

**PLANNING COMMISSION
MEETING MINUTES
September 20, 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: L. Dahl MacGregor, A. Bedogne, T. Dennis, M. Dunwoodie, P. Hollifield,
J. Talaga,

Absent: Heidi Jugenitz (excused) C. Zuellig (excused) c. Madigan (excused)

Staff: Joe Meyers, Community Development Director
Cynthia Kochanek, Presentation Planner
Nan Schuette, Executive Secretary

III. APPROVAL OF MINUTES

Commissioner Dennis moved to approve the minutes of August 16, 2017 (Support: A. Bedogne) and the motion carried unanimously.

IV. AUDIENCE PARTICIPATION

Acting Chair McGregor stated that audience participation is for anyone who had concerns or wish to speak on any other item on the agenda except for 311 Ballard since 311 Ballard is a public hearing item and could speak at the time this issue was presented.

Van Loggins, 115 Hawkins – lives directly across from the proposed project and while he supports affordable housing, it is his opinion that this location is not well thought out due to density and serenity of the neighborhood. By the increase of a 65 unit bldg. it would increase traffic pattern that is already compromised as well as being unsafe for children out to play. They have been asking for speed signs or speed bumps, which has not been addressed. They want more transparency in these situations. Word is going out about being organized and putting this item on a referendum and want people to be able to vote on keeping the serenity of their neighborhood. If this project was put on Roosevelt and Whittier, across from Candy Cane Park, you would see how much push-back would come from them. The South Side always considered for all of these projects – his house is single family residence – could find a better location – compromise air quality with all traffic. He thanked committee for time but recommended that we should find a better solution.

M. Barnthouse, 119 Hawkins – lived at this location for seven years and loves it because it is a family neighborhood and he has a four year old and traffic is already fast – no speed signs. Don't need more traffic – water pipes already breaking on that street. Some nice multiple condos like the ones by Parkridge would be nice but no high rises for elderly, especially if they have elevator problems.

Mr. Rajabi, 110 N. Summit – notice that many businesses are putting gravel in median between street and sidewalk and got rid of the lawn because they don't want to pay someone to cut the grass.

Chair MacGregor reiterated if anyone wished to speak on any other item that was on the agenda other than 311 Ballard, this would be their opportunity to speak.

413 W. Cross – Would like the commission when making a decision on this project, they should consider the residents who live nearby. We need a larger conversation about what we would like for this community. Should encourage city government and community at large to think creatively as to how best serve the community – he is opposed to International Village – should come together as a community on our housing stock whether it's Water Street or other areas – consider green spaces and not just serve corporate elite.

Pearl Street – echoed previous comments – supports affordable housing but thinks there needs to be more thought put into what the original neighborhood looks like.

Since there were no further comments, Chair MacGregor closed the audience participation.

V. PRESENTATION AND PUBLIC HEARING ITEMS

1. Special Use and Site Plan Review – 311 Ballard

C. Kochanek, Presentation Planner, stated that this is an application for approval of a group residence for six beds at 311 Ballard. This parcel is 0.11 acres on the west side of Ballard just south of W. Cross St with frontage on Ballard. There is an existing 1,967 sq. ft. residential building built around 1900 with a 324 sq. ft. accessory structure on site. Currently, there is a driveway to the south of the building and a paved lot in front of and to the north of the structure.

The property is zoned CN – Core Neighborhood, which only allows for group residence once approved as a special land use. Special land use is regulated under Subdivision II of the zoning code and group residences are regulated under Sec 122-526. Previously, the parcel was part of the 501 W. Cross parcel to the north and appears to have been split from that parcel at some point prior to mid-20th century. No variances or special uses have been granted for the property. The property was rezoned from C-Center to CN-Core Neighborhood in March 2017.

Staff reviewed the criteria for special uses and did not have any concerns. Staff recommended the request for both special use and site plan review with findings, waivers and conditions as noted in the August 23, 2017 staff report.

Commissioner Bedogne moved to open the public portion of the hearing (Support: M. Dunwoodie) and the motion carried unanimously. Since there were no comments, Commissioner Bedogne moved to close the public portion of the hearing (Support: J. Talaga) and the motion carried unanimously.

Commissioner Dennis asked the type of group home that was planned.

Paul Ajiouny, 2196 Vail Ct, Ann Arbor – owner of the project – also owns Eagles Market next door to the property - – stated that the house had previously been a group home in 2004. He purchased the property after some fire damage had occurred, which was more than 50% and lost its group home status. He stated that it has been a very hard home to rent as a six bedroom house. He got it rezoned so he could apply for a special use. His goal is to rent it but he does not want to deal with six different leases, preferably a group, i.e. track team etc. Commissioner Dennis asked if it would be used as foster care and Mr. Ajiouny responded that he did not have plans for a foster care, although has not thought about it. Commissioner Bedogne asked where the parking is now and Mr. Ajiouny responded that it is currently on the south side of the building, two spots in front of the house, and on the north side half of the parking lot between Eagles Market and the parking actually belongs to the house. There is a shared driveway.

Chair MacGregor asked staff why we are granting a waiver for parking instead of counting the ones in front. Ms. Kochanek responded that you could stack three in the driveway on the south and by cutting out the parking in front of the porch, could fit up to four in the side yard. However, if we don't want parking in the front, then two could go on the north side, which she visually noted. After much discussion and agreement on the parking issues, Chair MacGregor called for a motion.

Commissioner Dunwoodie moved that the Planning Commission approve the Special Use Permit for the 311 Ballard Group Residence with the following finding and condition:

Findings: The application is substantially in compliance with Sec122-324(b).

Conditions: Special use approval shall be subject to approval of site plan

The motion was supported by Commissioner Talaga. A roll call vote was taken and carried 5:0. Commissioner Bedogne was not available at time of roll call.

Commissioner Dunwoodie moved that the Planning Commission approve the Site Plan for the 311 Ballard Group Residence with the following finding, waiver, and conditions:

Finding: The application substantially complies with Sec122-310.

Waiver: A 20% reduction in the required vehicle parking for a total of one (1) space is granted due to the constraints of the site and to eliminate front yard parking.

Conditions:

1. Front yard parking is not permitted, applicant to provide parking in side and rear yards only.
2. Applicant will be required to meet all applicable building and fire codes in regard to the six (6) room group residence.
3. Resident manager contact info is required and can be submitted as part of the rental certification to the Building Department.
4. Applicant to reduce the parking spaces to five (5) spaces and ensure they are the appropriate 9' x 18' and resubmit for staff review.
5. Applicant to remove the asphalt in the front yard of the structure and install a lawn in this location.
6. Applicant to provide wheel stops or curbing to protect the structures on site.
7. Applicant to provide a 2'-4' screen 80% opacity where the parking is visible from ROW.
8. Applicant to provide two (2) bike spaces on site.
9. Applicant to install dark sky compliant lighting for the parking area, building entrances and exits used during night-time hours and submit lighting plan for staff review.
10. Applicant to submit details on the trash enclosure for staff to review.
11. Applicant to provide a landscape plan for staff review.
12. A visual buffer of at least 80% opacity and 6' height is required between this property and the commercial area to the north.
13. Applicant to provide two street trees.
14. Applicant is required to maintain any landscaping on site.

Commissioner Dennis moved to support the motion. A roll call vote was taken and carried unanimously 6:0.

VI. NEW BUSINESS

1. Site Plan Review – 708 Pearl

Ms. Kochanek presented the Site Plan approval request for 708 Park. This property is 0.24 acres on the north side of Pearl Street, just east of Normal Street, fronting on Pearl St. The parcel is currently vacant. The house that previously existed on the site was demolished in 2006. No special use permits or variances have previously been approved for this property. The property is zoned CN-Core Neighborhood, which permits multiple family dwellings with a maximum of four units per building by right. The plans call for the construction of a new apartment house and driveway on site. The plans submitted indicate that there will be seven parking spots, none of these appear to be accessible spaces.

The applicant is proposing to build a new two-story apartment house on the vacant lot. The building will contain four units with three bedrooms each. The building frontage is on Pearl, there are two building entrances on Pearl and two at the back of the building. All entrances are accessed via a stair and covered porch. The parking lot is at the rear of the site and is accessed from a driveway on the east. Applicant is to provide one barrier free space in the parking lot. Vehicle access to the site will be via the driveway on the east side of the site. The

driveway will utilize a shared curb cut with 706 Pearl. The applicant has proposed a widening of the existing curb cut on the west.

Commission Talaga asked since it was a new construction if one accessible unit should be included and Ms. Kochanek responded that it was discussed with the Building Inspector who stated that it was his decision that it could not be enforced. A four unit is unique is that it is considered multi-unit residential since it applies to four and under.

Ms. Kochanek reviewed the criteria and conditions of approval.

Staff recommended approval with a finding, waiver and conditions as listed in staff report dated August 23, 2017.

Todd Ballou, 3300 Berry Road, was in attendance representing the applicant. He stated that the proposal had been quite challenging. He agreed that accessible is not required. He asked about the condition of the sidewalk going from the front of the driveway to the back of the driveway since he didn't have any objections to using just the driveway as walkway. Commissioners discussed this but were in favor of keeping the condition as noted.

Commissioner Dunwoodie moved that the Planning Commission approve the Site Plan for the Pearl Street Fourplex at 708 Pearl Street with the following finding, waiver, and conditions:

Finding: The application substantially complies with Sec122-310.

Waiver: A waiver from one street tree due to the location of the utility pole and the existing tree aligns with the already established street trees along the same block face.

Conditions:

1. Applicant to provide one barrier free space in the parking lot.
2. Applicant to provide an access easement for the shared curb cut for the driveway on the east side of the property and access easement for driveway access with 712 Pearl.
3. Applicant to complete the 5' walkway at the back of the structure and to add a 5' walkway on site for access to the sidewalk from the back of the property.
4. Applicant to pursue a variance for the driveway width.
5. Site plan approval is subject to engineering conditions.
6. Any new and existing landscaping is to be maintained in good condition by the owner.

The motion was supported by Commissioner Bedogne. A roll call vote was taken and carried unanimously 6:0

2. Site Plan Review – 809-815 W. Michigan

Ms. Kochanek, Planner, stated that this is a request for site plan approval for Ypsilanti Senior Residences on the south side of W. Michigan at Hawkins and Hill Street. The applicant is seeking site plan approval prior to applying to the state for low-income housing tax credits for the senior housing. The state requires that the applicant has an approval from the local unit prior to application for the credits. This site plan, while not preliminary, is less detailed than other applications that staff and the Planning Commission has seen due the projects dependency on getting the tax credits to move forward the October deadline for application for the credits.

The applicant is planning on combining 809 W. Michigan, 815 W. Michigan, 120 Hawkins, 822 Hill, 826 Hill and 830 Hill. There is an existing 5,957 sq. ft. commercial building and a 1,498 sq. ft. garage at 815 W. Michigan, a 1,050 sq. ft. residential building at 120 Hawkins and a 813 sq. ft. residential building at 826 Hill. These buildings will be demolished for a new senior housing structure. 822 Hill, or lot 89 of Worden Gardens was rezoned in 1972 to parking. The applicant is proposing a four-story, 65 unit apartment building over a parking garage.

The two Michigan Avenue parcels are zoned GC-General Corridor, allows for multiple family dwellings of more than four units per building by right. The parcels on Hill and Hawkins are R-1 Single Family Residential and as such, will need to be rezoned to GC General Corridor to serve this development. Multiple family dwellings of more than four units per building are regulated under Sec122-534 of the zoning code. The plans submitted call for a total of 64 parking spaces including four barrier free spaces in the outside lots; this is one more space than required for compliance with barrier-free standards.

The building will be located on the north side of the lot, parallel to W. Michigan Avenue. The building will have frontage on Michigan Avenue with entrances on Michigan and entry at the back (south side) of the building off the parking lot. It appears that service doors will be placed on the east and west sides of the building. Parking will be located on the west side and the south side of the building as well as under the building. The Michigan Avenue lots have significant elevation changes.

On site access, traffic and parking, vehicular access is off Michigan Avenue for the six spaces on the west side of the proposed building. There is one drive access off Hawkins and another off Hill. Bike and pedestrian access will be from Michigan Avenue and Hawkins; both areas have 6' sidewalks indicated on the plans. A 6' wide path to the front entrance is proposed off Michigan Avenue as well as a 5' path to and from the parking lot on the west side of the building. From Hawkins, a 5' path is proposed to the south of the building, between the building and parking lot. Plans DO NOT appear to indicate sidewalks, existing or new, on the Hill St frontage. There is a AAATA bus stop for Route 6 on Michigan Avenue just east of First, over 300 ft away from the site but it is proposed that the AAATA stop will be relocated to the front of the building, thus there will be a stop within 100 ft of the building. The sidewalks on Michigan Ave and Hawkins need to be redone for this project; there is an existing sidewalk off Hill St that is in poor condition and will need to be reconstructed. Bike parking is not indicated on the plans and would need to be added.

Staff is recommending approval of this request with finding, waiver and conditions as listed on staff report dated September 12, 2017

Commissioner Bedogne asked staff if this is a preliminary site plan and Ms. Kochanek stated that we do not do preliminary plans. Staff will have to approve everything after it comes back for rezoning to Planning Commission. This is the only site plan approval request we will receive. It will come back to staff to ensure all the conditions are included at the time of rezoning or if they substantially change anything on the current plan, which Planning Commission would have to approve, then it will go to City Council for approval.

Aaron Pechota, NRP Group, 5309 Transportation Blvd, Cleveland, OH – was in attendance to represent the applicant. He agreed that this is less detailed than would normally be included. It is contingent upon a lot of engineering if Planning Commission deems to approve it. MSHDA's and the City's process do not match up and that's where the problem is. In order for this project to continue and have them start paying for engineering cost and detailed work to be done, they have to get approval for the tax credits so the approval here, which is required for them to apply, happens before they can get more of the details. Commissioner Bedogne asked if the rezoning has to happen first and Mr. Pechota responded that the site plan has to be approved and the rezoning comes after. Chair MacGregor asked if, when we look at the rezoning, we will be more limited on what kind of conditions we can place on the construction. Ms. Kochanek responded that the rezoning is the rezoning; we cannot change anything on the site plan. The rezoning will be a public hearing item.

Commissioner Talaga asked if there is parking for employees as well as residents and Ms. Kochanek responded that this had not been discussed. Mr. Pechota stated that there will be two full-time employees with one on site at all times

Chair MacGregor asked about the traffic flow and how it affects the neighborhood behind it. Ms. Kochanek responded that a traffic study has not been done but a circulation plan is required. Commissioner Hollifield asked about the two residences that they are considering to purchase and Mr. Pechota stated they are in negotiation to purchase but agreed with the commissioner that if this this does not happen, the project would not be possible. Commissioner Dennis asked why they considered a 65 unit instead of something smaller; if a study been done to indicate that there is a need for affordable housing for seniors in this area. Mr. Pechota responded that a market study had been done and in fact it actually demonstrates a need well in excess of 65 units. Residents have to be 55 and older to rent. Commissioner Dennis continued by asking the size of the units and potential rent, to which Mr. Pechota responded with details of sizes of units, 1 and 2 bedroom, approximately 750 sq. ft and 850 sq. ft. respectively but did not have numbers at this time on amount of proposed rent. The topography indicates that most of the parking would be underneath. Commissioner Dennis asked if anything was done to ensure the design of the building would fit so as not to devalue the other properties in the adjacent neighborhood. Mr. Pechota responded that from an aesthetic point of view, the types of other projects similar to what is proposed here were provided to staff to demonstrate what they would look like and it was his opinion that they would fit in nicely to the neighborhood. Commissioner Talaga asked if curb cuts on Hawkins would be redone and Ms. Kochanek responded they all have to be redone in the area.

Commissioner Bedogne stated that in hearing from residents in the area, they are concerned about density. The reason we have zoning in the planning process is to align the density of a site and parking of a site to ensure it all works on a property. This is too dense of a proposal on this since we have to have such a reduction in parking to make it happen. Although the seniors might ride a bus – in Condition 11, the applicant is providing 12 covered bicycle lots in order to meet the parking requirements to allow this dense of a development so there is a loophole in the zoning code being used to lower the parking to allow the magnitude of this to be allowed. He is asking the applicant how many units would they consider reducing in order to make this happen – go down to 40 or 50? He doesn't think we should use this bike parking in order to come up with the numbers.

Mr. Pechota stated that they originally had a higher number of units planned but reduced it to 65 and cannot reduce it any further. The zoning code works both ways but agreed that the commissioner's point is well taken. Commissioner Bedogne talked about creativity and he understands with the zoning code that covered bicycle spaces is often used to reduce the parking required. He wondered if the applicant can come up with some creativity. Does not feel he can support this – feels it is too dense.

Ms. Kochanek stated that staff is using a calculation for all multi-family on this project not specific for senior multi-family. They also have an option to ask for a variance for the parking.

Commissioner Dunwoodie asked about changing the location of the drive access from Hill and Hawkins. Mr. Pechota responded it is really for circulation and emergency vehicles. Generally employees can enter from Hawkins.

Commissioner Dennis feels that she cannot support this – access on Hill and Hawkins is a problem - too many people in the area and does not like to support without having more information.

Mr. Pechota understands but stated that while they would love to make the density more flexible, it is close to the business district and main bus line and there are very few properties that would fit like this one. He cannot make it viable and appreciates the thought by the commissioners that went into their decisions.

Commissioner Bedogne loves everything about it but feels that if the density was lower, it would work better but also there is so much opposition from the neighbors and he is conflicted. This kind of proposal doesn't come along often but it is too dense.

Director Meyers stated that in the near future we will be losing affordable housing for 100 seniors at Cross Street Village. It is staff's opinion that it meets the zoning requirements and with the potential loss of Cross St in the next couple of years, we see a need for affordable housing for seniors. Commissioner Dennis agrees with the theory of the project and providing housing for seniors but also wants to consider the current residents of the city who pay taxes. If it is going to change their neighborhood negatively, it is something that the commission needs to consider.

Commissioner Bedogne asked staff if we are asking them to cut 19 spaces, how many units would that have to cut in order for this to work. Ms. Kochanek responded on the number of

parking spaces required per unit. It is 16 for the 20% waiver and 3 for the bike parking – it is her interpretation of the code it was one space per unit, thereby missing half a space per unit.

Commissioner Dunwoodie stated that serving some of the vulnerable population outweighs some of the practical limitations. It is denser than he would like to see but is inclined to support the site plan.

Chair MacGregor stated that we could require them to come back to see what kind of traffic pattern we are looking at and how it would affect the neighborhood. Director Meyers added that we are recommending a circulation plan. He also added that if this is not approved at this meeting, because of tax credits, it cannot come back since the applicant has to have their application to MSHDA by October 3rd.

Commissioner Hollifield lives on Hawkins Street near the project, stated that he does not feel that traffic is an issue and would much prefer a housing development for seniors than the current plasma building where there is noise going on at 2:00 a.m. He also added that if they don't acquire the other two properties, it is not going to happen anyhow. He is inclined to support it.

Commissioner Dennis moved that we do not approve the Site Plan for 809-815 W. Michigan. Since there was no support, the motion died.

Commissioner Dunwoodie moved that the Planning Commission approve the Site Plan for the Ypsilanti Senior Residences at 809-815 W. Michigan with the following findings, waivers and conditions:

Findings

1. The application substantially complies with §122-310.

Waivers

1. A 20% reduction in the required vehicle parking for a total of 16 spaces is granted due to the constraints of the site.

Conditions

1. Site plan approval is subject to the rezoning of the Hill and Hawkins St parcels as well as a full review and approval by the City Engineer, the Fire Department and the Department of Public Services.
2. Applicant to ensure the entire front building setback and street side building setback is between 10' and 25'.
3. Applicant to ensure that the height of the porch off of Michigan Ave is greater than 7'.
4. Applicant to submit a master sign plan for staff review.
5. The driveway access off of Hill St abuts an R-1 district, applicant to verify if this is the only option for the drive access.
6. Applicant to provide a circulation plan for the site for staff review.
7. Applicant to apply for a variance for the southernmost parking space in the rear lot that is within the required setback.

8. Applicant to adjust the width of the west parking lot and the west side of the south lot to ensure that it is 10' or more from the adjacent lots.
9. Applicant to ensure that at the third parking space north of the Hill St curb cut there is 5' distance between the curb and any landscaping.
10. Applicant to provide a 3'-4' screen at 80% opacity from the ROW on the north side of the Hawkins curb cut and the east and west sides of the Hill St curb cuts.
11. Applicant to provide 12 covered bike parking spaces on site for the parking discount in addition to the 13 required bike spaces.
12. Applicant to provide a new or reconstructed sidewalk on Hill St.
13. Applicant to maintain shrubs/other obstructions lower than 30" and trees/other obstructions higher than 8' within the visibility triangles at all drives and intersections.
14. Applicant to submit a lighting plan and photometric along with details on the dumpster enclosure for staff review.
15. Applicant to provide an additional 7 street trees.
16. Applicant to provide approved tree species in place of the Sycamore and Bowhall Red Maple trees that are not on the City's tree species list.
17. Owner of property must maintain landscaping in a strong and healthy condition and provide for a readily available water supply.
18. Traffic study for Hawkins and Hill Street.

The motion was supported by Commissioner Hollifield. A roll call vote was taken with a vote of 2:4. Motion was denied.

VII. OLD BUSINESS

None

VIII. FUTURE BUSINESS DISCUSSION/UPDATES

Ms. Kochanek stated there is one item on the agenda for October – a special use at 114 N. Summit.

Chair MacGregor had a number of issues to discuss. She stated we should talk about what we can do as a commission to incorporate more public input and wondered if we could change our bylaws. Ms. Kochanek responded that staff actually did send out notices for 708 Pearl as well as 805-809 Michigan even although it was not required. This is something we can possibly re-visit, but currently it is not required under our ordinance to send out notices on every item.

Director Meyers added that this is something we could discuss with our city attorney. He added that the only notices that are required are for our ordinance are Special Use, PUDs, etc. We can check out the possibility of site plan review or permitted uses.

Commissioner Dennis asked if we could provide a public hearing if there is a site plan that will entail a possible rezoning. Ms. Kochanek responded that this is something that could be looked at.

Chair MacGregor also asked how commissioners are appointed to committees, i.e. 220 N. Park. It is her opinion that commissioners did not have any say as a body in how that was handled. She feels

that we need to be more transparent and that it would have been more appropriate for the mayor to refer this to the Planning Commission to decide as a whole who should be the representative

Commissioner Talaga asked how this site was chosen and Director Meyers responded that they came to the city with their interest and we worked with them on it. Commissioner Talaga also asked about getting information on Facebook and Ms. Kochanek responded that if anyone has questions, about notices, minutes, etc. everything is posted on the city website or they can be referred to staff in the Planning Department.

Chair MacGregor asked about the outcome of the previous evening at City Council Meeting on whether or not a Task Force had been formed on Affordable Housing. Director Meyers responded that he is not aware of any decision that was made.

IX. COMMITTEE REPORTS

Commissioner Bedogne stated that the Non-Motorized Commission are still awaiting bike friendly application approval.

X. ADJOURNMENT

Since there was no further business, Commissioner Dunwoodie moved to adjourn the meeting (Support: J. Talaga) and the motion carried unanimously. The meeting adjourned at 8:40 pm.