings on the adjacent properties.

A guiding value of the Master Plan is that “anyone, no matter what age or income, can find a place to call home in Ypsilanti.” One of the major challenges faced in the historic core of Ypsilanti is a distinct shortage of barrier-free access, particularly housing units. We strongly recommend that the applicant provide at least two barrier-free units in the restored building. Another guiding value is that people may **Easily walk, bike, drive or take transit from anywhere.** No bike parking is provided on-site, yet the site is within a five-minute walk of the Ypsilanti Transit Center. Staff strongly recommends requiring on-site covered bike parking for at least 8 bicycles (four hoops).

- (2) *The proposed use shall promote the use of land in a socially and economically sustainable manner and shall not be detrimental, hazardous, or disturbing to existing or future neighboring uses, persons, property or public welfare. Noise, odor, smoke and potential contamination of air, soil and water and its potential effect on neighboring uses, persons and property, as well as public welfare, shall be considered.*

COMMENTS: The use is not expected to be detrimental, hazardous, or disturbing to existing or future neighboring uses, persons, property or public welfare. No local effect on noise, odor, smoke and potential contamination of air, soil and water is expected with the reduction of two units. Denser developments are generally preferable in this historically dense and walkable neighborhood.

- (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: The use is compatible, and indeed the typical land use in the immediate area.

- (4) *The proposed special land use shall not present unreasonable adverse impacts on the transportation system. Consideration shall be given to the estimated pedestrian, bicycle and vehicular traffic generated by such use, access to transit, proximity to major thoroughfares, proximity to intersections, required vehicular turning movements, and provisions for pedestrian and bicycle traffic.*

COMMENTS: The site has a WalkScore of 88. There are limited parking facilities available on-site, and plentiful on-street permit parking. There are no bicycle facilities on site. This item is further addressed in the site plan review.

- (5) *The proposed use shall not create additional requirements at public cost for public facilities and services that will be detrimental to the economic sustainability of the community.*

COMMENTS: None are anticipated.

CONDITIONS OF APPROVAL

§122-167

“Reasonable conditions may be required in conjunction with an approval. The conditions may include conditions necessary to ensure that public services and facilities affected by a proposed land use or activity will be capable of accommodating increased service and facility loads caused by the land use or activity, to conserve natural resources and energy, to ensure compatibility with adjacent uses of land, and to promote the use of land in a socially and economically desirable manner. Conditions imposed must do all of the following:

- (1) Be designed to protect natural resources, the health, safety, and welfare, as well as the social and economic well-being.*
- (2) Be related to the valid exercise of police power and purposes which are affected by the proposed use or activity.*
- (3) Be necessary to meet the intent and purposes of this chapter, be related to standards established in this chapter, and be necessary to ensure compliance with those standards.”*

COMMENTS: The applicant has not provided for any barrier-free access to the building, nor barrier-free units. Only one barrier-free space is proposed; two are required due to the two distinct and unconnected parking lots. Staff strongly recommends that at least two units be barrier-free, and access to the building via shared entrances likewise be barrier-free.

The applicant has not provided any bicycle parking on-site. Provision of eight covered spaces (four hoops) would suit the site location due to its high walkability.

The reduction in two units is generally dispreferred in this neighborhood, due to its proximity to the City core and overall walkability. However, due to the existing challenging layout of the building, such a reduction may be practically necessary to accommodate current building and fire code standards.

SITE PLAN: CRITERIA AND REVIEW

§122-128

STANDING

§122-128(1)

The applicant is legally eligible to apply for site plan review, and all required information has been provided.

REQUIREMENTS

§122-128(2)

"The proposed site plan conforms with all the provisions and requirements, as well as the spirit and intent of this chapter and the Master Plan. The proposed development will meet all the regulations of the zoning district in which it is located."

Figure 5: Requirements

ORDINANCE REFERENCE	REQUIRED		EXISTING CONDITIONS	PROPOSED
CN: BUILDING TYPE §122-274	Determined by lot size		Apartment building	Unchanged
LOT REQUIREMENTS				
Width ft	Min 40	Max 300	154'	Unchanged
Depth ft	Min 100	Max 300	L-shaped lot North portion: 165' South portion: 82'	Unchanged
Area sf	Min 4,000	Max 90,000	22,550 sf	Unchanged
Coverage %	Min -	Max 80%	Building footprint: ~6,580/22,550= ~29%	Unchanged – meets
BUILDING ENVELOPE AND HEIGHT				
Street setback ft	Min 10	Max 25	20' – 45.5', average: 32.75'	Unchanged – existing nonconforming
Side setback ft	Min 5	Max --	North side:20.5' South side:68.5'	Unchanged – meets
Rear setback ft	Min 15 (25 if adjacent to existing SF)	Max --	40'-56', average: 48'	Unchanged – meets
Frontage buildout %	Min 60	Max 80	9' / 164' = ~5.5 %	Unchanged – existing nonconforming

ORDINANCE REFERENCE	REQUIRED		EXISTING CONDITIONS	PROPOSED
Height stories	Min 2	Max 6	North side: 3 South side: 1	Unchanged
ACCESSORY BUILDING ENVELOPE, FOOTPRINT, AND HEIGHT				
Street setback ft	Min 30	Max --	North: 130' South: 144.5'	Unchanged – meets
Side setback ft	Min 10	Max --	North: 2' (north), 75' (south) South: 75' (north), 1.5' (south)	Unchanged – existing nonconforming
Rear setback ft	Min 10	Max --	North: 20' South: 1.5'	Unchanged – north meets, south - existing nonconforming
Footprint sf	Min --	Max 800	North: 414' South: 552'	Unchanged – meets
Height ft	Min --	Max 15	North: 10' South: 10'	Unchanged – meets
PARKING PROVISIONS	Location: side and rear yards		side and rear yards	Unchanged – meets
PRIVATE FRONTAGES	Required: porch, forecourt or stoop		Stoop	Unchanged – meets
Width	Min 5	Max 8	6.5'	Meets
Depth	Min 3	Max 8	5.5'	Meets
Height	Min 7	Max --	Not listed, ~8	Unchanged, meets
Interface zone	Landscape with path (3' wide min) from sidewalk to the structure		3 story entrance: 5' Single story entrance: 3' path	Meets
§122-861 et seq SIGNAGE	Master sign plan: HC, NC, GC, C, PMD, P; nonres uses in R1, CN-SF, CN-Mid, CN, MD		None provided	Applicant to provide sign details with sign permit application

Items to be Addressed:

1. Applicant to provide sign details with sign permit application.

BUILDING LOCATION AND SITE ARRANGEMENT

§122-128(3)

"All elements of the site plan shall be harmoniously and efficiently organized in relation to the character of the proposed use, the size and type of lot, the size and type of buildings, and the character of the adjoining property. The site shall be so developed as not to impede the normal and orderly development or improvement of surrounding property for uses permitted in this chapter."

The building has frontage on N Washington. The three story portion of the building appears original to the site, although much-modified, and the one story portion added later and set back farther on the site. Other additions and modifications throughout the years have resulted in an unusual building footprint, accessory building layout, and parking area layout.

There are two "main" entrances on the N Washington St side; one in the three story portion and one in the single story portion. There are two entrances in the rear of the property and another two on the north side, only one (the northern of the rear entrances) appears to be an entrance that can access more than one unit.

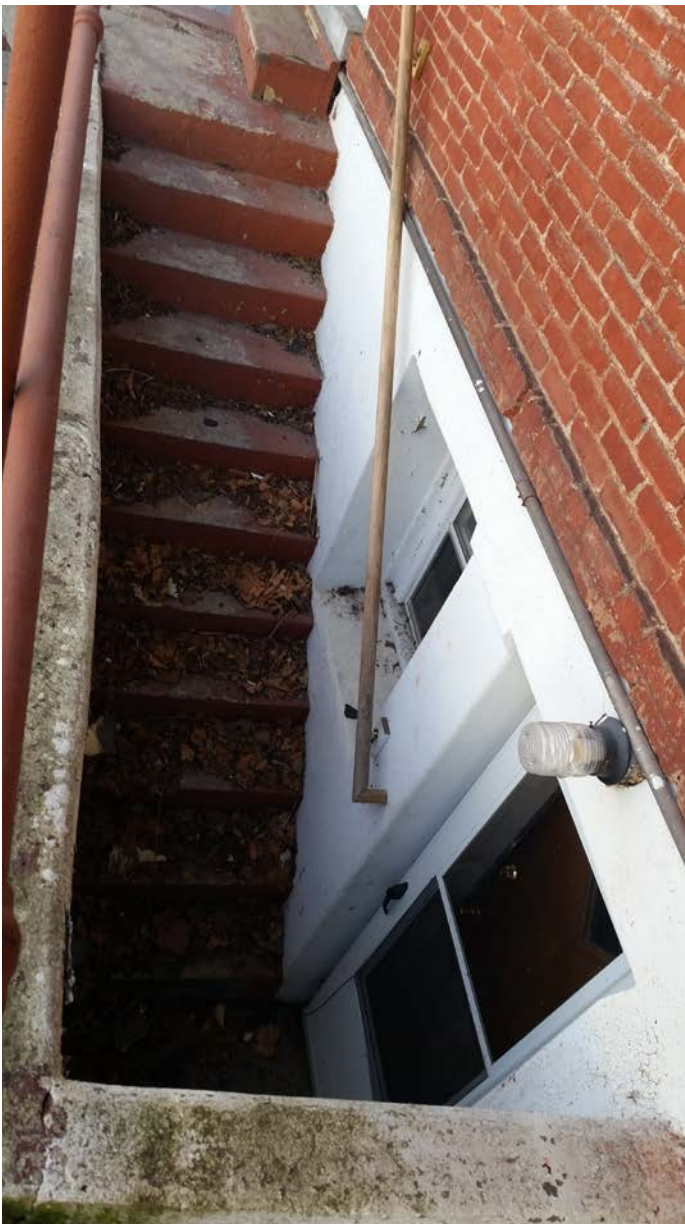


Figure 1- North side, west entrance



Figure 2: North side, east entrance



Figure 3: East side, north entrance



Figure 4: West side, south entrance



Figure 5: West side, north entrance



Figure 6: West side, south entrance

Please see the floor plans for further detail.

Parking is located on the side (south) and rear (east), in two separate lots, each with their own drives. There are two existing outbuildings at the rear of the site within the parking lot, one on the north side and the other on the south side. A dumpster enclosure is proposed at the northeast corner of the site and is accessed from the open alley to the north.



Figure 7: future dumpster enclosure location.

Items to be Addressed: none

SITE ACCESS, TRAFFIC, AND PARKING**§122-128(4)**

"With respect to vehicular and pedestrian circulation on the site, including walkways, interior drives, and parking; circulation shall to the extent possible create potential cross-and joint-access to adjacent parcels and the existing block layout. Special attention shall be given to the location, number and spacing of ingress and egress points; general interior circulation including turnaround areas; adequate provisions for delivery of services (trash removal, school buses, mail and parcel delivery); separation of pedestrian and vehicular traffic; avoidance of building corners next to access drives; identification of addresses; storage of plowed snow; and arrangement of parking areas that are safe and convenient, and insofar as practicable, do not detract from the design of the proposed buildings and structures, neighboring properties, pedestrian and bicyclist safety, access to transit and flow of traffic on adjacent streets. All buildings or groups of buildings shall be so arranged as to permit adequate access by emergency vehicles as required by the city building code."

There are two curb cuts for vehicular access off of N Washington St, one to the north of the building and one to the south. Bike access is by the same drives. There are two paths that intersect the existing sidewalk, one 3' path that leads to the single level section and one ~5' path that leads to the three story part of the building. There is another proposed 6'-8" pathway (currently ~2') from the southern parking lot that will lead to the single story section. The sidewalk condition appears to be good however the pedestrian paths to the Washington Street entrances are in poor shape. The parking lots are unstriped and the wheel stops are not in the necessary locations. There appears to be no bike parking on site. Barrier free access into the structure needs to be addressed. Paved access to and from the entrance to apartment 2 at the southeast corner behind the single story portion is required.

There is a bus stop for Route 42- Forest- MacArthur within 165 feet of this property. The Ypsilanti Transit Center is less than two blocks away, approximately 700 feet (a 4 minute walk). There is residential permit parking on both sides of N Washington St.

Figure 6: Site access, traffic and parking

ORDINANCE REFERENCE	REQUIRED	EXISTING CONDITIONS	PROPOSED
NC: §122-273 CIRCULATION STANDARDS	CN, C, HC, NC, GC, HHS: Sites <3 acres: circulation plan to ID potential cross and joint access to adjacent parcels		No circulation plan is provided. None requested by staff due to existing layout.
§122-834 PARKING Dimensions	• 9'x18' minimum, exceptions if adjacent to wall or overhang provided • May have 20% small car (8'x16', signed) • May have 10% motorcycle (5x8', signed)		Meets

§122-835	Access	5' walkway from parking lot to parks, commercial, transit, walkways, institutions; raised/marked crosswalks within parking lot		- Proposed concrete walkway to the west of single level building is an acceptable width 3' paths from sidewalk to buildings need to be increased to 5' Barrier free access to the structure is needed.
	Ingress & Egress	- Aligned across ROW, or offset by 25' >50' from intersection 20'-30' driveway		Meets
	Internal Maneuvering	10 ft or greater, 13 ft if 45 degree spaces		Rear lot: 40' Side lot: 25', meets
	Surfacing	paved with a durable bonded material in accordance with accepted engineering standards	Asphalt, poor condition, no drainage apparent	Unchanged, applicant to bring lot more into compliance with accepted engineering and accessibility standards
	Drainage			Unchanged
	Striping	all spaces shall be outlined with three-inch wide strips of white or yellow paint, except that barrier-free spaces shall be blue, with a symbol of compliance in blue	None	Striping appears on plans, meets
	Wheel Stops	parking lots containing five or more spaces, wheel stops or curbing shall be provided for all parking spaces to prevent any vehicle from projecting beyond the parking lot area, bumping any wall or fence, or encroaching upon any landscaping	Wheel stops are not at locations indicated on plans.	Wheel stops proposed, meets
	Lighting	parking and loading facilities utilized during night-time hours shall be artificially illuminated		Applicant has provided info on locations of lights on the property, no photometric provided, new lighting required.

	Screening & Landscaping (internal)	1 tree per 8 spaces	14 spaces=2 trees required	~7 existing on site, many in poor condition, unchanged.
		1 landscape island for each 16 spaces		n/a
		Islands w trees: 9' wide min and 160' sf Islands w 5' min walkway: 11' wide min Islands: curbed or used for stormwater		n/a
		All aisle-ends & corners protected w curbed island		Only north side of the south lot has curbing. Applicant to add curbed island to the south side of the south lot and to bring the north side curbing out to align with the curb cut
		3' between curb and planting (5' if vehicle overhang)		n/a
	Screening & Landscaping (perimeter)	Screened in accordance with 703 if abutting R1, MD, CN, CN-Mid, CN-SF		n/a
		3'-4' screen 80% opacity where visible from ROW	None	None proposed, applicant to provide
		Landscaped areas, walls, structures, walks- must be protected by curbing		Applicant to provide curbing for the landscaping at the northern front entrance and to increase curbing on the north side of the south lot
§122-836	Motor vehicle spaces	Multiple-family dwellings, including townhouses: 1.5 for each dwelling unit, plus 1 for each 10 dwelling units for guest parking.	~14 spaces, unmarked	1.5 * 14 = 21 + 1 for guests = 22 required 14 provided
	Bicycle spaces	1 per 5 motor spaces, minimum of 2		14/5=2.8, 3 required, none provided.

§122-837	Parking discounts	Transit may be reduced by up to 20 percent for buildings, structures or uses, within three hundred (300) feet of a commuter rail station or bus transit center or within one hundred (100) feet of a transit stop		Greater than 300' from bus transit center and 160' to closest bus stop via "walking distances". From parcel-to-parcel, almost 300 exactly. Suggest parcel-to-parcel interpretation. 22*.80=17.6; 18 spaces still required. <i>NOTE: distances are the same in newly adopted zoning code. Flag for 2017 review & discussion.</i>
		Bicycle Parking requirements may be reduced by one (1) space for every four (4) covered, secure bicycle parking spaces are provided on site.		None provided.
		Alternative vehicle Waiver of 4 spaces per car-sharing space or electric vehicle charging station. Waiver of 2 spaces per car-or van-pooling space.		None provided.
		PC discretion, special circumstances not listed above		18*.80=14.4; 14 spaces provided, meets requirements.
§122-839	Barrier-free spaces	One-barrier free space per up to 25-space parking lot, increases per table	None provided	One proposed. Minimum of two required.
§122-647	SIDEWALKS	provide a sidewalk or shared-use path		Existing is in good shape

§122-649	TRAFFIC VISIBILITY	Maintain shrubs/other obstructions lower than 30" and trees/other obstructions higher than 8': At driveway: within a 10'x10' triangle formed by the street ROW line and the edge of the driveway At intersection: within a 25' x 25' triangle formed by an extension of the property lines, as measured from the pavement edges.	None	If planting near the driveways, applicant to maintain shrubs/other obstructions lower than 30" and trees/other obstructions higher than 8'. Applicant to consider a safety mirror for the NE corner of the building due to low visibility and narrow path between northern outbuilding and NE corner of building.
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Items to be Addressed:

1. Provide barrier-free entry to buildings from parking areas.
2. Applicant to make the following changes to the southern lot:
 - a. Narrow existing drive; it is significantly wider than the drive apron.
 - b. Install landscaped island in south-west corner of lot.
 - c. Rotate parking spaces and reconfigure lot to allow for 90° spaces. Angled parking with a two-way aisle is not beneficial for maneuverability. This includes adding small curbed areas at the east end of the lot to aid in cars backing from the easternmost spaces. Note: it is likely that applicant would gain a parking space in such a reconfiguration.
 - d. Grade lot to address drainage issues (apparent per paving failures). Suggest a rain garden in new SW landscaped island.
 - e. Applicant to consider providing screening between southern parking area and commercial lot to the south.
3. Applicant to make the following changes to the eastern lot:
 - a. Provide one barrier-free parking space.
 - b. Ensure that a barrier-free path of access exists to proposed dumpster enclosure.
 - c. Consider adding a mirror at the one-vehicle choke point between apartment building and northern outbuilding, due to limited visibility and narrow path of travel
4. Applicant to provide eight covered bicycle spaces, per Special Use Permit recommendations.
5. Applicant to submit revised parking plan upon redesign of southern and eastern parking areas and to include bicycle parking.

ENGINEERING & STORMWATER

§122-128(6), §122-128(7)

(6) Adequate services and utilities including sanitary sewers shall be available or provided, with sufficient capacity to properly serve the development. Appropriate measures will be taken to ensure that site drainage will not adversely affect adjoining properties or the capacity of the public storm drainage system, or nearby bodies of water. Provisions shall be made to accommodate stormwater and prevent soil erosion. All stormwater management facilities, including but not limited to storm sewers and detention/retention facilities, shall be designed in accordance with the "Rules of the Washtenaw County Water Resources Commissioner," together with any special provisions established by the city.

(7) Natural resources will be protected to the maximum feasible extent. The proposed development will not cause soil erosion or sedimentation problems, and will respect floodways or floodplains on or in the vicinity of the subject property.

Engineering site plan review not required for this project, due to no utility changes or significant changes/additions to the impervious surfaces.

Items to be Addressed: None. Staff shall review revised parking plans to ensure compatibility &/or submit for engineering review as needed.

SCREENING

§122-128(8)

"The site plan shall provide reasonable visual and sound privacy for all dwelling units on or adjacent to the property. Fences, walks, barriers, and landscaping shall be used, as appropriate, for protection and enhancement of the property. All outdoor storage of materials, loading and unloading areas, and refuse containers shall be screened or located so as not to be a nuisance. Outdoor lighting shall be shielded so as to not adversely affect neighboring properties or traffic on adjacent streets."

Figure 7: Screening

ORDINANCE REFERENCE	REQUIRED	EXISTING CONDITIONS	PROPOSED
§122-641 Lighting	• Dark Sky compliant; may be full cutoff where affecting residential uses • not >0.5 fc @ lot line • not >16'in height • not < 0.3 fc		• applicant to install dark sky compliant lighting • may be full cutoff where affecting residential uses
§122-650 Refuse Containers	masonry enclosure 1' taller than dumpster (no less than 6'), in rear yard, 80% opaque swing door, on a concrete pad	Dumpster enclosure exists on site	Unchanged, dumpster shown at north east end of parking lot; no detail provided. Applicant to provide same for staff review.
§122-702 Landscape plan			None included, applicant to maintain the existing
§122-703 Screening Between Land Uses <i>if conflicting use</i>	visual buffer of at least 80% opacity and 6' height		visual buffer of at least 80 % opacity and 6' height needed on the south side of the south parking lot
§122-704 Street Trees	1 tree per 30' of lineal frontage, centered between sidewalk and back of curb: $164'/30'=5.5$ or 6 trees, 44' of driveway on frontage	1 existing	Unchanged, 1 street tree and another in the front yard, applicant to supply another 4 if space allows.

ORDINANCE REFERENCE	REQUIRED	EXISTING CONDITIONS	PROPOSED
§122-708 Site Landscaping	10%		None proposed, existing landscaping may be sufficient for this requirement
§122-710 Exterior Electrical	Screen when visible from any primary visual exposure area	n/a	n/a
122-711 Landscape Elements	Quality, composition, berms, spacing, species		Applicant needs to clean up vegetation at the south side of the south parking lot
	Credit for existing vegetation		Existing vegetation and trees are all to remain on site
§122-712 Maintenance	Readily available and acceptable water supply; may install underground sprinkler system		Applicant to maintain all existing and new landscaping in good condition.
§122-713 Fencing, hedges, walls, berms	CN- fences must not exceed six (6) feet in height. However, fences in the required front yard must not exceed four (4) feet in height and fifty (50%) percent opacity	Existing fence at the rear of the site, poor condition.	Applicant to replace or repair existing fence on site.

Items to be Addressed:

1. Applicant to install dark sky compliant lighting and provide staff with a detailed lighting plans for staff review.
2. Applicant to provide details for a compliant dumpster enclosure for staff review.
3. Applicant to provide a visual buffer of at least 80% opacity and 6' height needed on the south side of the south parking lot, or request a waiver under 122-713.
4. Applicant to provide an additional four trees in the front yard to meet the street tree requirement, or request a waiver under 122-713.
5. Applicant to maintain all existing and new landscaping in good condition.
6. Applicant to replace or repair existing fence on site.

OTHER DEPARTMENT AND AGENCY APPROVALS**§122-128(10)**

"Site plans shall conform to all applicable requirements of state and federal statutes, including health and pollution laws, fire or explosion hazards, toxic and hazardous materials, and barrier-free requirements. Site plan approval may be conditioned on the applicant receiving necessary county, state, or federal permits before a local building permit or occupancy permit is granted."

HISTORIC DISTRICT

Applicant has been seen as a study item and has been advised that HDC approval will be needed for any of the work planned to the exterior of the building prior to the commencement of work.

DEPARTMENT OF PUBLIC SERVICES

The applicant is responsible for obtaining permits from the Department of Public Services before beginning work on any portion of the City right-of-way, including sidewalks, curbs, and driveways on N Washington, if needed.

FIRE DEPARTMENT

Fire Department has no objection to the site plan as submitted.

MASTER PLAN CONSIDERATIONS

§122-128(11)

"An objective of site plan review shall be to protect and promote public health, safety, sustainability and general welfare. It is also the intent of site plan review to improve the quality of existing developments as they are expanded, contracted, or redeveloped in keeping with sound site development standards of this chapter and city master plan."

Anyone, no matter what age or income, can find a place to call home in Ypsilanti. A reduction in two units is not ideal for this neighborhood, however, the potential addition of two barrier-free units would be a significant addition to the older, largely inaccessible, housing stock in Ypsilanti.

Easily walk, bike, drive or take transit from anywhere. This property is less than two blocks from the Ypsilanti transit Center and the rest of downtown as well as 160' from the closest bus stop. This area is highly walkable with a walk score of 88.

Note that the parking requirement waivers due to proximity to the transit center, although expected to be easily able to apply to this property, were challenging to make work. Staff suggests that the Planning Commission review this section of the ordinance in the near future.

STAFF RECOMMENDATIONS: SPECIAL USE

Staff recommends the Planning Commission **approve** the Special Use Permit for the Phoenix Apartments Restoration Project at 206-210 N Washington with the following finding and conditions:

Finding: The application is substantially in compliance with §122-165(b).

Conditions:

1. Special use approval shall be subject to approval of site plan.
2. Barrier free access into the structure and barrier-free units are not addressed. Applicant to make two units barrier-free, add barrier free access to the structure, and provide two barrier-free parking spaces.
3. Applicant to provide eight covered bicycle spaces due to the site's high walkability and proximity to transit options.

STAFF RECOMMENDATIONS: SITE PLAN

Staff recommends the Planning Commission **approve** the Site Plan for the Phoenix Apartments Restoration Project at 206-210 N Washington with the following finding and conditions:

Finding

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

Conditions

1. Applicant to provide sign details with sign permit application.
2. Provide barrier-free entry to buildings from parking areas.
3. Applicant to make the following changes to the southern lot:
 - a. Narrow existing drive; it is significantly wider than the drive apron.
 - b. Install landscaped island in south-west corner of lot.

- c. Rotate parking spaces and reconfigure lot to allow for 90° spaces. Angled parking with a two-way aisle is not beneficial for maneuverability. This includes adding small curbed areas at the east end of the lot to aid in cars backing from the easternmost spaces.*
- d. Grade lot to address drainage issues (apparent per paving failures). Staff recommends a rain garden in new SW landscaped island.*
- e. Applicant to consider providing screening between southern parking area and commercial lot to the south.*
- 4. Applicant to make the following changes to the eastern lot:*
 - a. Provide one barrier-free parking space.*
 - b. Ensure that a barrier-free path of access exists to proposed dumpster enclosure.*
 - c. Consider adding a mirror at the one-vehicle choke point between apartment building and northern outbuilding, due to limited visibility and narrow path of travel*
- 5. Applicant to provide eight covered bicycle spaces, per Special Use Permit recommendations.*
- 6. Applicant to submit revised parking plan upon redesign of southern and eastern parking areas and to include bicycle parking.*
- 7. Applicant to install dark sky compliant lighting and provide staff with a detailed lighting plans for staff review.*
- 8. Applicant to provide details for a compliant dumpster enclosure for staff review.*
- 9. Applicant to provide a visual buffer of at least 80% opacity and 6' height needed on the south side of the south parking lot, or request a waiver under 122-713.*
- 10. Applicant to provide an additional four trees in the front yard to meet the street tree requirement, or request a waiver under 122-713.*
- 11. Applicant to maintain all existing and new landscaping in good condition.*
- 12. Applicant to replace or repair existing fence on site.*

Cynthia Kochanek
Associate Planner, Community & Economic Development Department

Bonnie Wessler
City Planner, Community & Economic Development Department

CC File
 Applicant