



January 25, 2018

Public Hearing Room, 2nd Floor

I. 12:00 p.m. - 12:30 p.m. - Lunch - Conference Room 303, 3rd Floor

II. Call to Order

The meeting was called to order at 12:00 PM by Board Member Kyle Van Strien

PRESENT: Rozeboom, Koetsier, Davis, Kelly, Mendivil, Ross, Van Strien

ABSENT: Brame, Treur

STAFF PRESENT: Suzanne Schulz, Kristin Turkelson, Assistant City Attorney Tom Forshee and recording secretary Carol Gornowich

III. Approval of Minutes

A. Approval of Minutes from January 11, 2018

RESULT:	ACCEPTED [UNANIMOUS]
MOVER:	Paul Rozeboom, Vice-Chair
SECONDER:	James Davis, Member
YEAS:	Rozeboom, Koetsier, Davis, Kelly, Mendivil, Ross, Van Strien
ABSENT:	Walter M Brame, Rick Treur

IV. Business

A. Planning Director's Report

- Ms. Schulz related that there have been a couple of constituent questions regarding conflict of interest for those that served on the Housing Advisory Committee and their participation in reviewing the proposed, related, text amendments today. There have been similar questions raised regarding the proposed SDM and SDD text amendment consideration. Ms. Schulz recommended that the Planning Commission hold their Conflict of Interest discussion in the larger meeting forum.

Ms. Schulz also related that there was a request to have the lunch meetings on Facebook Live. However, given the size of the room and everyone eating, it isn't practical.

Mr. Forshee provided advice regarding Conflict of Interest, specifically explaining what constitutes a conflict. He advised those that participated in the Housing Advisory Committee discussions that if their decision is relying upon information they gleaned from those discussions that that information should be shared with the Planning Commission so that everyone has the same knowledge. It is the duty of a Planning Commissioner to participate/vote if there is no conflict of interest. Every Commissioner is a resident of the City and therefore will be impacted by decisions to some extent.

- The Planning Commission discussed the process for the proposed text amendment public hearing. Because of the number of proposed amendments, and public interest, the consensus was to receive staff's presentation on the proposed Housing Amendments, followed by public comment, and then Planning Commission discussion and decision. Staff will then

present the proposed alcohol related amendments along with the miscellaneous amendments, public comment will be invited, and the Planning Commission will discuss and act on that portion. There was also discussion on the Planning Commission's options for the motions; tabling, approving in whole or in part, etc.

B. Conflict of Interest

Mr. Van Strien advised those present that customarily the Planning Commission addresses any potential Conflict of Interest discussions during their business meeting, which is open to the public. For today's cases, particularly related to the proposed Housing NOW recommendations, there were questions about people that served on the Advisory Board or attended some of the public meetings so the Conflict of Interest discussion will be held in the larger public hearing setting today.

Assistant City Attorney Tom Forshee explained that, for the Planning Commission, Conflict of Interest procedure is set by the Zoning Enabling Statute. A Planning Commissioner discloses any potential conflict of interest and the Commission votes whether or not to disqualify that member. A conflict of interest is if something would directly financially benefit a specific commissioner and not just something that generally affects the community. All Planning Commissioners live in the City so it will affect everyone to some degree. If it doesn't directly affect a Commissioner, for financial benefit or personal benefit, it is not a Conflict of Interest. Being part of a study committee is acceptable. If there is any information a Commissioner learns during their participation on a study committee, that the rest of the Commission may not know, and it is relied upon in making a decision then it should be disclosed to the entire Commission so everyone has the same information available to them when making a decision. Mr. Forshee also advised that in the absence of a conflict of interest a Planning Commissioner has a duty to fulfill their role/vote. The proposed text amendment(s) is a legislative recommendation so there won't be any personal attachment to any one applicant, which can be a Conflict of Interest consideration if it is a relative or someone you know.

Mr. Van Strien acknowledged that several Planning Commissioners were on the Advisory Committee or attended those meetings. Based on the advice offered, that does not constitute a Conflict of Interest.

Mr. Forshee agreed so long as any information relied upon to reach a decision is information made available to all Planning Commissioners.

Mr. Koetsier disclosed a potential conflict. He related that he is a real estate broker and buys and sells real estate both for himself and for clients. Some of these text amendments identify where real estate could be bought and sold.

Mr. Ross disclosed a similar potential conflict. He is involved in private developments and investments. In the past he was an employee of an affordable housing organization that advocates for affordable housing. Mr. Ross clarified he no longer has that connection.

Mr. Van Strien asked if either Commissioner feels those connections will prohibit them from making an unbiased decision on any of the matters being considered today.

Both Mr. Ross and Mr. Koetsier responded negatively.

Mr. Rozeboom asked those that served on the study committee if they feel that the documentation that came out captured the essence of what was involved in discussions.

Mr. Kelly feels the documentation accurately reflects what was discussed. In many cases they were making a broad recommendation that then needed further development through text changes. Much of this is material that committee members are seeing for the first time as well.

Mr. Ross agreed that what is before them today is consistent with those conversations. The spirit of the body was definitely more aggressive and wanted a lot more than what is proposed.

Mr. Van Strien suggested the Commission address the question of whether Mr. Ross or Mr. Koetsier are conflicted based on their real estate affiliations.

Motion by Mr. Kelly, supported by Mr. Davis, finding that Mr. Ross does not have a conflict of interest. Motion carried unanimously.

Motion by Mr. Rozeboom, supported by Mr. Kelly, finding that Mr. Koetsier does not have a conflict of interest. Motion carried unanimously.

Mr. Ross disclosed that he is a bar/restaurant owner and is going through the process of acquiring a liquor license.

Mr. Van Strien disclosed that he owns a business that makes alcohol. As it relates to Conflict of Interest he has no financial tie to the proposed Ordinance amendments. He also doesn't believe it will sway his decision one way or the other.

Mr. Ross added that he has no financial ties to the amendments nor will his decision be swayed.

Motion by Mr. Davis, supported by Mr. Koetsier, finding that Mr. Van Strien does not have a conflict of interest. Motion carried unanimously.

Motion by Mr. Koetsier, supported by Mr. Davis, finding that Mr. Ross does not have a conflict of interest. Motion carried unanimously.

V. Public Hearings beginning 1:00 p.m. or soon thereafter in the Public Hearing Room, 2nd Floor

A. (1:00 p.m.) Zoning Ordinance Text Amendments

Applicant: City of Grand Rapids
(Planning Department)

Requesting: Consideration of text amendments to the Zoning Ordinance
(Chapter 61 of the City Code).

These amendments are meant to correct minor errors in the updated Zoning Ordinance that went into effect on April 22, 2017, and to modify the requirements for the sale of alcohol for off-premises consumption. Amendments to implement the Housing NOW! recommendations, put forth by the City's Housing Advisory Committee, are also proposed, including: use modifications pertaining to accessory dwelling units, attached-single family, two-family and multi-family residential uses; dimensional adjustments including lot width, lot area and building width requirements; and the addition of a density bonus for low income housing developments.

Requirements: 5.12.10. Zoning Ordinance Text and Map Amendments
Staff Assigned: Kristin Turkelson kturkelson@grcity.us
Type of Case: Zoning Ordinance Text Amendments
Effective Date: City Commission approval

Consideration of Text Amendments to the Zoning Ordinance - Housing NOW!

Amendments

Ms. Turkelson introduced the public hearing on proposed text amendments. The first portion of the discussion will relate to the Housing NOW strategies/recommendations that were adopted by the City Commission and subsequently referred to the Planning Commission for input.

Ms. Turkelson offered a PowerPoint presentation, which was the presentation utilized during the public engagement meetings. There are four significant recommendations associated with the Housing NOW packet that relate to Planning and Zoning. In 2005 the Great Housing Strategies was an initial effort to talk about and advance the Affordable Housing Discussion. Subsequently the Mayor appointed a committee, led by Commissioner O'Connor, that put together implementation strategies to expand upon the Great Housing Strategies recommendations. Out of the Housing NOW packet there were a series of 11 recommendations, 4 of which pertain to zoning. Ms. Turkelson feels it is important to keep in mind that these four zoning related recommendations are not operating independently; it is part of a larger package that will hopefully advance affordable housing opportunities within the City.

Ms. Turkelson identified the four amendments being considered today:

- Density Bonus recommendation
- Recommendations to Modify Non-Condo Zero Lot Line Units (attached single-family residential)
- Allow Accessory Dwelling Units (ADU)
- Incentives for Small Scale Development

As stated, the 2015 Great Housing Strategies led into a 2017 effort with a Housing Advisory Committee that put forth the eleven recommendations. Of those, numbers 3, 6 8 and 9 are the zoning related items.

Ms. Turkelson commented on community engagement. Since October the Planning Department has conducted a series of information sessions. The first two in October and November were more conversational. Staff knew what the recommendations from the Housing Advisory Committee were but they didn't at that time have specific ordinance language drafted that would implement those recommendations. That was done strategically in an effort to gather input from the community. There were some common themes with parking being a concern expressed related to any of the proposed changes. Capacity for enforcement and other considerations are things to keep in mind moving through the proposed amendments.

Ms. Turkelson related that in early November they met with non-profit and for-profit housing developers in the City. Planners and architects active in Grand Rapids and familiar with the Ordinance were also included. Their input was valuable because they are the professionals that are utilizing these tools. One of the challenges, related to attached single-family, was about a year ago there was a question about why doesn't Grand Rapids allow it. The answer was that it is allowed but it isn't a tool utilized. Through the Housing Advisory Committee and the engagement meetings staff learned that people didn't know attached single-family was permitted. There were also conflicting regulations within the Ordinance. Great Housing Strategies shed some light on that initially and there were some minor adjustments but they were later able to take a more detailed look. That process helped them to understand that there were other regulations that were either conflicting or didn't work to advance the goals of providing affordable housing.

In early January staff led a series of three community informational sessions. They held one meeting in each ward at different times of day to allow for greater attendance. Staff tried to provide information and explained what the recommendations were. Those in attendance were encouraged to bring their input to the Planning Commission today because at that point in the process the information was drafted and public notices were sent out so opportunities for change were difficult. They felt it was more appropriate for the public to bring forth those comments today.

Ms. Turkelson began with **Recommendation #6; the Density Bonus**. The basic premise is to incentivize or provide a density bonus for the development of affordable housing. Inclusionary zoning is not permitted in the State but it can be incentivized. Ms. Turkelson related that the amendment mirrors the mixed-income housing bonus. It allows for a reduction of up to 500 sq. ft. of lot area per dwelling unit if it is an affordable housing development. There are associated conditions:

- The development would need to be located within 300 ft. of transit
- At least 20 units are to be developed as part of the project
- If rental units then not less than 30% of the total number of units are provided at or below 60% AMI
- If owner-occupied units then not less than 30% of the total number of units are provided at or below 60% AMI

Ms. Turkelson explained that it was important to ask the housing providers if this could work, could it be paired with Low Income Housing Tax Credit projects. The answer was yes. The amendment didn't suggest increasing heights, decrease setbacks, or waive any parking; those regulations remain applicable. The incentive is simply if you build a box then perhaps you can

get more units within that box. What that would allow for is hopefully a greater return and the ability to make the project work financially if there are more units.

Ms. Turkelson explained that the mixed-income housing bonus was not eliminated. It remains an option within the Ordinance. It isn't widely used but through the discussion process with the housing providers they suggested keeping it in because it could be something used in the future and there doesn't appear to be any detriment.

Mr. Kelly asked for an explanation of the difference between the mixed-income housing bonus and the proposed density bonus.

Ms. Turkelson explained that the mixed-income housing bonus says that not less than 30% nor more than 60% of the units can be affordable. The remainder would have to be market rate; there is a cap on the number of affordable units that can be built within a mixed-income housing bonus because the bonus is to encourage mixed-income units within one development.

Mr. Kelly noted that the proposed density bonus also requires that there are market rate for the remaining units.

Ms. Turkelson clarified that the criteria is that not less than 30% of the total number of units are at or below 60% AMI. Ms. Schulz added that it could be 100% affordable units.

Mr. Kelly referred to the text and there is a point that states "the remaining units are priced at market rate".

Ms. Turkelson explained that if there are market rate units the units have to be comparable in scale and design. For example, you can't put the affordable housing units in the basement and have the market rate above grade with access to all the amenities.

There was further clarification and it was found that what Mr. Kelly stated was listed as a condition. Ms. Turkelson agreed that could be eliminated.

All agreed that Article 5, Sec. 5.5.06.I.4.a.v. (the remaining units are priced at market rate) should be eliminated.

Mr. Ross asked if the density bonus is only intended to affect LIHTC projects. He also asked if that is the reason for the minimum of 20 units. Is the theory that you can't use the bonus for smaller developments such as Home Funds. A LIHTC project is likely the only time you would get to that scale and LIHTC is a very competitive process. That may reduce the number of affordable housing opportunities.

Ms. Turkelson felt that was open for discussion by the Planning Commission. One of the challenges they had is that the Housing Advisory Committee recommendation was a bit more broad so they started with the Mixed-Income Housing Density bonus currently available and made those adjustments. She didn't recall any strategic reason it would be limited to LIHTC funding. She feels the number of units could be reduced.

Ms. Schulz noted that there is a reporting requirement. It could be smaller and still have the accountability. The question would be who does that.

Ms. Turkelson agreed that there will be some administrative work required to utilize the bonus because they have to make sure it maintains affordability.

Ms. Schulz indicated that it would be easiest if it is associated with LIHTC or HOME because those reporting requirements are already in place. Another consideration is should this bonus apply to subsidized, such as LIHTC or HOME, or for anyone so long as they hit the threshold. The reporting accountability wouldn't be built in like it is with LIHTC or HOME so it would have to rest with the City.

Mr. Van Strien asked if the requirement to be located within 300 ft. of a transit line is consistent with some other text in the Ordinance.

Ms. Turkelson replied that it is a fairly consistent distance used within the Ordinance. The Mixed-Income Housing Bonus used it as well. The idea was that if it is in close proximity, greater density supports transit.

Mr. Davis asked if that number could be adjusted if, as a Commission, they were able to determine that transit within a greater number of feet may still be worth rewarding.

Ms. Turkelson agreed that that could be discussed/considered.

Ms. Turkelson continued relating that her presentation to the community provided an explanation of what the density bonus could mean using examples. If someone has a ½ acre parcel in the LDR zone district currently 10 units could be permitted. With the density bonus they could get up to approximately 14 units. The examples were intended to provide perspective. It wouldn't double the density in any development within an LDR. There are other factors that could impact that number such as the amount of greenspace, parking, lot configuration, etc. If it is a corner property you may be able to get more units. Ms. Turkelson offered another example, although not technically in an LDR zone district; the Avenue Apartments at 1300 Madison SE. That site is approximately a ½ acre and that development has approximately 10 units. That example was used to provide some reference about what the scale and massing would look like in an LDR zone district.

Recommendation #8 - Allow Accessory Dwelling Units by Right

Ms. Turkelson noted from the correspondence that was received from the community that this items is more controversial. The recommendation from the Housing Advisory Committee was to allow Accessory Dwelling Units (ADU) by right. In the definition for ADU they can be attached, detached, ancillary, mother-in-law suites, etc. The recommendation was to allow it by right. If allowing it by right there are other requirements within the Ordinance that had to change; it wasn't as simple as changing the S to the P in the use table. There are other criteria

that the Planning Commission typically looked at. If taking the Planning Commission out of the review process then it was necessary to look at those changes as well.

Ms. Turkelson referred to examples on the presentation noting that building heights is one of the items that had to change. Currently, if it is a detached structure, a detached garage, the maximum height is approximately 14-16 ft. to the mid-point. If you were to do an ADU on top of that, a two-story detached structure, the Planning Commission had the ability to waive that height limit. Staff did research from other cities and found that if the detached structure is within 3' of the lot line then the maximum height of 20 ft. to the mid-point would be permitted. That would generally get you a 1 ½ story structure. It would be sloped roofs with dormers and wouldn't be a full 2 stories. If you were moved further away from the lot line, under the proposed recommendations, you could go higher. You would have to meet the underlying setbacks of the zone district, which varies by zone district, and then you could go to 25 ft. to the mid-point. That would make it possible to get a full 2-story.

Ms. Turkelson stated that there are different locations you can put an ADU. Typically they are thought of as being above the garage but you could do an addition to the home or you could convert attic or basement space to an ADU. Those would be and are currently options in the zoning ordinance.

Ms. Turkelson recognized that there are challenges, particularly in the older neighborhoods. Adding a second story to an existing garage is practically infeasible because the structure wasn't built to support the load of a 2-story. You also probably don't have plumbing, or any sort of utilities that would be required, to that accessory structure. It could be done but likely won't be the norm to see a second story constructed. One of the big things that came up when discussing this with the community is that you are only permitted by current ordinance one detached accessory building. In the City of Grand Rapids, and largely in the State of Michigan, you can't have a detached garage and then put a tiny home in the back yard. It isn't permitted today and no changes to the current ordinance are recommended in that respect.

Ms. Turkelson elaborated on additional changes. Currently a minimum lot area of 5,000 sq. ft. is required. When hearing that number Ms. Turkelson thought that was a really large parcel and wondered how many there are in the City. Approximately 75-78% of the single family lots meet that requirement. That was surprising so she thought, since the intent is to promote or allow for this pattern of development, just eliminate that minimum number. So, as long as you have a legally established lot you could have the ability to do an ADU. There is no specific number for a legal lot because it is tailored by block and by neighborhood so that would vary.

Ms. Turkelson identified another change in that a two-story detached structure would now be permitted if you have an ADU. That would be written into the zoning ordinance where currently the Planning Commission has to waive that.

Another consideration is increasing the floor area ratio between the ADU and the primary structure. Currently you are permitted up to 25%; your ADU can't exceed 25% of your home. If you have a home of 1,200 sq. ft. you can't have an ADU. The reason being is there are other requirements that say an ADU can't be smaller than 400 sq. ft. or greater than 850 sq. ft. No

changes are proposed to the size of the ADU but if that is going to make sense then the floor area ratio needs to be increased from 25% to 40%. Therefore, it would still be considered accessory or ancillary to the primary structure.

Ms. Turkelson explained that another proposed change is to eliminate the maximum occupancy and number of bedrooms. It is very difficult to police the number of people occupying a bedroom, know how many people are in an ADU, or how many bedrooms and does it matter how many bedrooms are in an 850 sq. ft. home. At this point the suggestion is to eliminate that and let the building or housing code dictate how many individuals can live in that unit. Ms. Turkelson clarified that there are still other conditions. You can't have more than four unrelated individuals in a dwelling unit. That is the current limit and will remain. This would allow, for example, if someone had a home and their daughter, son-in-law, and child wanted to move in to the ADU they would be allowed to do that. Under today's rules that wouldn't be permitted because the limit is no more than two individuals. Ms. Turkelson suggested eliminating the maximum occupancy and number of bedroom limitations provides more flexibility to some of the generational concepts that have been discussed with neighborhoods in the past yet still doesn't allow for more than four unrelated individuals to live there.

Another issue that came up was ownership. Currently one of the units must be owner occupied. Staff is not recommending any changes to that. If you have or want an ADU you have to live in the primary structure or in the ADU. Another question came up about someone who has an ADU but then sells the property and an investor buys it and rents out both the primary structure and the ADU. That would not be legal/permitted and it would be a zoning enforcement case if there was a complaint. Ms. Turkelson acknowledged that it creates an enforcement issue to track but it is no different than having an existing two-family dwelling and you open the door between the two units and one family occupies the entire structure. That is then a single-family home because the one family has taken ownership and residence in the entire structure. If the house goes on the market and an individual buys it and walks in and says they're going to use it as a two-family they would no longer have those rights because how the previous owner used it eliminated the non-conforming rights. Ms. Turkelson also acknowledged that they experience those scenarios now but if you have an ADU a future owner would need to be aware that they would have to live on site and it couldn't be an investment property with both units.

Ms. Turkelson explained that another comment or criticism staff has received is about Article 9, where these Use Provisions are located in the Zoning Ordinance. Those provisions are waivable by the Planning Commission. Therefore, when considering the proposed changes it is essentially a more permissive process; it is no longer a Special Land Use but a Permitted Use and individual neighbors wouldn't be notified. Therefore, the suggestion is to eliminate the ability of the Planning Commission to waive the requirements. Even though the process is significantly different it provides a level of predictability because the Planning Commission would no longer be able to waive the minimum lot area or floor area ratio. Ms. Turkelson provided the example of someone wanting to have a 50/50 floor area ratio that would then require a variance. She believes that provided a level of comfort with the neighborhoods.

Mr. Van Strien clarified that that would remove the ability to waive any of the provisions and not just the lot size or floor area. It would include things like parking regulations, etc.

Ms. Turkelson agreed. One of the items they feel they should add in is that two parking spaces are required for the primary structure and one space for the ADU. If you can't fit the third space on your lot then that would require a variance.

Mr. Van Strien recognized that there are non-conforming parcels in the City that don't currently have two on-site parking spaces. He asked if they would need to add three spaces in order to have an ADU.

Ms. Schulz replied no. They already have non-conforming rights for what is there so they would have to add a space for the ADU. However, that may be a consideration for the BZA; exacerbating the existing condition/non-conformity if there is a parking issue in the neighborhood.

Mr. Davis clarified that the green space requirement would still exist despite the requirement to add a parking space to accommodate the ADU.

Ms. Turkelson agreed. All of those other elements/site constraints remain in effect.

Mr. Davis felt that would eliminate a lot of the people that were intended to be able to use this.

Ms. Turkelson suggested that to prevent impacting green space you could still have an ADU in your basement, attic or above your garage. Since you currently aren't allowed a second detached structure she isn't sure that the green space requirement would be a limiting factor any more than it is today.

Mr. Davis expressed his understanding that a second detached structure would be allowed as proposed.

Ms. Turkelson clarified that would not be the case. No additional detached structures are being permitted. You are allowed one detached structure today and under these recommendations that doesn't change. If you have none then you could add one, provided you met the other provisions.

Mr. Davis offered an example. If one were to add an ADU they have to be mindful of the green space available and would be required to add parking. The addition of that parking may eliminate the green space qualification. He suggested the two requirements may be working against each other and it may be worth discussing whether ADUs have a significant enough impact to require the green space and parking.

Mr. Rozeboom suggested that essentially it becomes a two-family dwelling yet a two-family dwelling still requires Special Land Use. He asked the difference between a two-family dwelling and a single family dwelling with an ADU.

Ms. Turkelson explained that to be considered an ADU the criteria would be a bit different. It would have to be ancillary in size and one of the units is required to be owner-occupied in the ADU scenario. If you have a two-family dwelling it could be two rental units.

Recommendation #9 - Non-Condo Zero Lot Line Units (Attached Single-Family Residential)

Ms. Turkelson related that this recommendation by the Housing Advisory Committee was a bit broader. The recommendation was to modify regulations in order to encourage this development pattern. Staff met with the housing providers for assistance. Staff had some experience with other projects that were condo-style developments. Ms. Turkelson displayed examples of non-condo zero lot line developments from other cities as well as recent examples that have come before the Planning Commission. Ms. Turkelson explained that when talking about attached single-family the idea is that they are narrower lots and you own the dirt and the home on top of it, it just happens to be attached to the wall of someone else. In a condo development of row houses everyone owns the dirt, you own your own unit, and you have common elements. Ms. Turkelson explained that that is an important distinction when talking about what barriers there are to this development pattern currently that we want to try to address.

Mr. Ross stated that his understanding is that this recommendation is intended to increase density, provide a new mix of housing and not just for affordability because you could have a million dollar row house. He asked how they arrived at four continuous units. Why is it limited to four vs. six or eight.

Ms. Turkelson recalled that it was a broad recommendation. Currently attached single-family is a Special Land Use. The question they asked themselves is that if the intent is to encourage this pattern of development how do you do that? Making the review process more predictable, making it by-right does that and it gives the level of predictability to a property owner or developer that wants to do it. The four number came from the scale and massing. If I'm a resident and I'm going to have an attached single-family development in my neighborhood then the first thing one might think about is what the scale and massing will be. If it's in the middle of the block or a development that takes up the entire block one may feel very differently about having that in their neighborhood than if it were two, three or four units. When talking about the dwelling unit width being 14-18 ft. times four, that scale, massing and presence at the street level isn't significantly greater than a single-family.

Mr. Ross asked if the scale and massing consideration is coming from staff rather than a concern expressed by the community.

Ms. Turkelson agreed.

Ms. Schulz explained further that it was an effort to figure out a way to do sensitive development by right. That isn't to say that someone couldn't do more than four but they would need additional consideration.

Mr. Ross recalled that one of the drivers was to reduce the cost and not have to come to the Planning Commission for approval, while increasing density.

Ms. Schulz explained that another reason for four was at the suggestion of Commissioner O'Connor because if it is a four unit or less it can fall under a residential loan, which is easier to acquire than a commercial loan. For five units and above it is then a commercial property.

Mr. Davis asked if it would be possible to include text that might allow for more units if it were not between homes. If there aren't homes on either side could that allow for greater density?

Mr. Ross suggested they need to stop thinking about it as changing the character of neighborhoods. Who wouldn't want four or five brownstones more than the market value on their street? He feels the culture around density assumes that density is something neighborhoods don't want vs. what the market will bear.

Mr. Kelly feels Commissioner O'Connor has a good point. However, he also feels there is a point where you create conditions that aren't economically feasible to do projects. He understands that they don't consider the economics of a project or what developers have to pay but if they are limited to only four they may not be able to do an economically viable project without having to still go through the same Special Land Use process they have to today.

Ms. Turkelson suggested Jan with ICCF come forward as a co-presenter to explain the market challenges. It is important to understand that there are real market issues that are barriers from an affordability standpoint.

Jan van der Woerd, ICCF, explained that ICCF is an affordable housing developer and that is the lens he is looking at this recommendation through. Mr. van der Woerd recalled that the first time he talked about this was for a Special Land Use approval for the Land Bank to do non-condo zero lot line attached houses. That request passed. Mr. van der Woerd explained that the reason for the co-presentation is that ICCF has built affordable housing and mixed-income housing in attached format. You can build it by right in certain ways. One development they did was on Sheldon, a 3-unit directly across from UPrep, 200 ft. from the bus line, and pretty urban in context. The 3-unit development is built today because they could do it by right as multi-family. There were some challenges however and they are happy to share them in an effort to get beyond them for other developments that are similar in scale. Mr. van der Woerd related that they had to set up a condo association for three townhomes. They had to get a LUDS permit for three townhomes. The lot size is two combined lots 80 ft. x 120 ft. deep. Two city lots, three houses and they had to get a LUDS permit. A LUDS permit requires that you get a landscape architect to design the landscaping for a three unit with a shared back yard. Mr. van der Woerd related that they provided three units of garage stall parking off the alley to relegate parking cars where they are supposed to go, which is not in the front of the house, but they had to add a fourth space for a carport next to it. The biggest issue is about the people and not the house. The people have to pay an association fee because they have a homeowners association. They have shared taxes, have to register every year as a corporation in good standing with the State and setting that whole thing up has legal costs. It is rather expensive to set up an association. Setting up a three-unit association is the same as setting up an association for a 65 unit complex. There are no real

economies of scale there so it limits the ability to do small scale development. The calls they get from the current owners in that building are with questions about why they have to reregister, common area insurance on top of their homeowners insurance, etc. It isn't questions about sharing a back yard. They don't care. They live in the City in an urban context and it is what it is. It isn't about the shared wall. Mr. van der Woerd related that this is the original affordable housing, that's why the shared wall in the first place to keep construction and energy costs low. People are developing this in the affordable housing sector, trying to in the middle-income sector, and in the market rate sector. There are 100 year old versions of this on Fitzhugh behind Mangiamo's that people love. This model is in Belknap and on the southeast and west sides of the City. It is very acceptable in form. It is just that there are details around the condo association they could get rid of. It is single-family homeownership where you own your own slice of the back yard and you insure that common wall, which is a business arrangement, and otherwise you are just a single family home all by yourself. Mr. van der Woerd related that they have a 15-unit development similar to his previous example just down the street. The soft costs are the same as for the three unit. They had 46 people try to buy into the three unit development and when you buy a condo 75% of the units need to be sold before you can get a standard mortgage. Before 75% of the units are sold you have to get a non-warrantable, or portfolio, loan. To get a non-warrantable mortgage you either have really great credit, own a second home or you're not a first time home buyer and typically not a low income first time home buyer. Your mortgage options are limited. It is a simple shift, for a typology that is already present, that would make the development easier.

Mr. VanStrien asked that Mr. van der Woerd speak to the 4 or less units per structure limitation.

Mr. van der Woerd feels that the massing aspect is very difficult to have a blanket process for in low density residential areas because of the length of lots or how the corner is incorporated. He used the development on Fitzhugh as an example. It is eight or twelve units in a row and they capture the corner. They have no parking other than street parking and those condos sell for \$180,000. They fit the typology of the neighborhood. Mr. van der Woerd would argue for more than four being allowed. It is all about context. They often build them in three and four sets because of break walls and spacing but why not eight.

Mr. Davis asked if the 15 unit they developed is close to transit.

Mr. van der Woerd replied that it is a block from the BRT line and it was in an MDR zone district.

Mr. Davis asked if there are places in other zone districts where he feels that 15 unit development would work just fine.

Mr. van der Woerd replied yes. As a mixed income development there are low income individuals that were able to buy in that development for \$100,000 - \$120,000 and market rate individuals that bought in that development for \$250,000, one of which flipped it for \$300,000 last year. It is people that don't care about yards and want to live close to downtown.

Mr. Davis recalled Mr. van der Woerd mentioned economy of scale, which doesn't happen in condo association set up. He asked if there is economy of scale and affordability increase as you add units.

Mr. van der Woerd replied yes.

Mr. Kelly noted that there are restrictions on width and also lot widths. He asked how having a minimum or not having a minimum might affect affordability.

Mr. van der Woerd stated that the minimum width of a building is really a market decision. ICCF has built 24 ft. and 20 ft. wide townhomes because of the style of the architecture they design. The idea of going to 14 ft. is affordability. A different façade on the building could allow that to work well and in some cases it might not. It is situational. People are willing to live in less space if it is well designed, well-appointed and well furnished. Mr. van der Woerd feels there are opportunities for that to work great. He provided the example of a co-worker who lived in Baltimore in a 12 ft. wide single-family home. It was attached and that was the model. If you're doing affordable housing it depends on if you're targeting individuals for families. If the market wants 14 ft., why not?

Mr. Ross asked Mr. van der Woerd if he feels they should also eliminate lot size requirements.

Mr. van der Woerd believes there are a lot of lots that are not active today because they are just off a bit dimensionally.

Mr. Ross asked further about having a lot size requirement that results in a very deep lot.

Mr. van der Woerd suggested that depends on how much you want to prioritize the car. Some may say that less would be better and take care of people before cars. He related that they are about to activate some odd shaped lots that are 24 ft. wide at the front and 30 ft. at the back. That is a lot of what is left that is undeveloped.

Ms. Turkelson explained that the actual recommendations themselves may be somewhat conservative. Because it was a broad recommendation from the Housing Advisory Committee to try to encourage the development pattern is why they've landed where they are today with the recommendation. Currently, attached single family in the LDR zone district is a Special Land Use. As recommended, if you have no more than four attached units and you're within 100 ft. of a commercial zone district as listed then it could be permitted by right. It is an incremental approach of trying it to see how it works, knowing that the scale and the massing would be relatively consistent with the majority of the neighborhood already vs. allowing for larger developments. It isn't that it couldn't get there at some point in the future; it was an incremental approach. It also isn't saying you couldn't have several four unit buildings in a row but it would be a cadence that is more similar to what is present today in the neighborhoods.

Ms. Turkelson identified other criteria that would change. Currently the minimum dwelling unit width is 18 ft. and it is proposed at 14 ft. There has been some push back on the 18 ft. requirement because at 18 ft. you need either a structural support beam or some sort of load

bearing wall and those things increase constructions costs that then increase the cost of the unit. If the minimum is brought down to 14 ft. then they don't need those things. They discussed with the housing developers whether there should be a minimum at all and again they felt that incrementally testing these to see how they work would be a conservative approach. It can always be amended later.

Ms. Turkelson recalled mentioning that there were some conflicting requirements, one of which was that they allow 18 ft. wide dwelling units as a minimum but require a 32 ft. wide lot. When talking about zero lot lines and 32 or 18 ft. you can't really attach. Therefore, the thought was to let the dwelling unit width control the lot width. If the dwelling unit is 18 ft. for an attached single family then the lot width is going to be 18 ft. as well. The minimum lot area is also being reduced. It is currently 3,000 sq. ft. in the LDR and is proposed to be reduced to 1,500 sq. ft. It is currently 2,250 in the MDR and proposed to be reduced to 1,250 sq. ft. When talking about how wide and deep city lots typically are they have assigned numbers but Ms. Turkelson feels that conceivably the density and other elements could control the lot area and width because there are still green space, setback and parking requirements. It is conceivable that the minimum lot area could go away but this was the starting point they felt comfortable with initially.

Mr. Kelly asked if the lot area reduction only applies in the TN area. His recollection is that it remained 3,500 and 3,000 in MCN and 4,500 and 4,000 in the MON.

Ms. Turkelson agreed.

Ms. Schulz added that the assumption with the TN is that there is more of this housing type. It could apply to the MCN and MON as well but that would be a recommendation to change what is proposed.

Recommendation #3 - Incentives for small scale development

Ms. Turkelson explained that this recommendation had broader application and also applied to incentives through economic development. Planning was asked to consider whether it would be possible to incentivize small scale development. Through conversation and based on experience they narrowed it down to eliminating obstacles that are preventing the smaller scale developments from occurring in the City. Historically, when looking to the neighborhoods, there are some smaller, greater density developments; 4- and 6-plexes already in the neighborhoods. Staff has also heard concerns that an individual that doesn't have a lot of development experience wants to embark on this and they have the perfect lot but in order to do multi-family it is costly by the time they pay for their application fee, engineering and architectural drawings, and come forward with their Special Land Use. All of those expenses are incurred before they even know if the project will be approved. It produces a barrier for that development opportunity and staff often hears that people don't want to take that chance without knowing if there is going to be a favorable outcome. Ms. Turkelson explained that the intent with this amendment is to remove these obstacles and put density where it makes sense. As previously stated, inclusionary zoning is not allowed. Therefore, for a zoning mechanism to affect affordable housing is very difficult. The theory is that if you increase supply, and you have a demand, if you can get those in balance with each other than you create a market that would

correct itself and that creates the units that are at a more affordable price point. If the demand is significantly greater than the supply then the prices become inflated. In having the background with the Housing Advisory Committee and conversations with the development community that is the approach that staff took. It was broken down into incentivizing two-family developments as well as multi-family developments. Staff also looked at a couple of other minor yet significant changes.

Ms. Turkelson identified the proposed changes:

- Reducing the minimum dwelling unit width of a single-family home from 18 ft. to 14 ft.
Ms. Turkelson recalled that there has been discussion as to why this is proposed and Mr. van der Woerd mentioned the odd shaped lots, perhaps narrow and non-conforming and you can't fit the 18 ft. wide dwelling unit plus parking or a driveway and meet setbacks. Therefore, if the minimum dwelling unit width is reduced to 14 ft. then perhaps some of the odd lots may be more viable for infill single-family development.
- Allow two-family dwelling units by right in the Low Density Residential, they are currently Special Land Use, when they are either on a corner lot or they are within 100 ft. of the commercial zone districts listed. The thought is that if additional supply/density is desired, where is it desired? From a planning perspective, focusing it toward the commercial zone districts is important because population density supports the viability of the commercial zone districts. Therefore, the amendments have been structured in a way to make it more permissive and allow for increased density around the commercial districts. If a two-family proposal is in the middle of the neighborhood it would still require Special Land Use. In order to make two-family dwellings a viable development type it is also necessary to align the lot width and lot area requirements. Currently for a two-family dwelling you are required a lot area and lot width of 130% greater than a single-family home. If that requirement remains, variances would still be necessary despite making it more permissive from a geographic standpoint.
- Allow the construction of multi-family (3 or more units in the structure) residential developments by right in the LDR zone district when specific criteria are met:
 - Located within 100 ft. from a TBA, TOD, TCC or C zone district
 - No more than 4 units per building
 - Complies with maximum building width and footprint - Ms. Turkelson related that when researching historically built 4- and 6-plexes she looked at the size. They tended to be about 150% greater in size than the typical single family in the neighborhood. Therefore, that was the baseline they used; if the multi-family is 150% greater in width and footprint it could be developed by right when meeting the other criteria as well. It goes back to the scale and massing so that large blocks of neighborhoods aren't redeveloped. If the project desires a greater number of units the developer would still have the ability to request a Special Land Use.
 - Development complies with form standards - Ms. Turkelson related that there has been some recent criticism that the residential form standards don't go far enough. Ms. Turkelson provided the example of roof pitch and how it can create an entirely different character. Transparency is another aspect that could be further defined. Therefore, if implementing this recommendation, staff's recommendation would be developing a design guideline or pattern workbook that could be codified prior to implementing this change.

Mr. Davis explained that as he looked at the proximity and viability of commercial districts and trying to get people to live there, so that retail and commercial benefit but also so that residential areas aren't being interrupted significantly, he feels that 100 ft. from a thoroughfare as it pertains to the zone districts is significantly different depending on where you are in the city. On the southeast side it could be three parcels away and in many of the neighborhoods it could barely be one. He wondered if the criteria should necessarily be 'feet in proximity' or if the Commission could consider the potential of 'parcels away'.

Ms. Turkelson agreed that is an option for discussion. She continued with the final recommended change, that is a bit less significant:

- Eliminate minimum lot area requirement (20,000 sq. ft.) for multi-family. Ms. Turkelson explained that after Great Housing Strategies the requirement was modified to allow for the Planning Commission to consider waiving the lot area requirement whereas previously it was a Board of Zoning Appeals action. It is now recommended that it be eliminated. The density, setback, green space, etc. requirements remain in play. 20,000 sq. ft. is a ½ acre and that's is a large parcel. When talking about small scale development in a 4-plex you don't need 20,000 sq. ft. Where there is 20,000 sq. ft. lots it tends to be a bit more suburban in style, which is something that may warrant more of a Special Land Use consideration. BZA has granted variances for the minimum lot area and the Planning Commission has waived it on a number of occasions also so it seems to make sense to eliminate that requirement.

Ms. Turkelson displayed building type examples. When looking at them they seem appropriate, but what makes them appropriate? It is the scale, massing and architecture, which guided the thought process behind the design guidelines/pattern workbook.

Ms. Turkelson commented further on the 100 ft. proximity to the commercial zone districts. Staff mapped all of the Traditional Business Areas. When they met with the housing developers in November they started with a 1,500 ft. proximity. When that was mapped it basically eliminated the majority of the neighborhoods. Ms. Turkelson used the example of Alger Heights. Although it is pretty square geometrically, a lot of the neighborhoods are not. There are buffer maps included in the Planning Commission's packet that show what the buffers would look like. Even though 1,200 ft. is a walkable distance and accepted dimension from a planning perspective, for walkability, it included a lot of properties. When they mapped, 100, 300 and 500 ft. it began to feel more acceptable. The proximity is an item for discussion but one of the considerations that is very important to keep in mind is that if this recommendation were to go forward there are things that could happen. Currently the Ordinance doesn't allow for the conversion of single-family homes. If multi-family and two-family is going to be allowed by right in these locations it would be necessary to allow the conversion of an existing single family home. It would also allow for someone to demolish a single family home in favor of building a duplex or multi-family, depending on the lot size. If this recommendation moves forward it is conceivable that there could be a loss of some single family homes in favor of higher density. That is in line with the theory but it is also a consideration because during the Master Plan process the preservation of existing single family homes was a topic of conversation.

Mr. Kelly noted that a lot of the public comment that was included in the Planning Commission packet was from Heritage Hill. Mr. Kelly suggested there would be additional restrictions on anything like that happening in a historic district; you can't just demolish a historic home.

Ms. Turkelson agreed. The Historic Preservation Commission doesn't look at the use however. The conversion of an existing structure could be possible in a historic district.

Mr. Kelly countered however that that is permitted today.

Ms. Turkelson disagreed; it would require a variance to convert today.

Mr. Davis suggested that parking requirements may also negate their opportunity to convert.

Ms. Schulz stated that it depends on the lot.

Mr. Kelly suggested that a lot of the homes in Heritage Hill have been converted from single to multi-family. It isn't a change in use but rather a change in density.

Ms. Turkelson related that the Ordinance states that if it is a home greater than 5,000 sq. ft. then the process to convert it would be Special Land Use. If it isn't at least 5,000 sq. ft. then it isn't permitted under the current Ordinance.

Ms. Turkelson summarized that the 100 ft. buffer is one of the items that could be open for consideration. 100 ft. was the starting point staff is recommending. Staff is also suggesting that the entire lot must be included, or at least a portion of the lot. At this point it is written so that the entire parcel must be included within 100 ft. to be eligible for this by right allowance. The Planning Commission may wish to consider it if 10% of the lot is within the designated proximity.

Mr. Rozeboom noted that there are some Area Specific Plans that have used the form design standards. He asked if the experience with that has been positive; has it worked?

Ms. Schulz replied that the Belknap plan is likely the closest where they included drawings of the buildings they would like to see but there isn't anything codified. Design guidelines are only guidelines unless codified. Some form based zoning ordinances are very prescriptive in building types with expectations for the architecture. Would the desire be to go to that level? With the current ordinance, which is form based, it doesn't necessarily dictate the architecture of a building. Codified design guidelines would get more into the architectural realm and then the question is what form that would take. There have been comments from the neighborhoods stating they want that if this is going to be permitted by right.

Ms. Turkelson agreed that the neighborhoods were generally supportive of having design guidelines if going in this direction.

Ms. Turkelson noted that she didn't cover a lot of the comments that were made at each of the community meetings. However, based on the number of people present and the number of

letters submitted she feels the Planning Commission will also hear those comments. If something that came up consistently in the neighborhood meetings isn't covered in public comment today Ms. Turkelson will inform the Planning Commission.

Mr. Van Strien opened the public hearing and invited public comment.

Suzanne Tiemstra related that she lives on Hope St., between Carlton and Wilcox Park. The neighborhood has a big parking problem now. They have park users during all seasons and they have students from Aquinas that rent on the street that may have four people in a two-bedroom unit. That unit generates four cars and with visitors more. Ms. Tiemstra stated that she can't imagine adding that kind of density to the street. It isn't safe for the children utilizing Wilcox Park and going back and forth or parents picking up. It isn't possible to drive two ways on Hope without having to wait behind a parked car for the other car to pass. That is also the case on Youell. There isn't room for two lanes of traffic and parking on both sides of the street. Ms. Tiemstra also expressed concern about the stability of the neighborhood if a number of these properties are rental. That isn't to say that tenants aren't nice. However, the people that rent tend to move more often so social stability and property values are a concern.

Paul Greenwald, NECAA Board Member, pointed out that they submitted a written position on the four proposals being considered so he would not reiterate those points. However, they have had discussions with their membership and they have indicated that they feel the code changes as proposed, as a general theme, seem to have a purpose to strip the neighborhoods and residents of any real input about the nature and details of what their neighborhoods and lives will be like. It also strips them of their ability to defend the value of their property. It places the onus of defending their property and property rights on them as opposed to anyone proposing to develop in the neighborhood. They feel that the proposals need some sort of appeal process available to property owners, short of having to hire a lawyer and file a lawsuit.

Peter Carlberg related that he serves on the John Ball Area Neighbors Board and Chairs the Planning, Zoning and Housing Committee. The committee met last night and voted unanimously to endorse the letter from the Neighborhood Association Collaborative, which is in the Planning Commission packet. That letter has been signed by 12 neighborhood associations and they outline quite well the criticisms JBAN has with these proposals. They oppose the by right development proposals. Mr. Carlberg submitted documented testimony given to the Portland City Council in 2016 dealing with similar types of proposals. The research went into the questions of whether this would actually benefit low income people, whether it would result in affordable housing, or just create more hardship for people seeking affordable housing. Mr. Carlberg recalled that a few years ago the John Ball area went through the Area Specific Planning process. One of the purposes was to defend the streets off of the West Fulton business area from being redeveloped by commercial development along Fulton. They had experts that advised them they could confine the business development, which was also supposed to include second floor residential. Unfortunately they have seen very little second floor residential. That is a place where a lot of affordable housing could easily have been located but the City continues to grant permission to build without the required second floors. The goal of the ASP was to preserve the adjacent blocks from being bought up, torn down and redeveloped commercially. The proposed amendments do exactly what they tried to avoid with commercial development in

the ASP and instead it would do it for increased density residential development. It is a wholesale danger to these streets and the neighborhood.

Chris Bennett, Director of Housing and Community Development for Dwelling Place Grand Rapids, stated that overall he is fairly supportive of what is being proposed today. He expressed concern similar to that expressed by Mr. Carlberg. This effort began by the Greater Housing Initiative by looking at what the current state of housing affordability is in Grand Rapids and what needs there are for affordable housing. This process has gone from that first look to where we are today and every single part of this process needs to reflect that this is something that is needed for affordable housing in the community, for working families so they can actually afford to live in the city where they work, and that they will be successful in doing so. Mr. Bennett commented on the density bonus reporting requirement. Dwelling Place, LINC and other developers have a large capacity which allows them to take on the responsibilities and reporting requirements but not everyone that does development will have that capacity or know how. There needs to be more in this package that incentivizes the use for these proposals to be kept and maintained as affordable housing and not have them go to student housing or market rate units by an investor.

Duane De Roo, resident of the 600 block of Crescent, related that he is in an area likely very exemplary of the balance, dance, and conflict of big, high end developments balancing with residential. Even on his street there are 11 units in 4 structures, only one of which has a driveway. Some of the units have two cars per unit. They haven't even dealt with the 300 unit structure across Michigan being filled up yet; it is still being built. The 47 micro-unit development is just beginning to be built. The residents on Crescent know that realistically they will get all of the guest parking on the south side of Michigan, walking across and plugging up the area. Mr. De Roo stated that because he is only one block removed from Michigan he would be very affected by someone changing their single family home to a different use as it is within 100 ft. of the commercial district. Even with the big new developments, the City is getting stuck with boring and ugly. As he travels past those developments to his home it is disappointing. Those were supposed to be the cornerstones of the Michigan Street Corridor. Mr. De Roo sees the proposed amendments making it easier for developers to do what they are already doing. They have been given waiver after waiver on parking over and over. All of these blanket rules are just too much. Mr. De Roo also stated that residents only heard of these proposed amendments in the last few weeks and it is a lot of legal language to absorb very fast. He suggested this all needs to slow down. There might be some good pieces within the document but, as it is written now, he feels what will end up happening is a lot of unintended consequences. Mr. De Roo related that he is already frustrated and is present at Planning Commission meetings quite often because he cares greatly about his neighborhood. There are a number of absentee landlords on his street. The tenants are great but they can't get a lot of feedback from their property managers. Mr. De Roo suggested that the deficit of affordable housing is a result of all the high end stuff being built now taking up a lot of key real estate. That is what forced up the prices for everyone. All of a sudden everybody else that had space for rent began to look at the prices being charged for the new units and increased their rents.

Ryan VerWys, Inner City Christian Federation, related that he is also present as a resident that lives in the Garfield Park neighborhood. Mr. VerWys expressed support for the proposed

changes to the Ordinance for a couple of reasons. It helps make significant progress toward some collective goals they've been working on as a community for quite some time. The previous speaker mentioned that this feels like a rush but to many it feels like it has been dragged on for many years already. This is something that needs to begin in order to make some changes. Mr. VerWys feels these are incremental changes that help them move somewhat in a forward direction. Mr. VerWys related that he is also supportive because ICCF and other non-profit housing developers will benefit specifically from the opportunity that the density bonus would provide. However, it wouldn't work only for non-profit developers. It has the potential to entice market rate developers to include low income housing as well. Mr. VerWys stated that when talking about affordable housing people often times think of the non-profits such as Dwelling Place, LINC, Habitat and ICCF. However, it isn't just non-profit developers that are going to solve the housing crisis; it is going to take people from market, family members taking care of family members, etc. Many of these ordinance amendments, particularly the ADU and small scale development, entice others to get involved in providing housing. Mr. VerWys understands that they can't require that those sorts of developments be reserved for low income residents but he would also argue that as more units of varying types and sizes are added that will also provide different opportunities for people who might not otherwise have housing. Mr. VerWys shared several concerns. He stated that some of the requirements with the ADU and small scale development make them almost impossible. His concern is that they go through the process to change something and it results in nothing because there are very few properties that would actually fit the stringent requirements. The second concern is the fear of change and that the misperception that these proposals are moving too quickly would cause them to fall back to the stage of analysis. Finally, Mr. VerWys feels the term by right scares many people. It doesn't mean that you can go out tomorrow with a 2 x 4 and a tarp and create an ADU in the back yard because it is one's right. Mr. VerWys encouraged the public to hear that term as 'by permit' as there are still controls in place by way of zoning requirements. Mr. VerWys offered two recommendations. He suggested doing a pilot on the ADU and small scale development for a limited number of permits, perhaps 25 permits per year, and see what the potential changes are. That would allow the Planning Commission, City and residents to get a feel for what kind of change this would make. Mr. VerWys also encouraged the Planning Commission to take action and move forward.

Matt Feyen related that he is an Easttown resident, Easttown landlord, and member of the Easttown Community Association Board. However, he can't speak for the Board for the simple reason that they haven't had time to sit down and discuss these amendments, which is his basic point. A lot of people have been working diligently on this for a long time but a lot of other people, specifically the neighborhoods, have been somewhat left out of that conversation. A lot of the recommendations didn't become public until late last fall, just before the holidays, and didn't get on the Community Association's radar until last week. They haven't had the time they need to have the discussions necessary as a Board and the neighbors have definitely not had a chance to understand what these changes mean. Mr. Feyen related that they do have some initial reactions. It isn't that they are hugely opposed to ADUs, two-family, or multi-family units but they strongly object to some of the by right nature of the changes, which would strip neighborhood input from the process. They understand that can be problematic at times but they feel it is an important part of the process and that projects end up being a lot stronger and better when the neighbors are involved. At this point they are asking the Planning Commission to consider

tabling this until the neighbors and neighborhoods can be more involved in this discussion. Mr. Feyen understands that some people may be frustrated by that but they are very concerned about unintended consequences. In the '60's the City faced urban renewal and ended up tearing down big portions of downtown in an effort to accomplish good things. The fear here is that they are trying to accomplish good things but will it result in detriment or harm to the neighborhoods. It is a real concern and they haven't had the opportunity to discuss all of the pros and cons.

Craig Nobbelin, resident of Heritage Hill, related that the Heritage Hill Board submitted a very detailed letter. There was a lot of discussion amongst the neighborhood by informed people that had attended the informational discussion meetings. Mr. Nobbelin indicated he wouldn't speak to the letter but rather on his own behalf. These zoning changes don't necessarily result in affordable housing; density doesn't by definition result in affordable housing. There are a lot of other incentives that could be used, other than zoning, to increase affordable housing and that should be considered. Mr. Nobbelin opposes the changes to by right. It is a resident's obligation to speak to their neighborhood and conditions that exist on proposals. Additionally, with respect to enforcement, there aren't enough resources in the City, and not enough attention paid to that, to enforce changes that are proposed.

Jessie Guerrero-Horn, Co-chair of the Midtown Association, read a prepared letter from the Association. The Midtown Association supports the overall goal of increasing affordable housing in the City. They would like to request that the Commission place a short term moratorium on these proposed Ordinance changes to provide residents more time to thoroughly understand the proposals and the potential impact on their respective neighborhoods. They respect the time and commitment of the City but at this time they believe there is an opportunity for more meaningful community engagement and education. Ms. Guerrero-Horn related that she lives in the Midtown neighborhood and the neighborhood is a mix of renters and homeowners. As people have stated, increasing density doesn't necessarily increase affordability. It is very worrisome that people don't understand what many of these changes mean. She provided the example of the by right changes. Many neighbors are confused about that and coming to the Association with questions. At the same time they don't feel they've had enough time to engage the residents and understand how they feel about this. Ms. Guerrero-Horn stated that design is also a very big issue and nothing has been codified so it is hard to support something that is still uncertain. Ms. Guerrero-Horn submitted the letter.

Jessica Solis was present as an employee and Advisory Council Member for Seeds of Promise and as one of the three co-chairs of the Neighborhood Association Collaborative. Ms. Solis related that the Neighborhood Association Collaborative letter was submitted for the Planning Commission's packet. The Collaborative is a group made up of neighborhood associations from around the City, both funded and non-funded by the City. The letter relates that twelve organizations that are a part of the group supported their letter. Ms. Solis wished to reiterate specific points of the letter. First and foremost they don't feel as though there has been enough community engagement on the proposed Ordinance changes. Although the meetings that were held earlier this month were a start, they don't feel enough residents had the opportunity to meet and understand what these changes could bring. Ms. Solis stated that they would like to see community engagement on the scale of, or similar to, what River Restoration had. They also strongly oppose any development that is by right. They don't see any situation where taking

away resident voice would benefit neighborhoods. They feel that any by right development could lead to poor quality construction that doesn't fit the overall look and character of a neighborhood. In addition to those concerns, they haven't been presented with enough data to show that these recommended changes are actually going to make meaningful advances in affordability. Ms. Solis concluded her comments relating that they are requesting that these recommendations be tabled for a minimum of 90 days in order to have more meaningful engagement in the communities and a more in depth analysis of what these amendments could mean to their neighborhoods.

Don Lee, Eastown resident and Director of the Eastown Community Association, recalled that the first time he came before the Planning Commission it was as a resident in November of 2014. At that time the Family Fare was proposing a gas station/convenience store at the corner of Carlton and Fulton. The Planning Commission heard from a lot of residents and the Special Land Use request was denied. Another developer came in with a proposal, engaged the community, and with some back and forth they reached an agreeable conclusion for a mixed-use multi-unit development that increased density in Eastown. That came by way of community input and he feels that was a success. It was a great experience as a resident. Mr. Lee stated that he felt empowered. Without the community's voice and without the Planning Commission's willingness to listen to their voice they would be stuck with a convenience store at Carlton and Fulton. They currently have 47 residential units and 4 commercial spaces, 3 of which are occupied by small businesses. Mr. Lee related that they take exception to this process going from committee to implementation without more substantive community engagement. They would like Planning staff and City Commissioners at community led meetings organized by the neighborhoods to summarize the recommendations and answer specific questions and concerns about them. Mr. Lee stated that they estimate that the proposal of 100 ft. from the TBA in Eastown will impact approximately 200 parcels from Carlton to the East Grand Rapids City limit. There should be no hesitation to support substantive community engagement. They would like third party experts and advocates for affordability to scrutinize the recommendations in order to verify that they are indeed effective policies that will increase the availability of affordable housing. If the recommendations are solid they will withstand the scrutiny of the community. This process will serve not only to increase the confidence of the community but also improve the recommendations and ensure that the goal of increased affordability is met. Mr. Lee related that amongst colleagues in the neighborhood associations they are supportive of increasing density through the various types of development proposed as long as it is thoughtful, transparent and supported by data and the neighborhood it impacts. It may be that the City feels the efforts of community have been adequate but in his observation very few residents are aware of the recommendations or understand the impacts. Mr. Lee stated that Vital Streets is a great example of how substantive community engagement creates an excellent product with community buy in. Mr. Lee asked that the Planning Commission table these recommendations until more substantive community engagement can be facilitated. The neighborhood associations are willing to be a resource to facilitate these requests and can help to support the recommendations once they are understood and accepted by residents. Mr. Lee feels that major changes in policy related to zoning are more appropriately addressed through a Master Planning process and not ala carte recommendations.

Pam Lucas related that she submitted a letter that is included in the packet. Ms. Lucas wished to add comments related to something she heard today regarding the ADUs. It was stated that the Ordinance change has a notation that the use regulations shall not be waived by the Planning Commission. As proposed, an ADU would be by right so the Planning Commission wouldn't be involved. The idea that it offers some sense of security for people isn't justified.

Mr. Van Strien explained that there would still be some restrictions in place and the amendment proposes to eliminate the Planning Commission's ability to waive those restrictions.

Ms. Lucas pointed out that the Planning Commission wouldn't be involved because it would be permitted by right.

Mr. Van Strien clarified that currently the Planning Commission could be involved and waive those regulations.

Ms. Lucas stated that she isn't clear on that.

Ms. Turkelson offered to clarify following the public hearing.

Lynn Rabaut related that she resides in the second ward on the far northeast end where they have the most affordable housing you can find; the juvenile and Kent County jail. They are very accustomed to the things being discussed today. Ms. Rabaut recalled from 2002 when the Master Plan was done. Staff received awards for how inclusive that process was. It was amazingly detailed and an incredibly good job was done with input from everybody. After that was done, in order to implement a zoning code that would help implement the Master Plan they put together a neighborhood workshop and that lasted eight months. The neighborhoods were asked to help them. There were four different types of neighborhoods identified. There were development and architectural patterns identified. Input was sought out and respected. Part of the Master Plan and code change at that time related to one of the subsections under 5.1.03. It is Great Neighborhoods - to protect the character and quality of established residential neighborhoods, to allow for the advancement and innovation in new residential development and redevelopment that meets the demand for housing with greater variety type and design of dwellings to provide for a range of incomes for the residents, to promote active and vibrant mixed-use environments in appropriate locations and intensity, preserve the quality of life for residents and visitors. Ms. Rabaut stated that this has always been the focus. She feels the big difference the Planning Commission is hearing today is that residents were included in that vision. They have not been included in the vision that has been brought forth today. Ms. Rabaut related that she is the Chair of the BZA and they only found out about this in November. Neighbors didn't find out until closer to Christmas. Neighborhood associations were the only ones that showed up to the neighborhood meetings, with the exception of maybe 3 people. Ms. Rabaut stated that what they are trying to tell the Planning Commission is that they don't have a problem with the ultimate goal. They have no issues creating more diverse types of housing. They just want to be included. Another thing that was learned during the Master Plan process is that not every neighborhood is the same. Ms. Rabaut related that her neighborhood can handle more parking but other neighborhoods can't. To put out blanket code changes that are supposed to apply to everyone just doesn't make it. While some of the people are asking for a moratorium

for three months, Ms. Rabaut would take it a step further and ask why they aren't implementing a Master Plan update that will happen in the next few years anyway. Speed it up, include the people in the community, do it with the people, not to them.

Annette Vandenberg, Director of the West Grand Neighborhood Association, related that the Board supports most of the recommendations. They feel that 95% of it is a really great idea. The problem they have after talking with approximately 10 of their 17,000 residents is that those that have been able to respond are very concerned about the 'by right'. As a homeowner she began to think of what that means and what does it mean to her. By right she understands that she can put in an egress window or a fire pit. By right she can request to have chickens in her back yard. However, to do those things she has to get her neighbors' permission. Allowing by right, without asking neighbors' permission, goes against everything else that they do. The pattern has been that you have to at least ask your immediately adjacent neighbors because it will impact them. These by rights won't allow that to happen. Ms. Vandenberg suggested that perhaps part of the permit process is that they have to at least talk to their immediately adjacent neighbors. Another option would be to continue to require the public hearing and waive the fees. The Planning Commission has the power to waive the fees. There are other ways to accomplish the same goals and still have public input. Ms. Vandenberg feels that is what has been expressed today. Ms. Vandenberg agreed that affordable housing is needed but they also need affordable housing that is data driven. There is enough evidence out there to find things that are data driven. She isn't suggesting that they stop the process but rather keep it going. Action is needed and affordable housing is needed but density doesn't always mean you will get more affordable housing. She has seen houses that need significant work yet someone is charging \$1,300 for something that two years ago they were getting \$500 for. Ms. Vandenberg asked who will enforce these new zoning changes. Code Compliance is behind the ball already on some of the issues. If someone is found in violation, how much will they be fined? Will it be a small or hefty fine. If someone with an ADU decides to sell their property and it becomes two rentals what will the consequences be?

There being no further public comment Mr. Van Strien closed the public hearing.

Ms. Turkelson commented further on Ms. Lucas's question. She explained that there are several uses in the Zoning Ordinance, whether they are permitted by right or whether they are Special Land Use, that are subject to Use Regulations of Article 9. Ms. Turkelson gave the example of a home occupation being a permitted use. However, it refers you to Article 9 and you have to establish to staff that you meet all of those requirements. If you don't meet the requirements it becomes a Special Land Use if they desire a waiver from the Planning Commission. In this case an ADU would be permitted by right. Staff would review the application and if it doesn't meet the Use Regulations then under today's rules they could come to the Planning Commission to request a waiver under Special Land Use. Under the proposed rules, if they don't meet the Use Regulations of Article 9 it would be required to go for a variance if the person would like to proceed with the application.

Mr. Van Strien added that the BZA hurdle is higher.

Ms. Turkelson agreed that the review standards for a variance are far more narrow and the focus is on hardship or practical difficulty; something unique to that property. It is a fairly high bar.

Mr. Kelly asked that Ms. Turkelson speak to the process following this public hearing.

Ms. Turkelson explained that if the Planning Commission decides to act on the recommendations today then the next step would be to go to the City Commission. The City Commission has the option of whether to set a public hearing or not. Ms. Turkelson related two Commissioners attended one of the public information sessions last week and when talking about this they were nodding that they anticipated a public hearing. Proceeding under that assumption, it would be set for a public hearing at City Commission in early February and then likely some sort of ordinance adoption in early March, assuming City Commission moves forward. Because of the assumptions it is difficult to state for sure.

Mr. Rozeboom asked for an explanation of how fees are established.

Ms. Schulz explained that the Planning Department is under City Commission rules for full cost recovery. Fees are established based on the cost of services provided. They do not have any service that the Planning Department provides where they get full cost recovery because there is some tension between how much the City Commission is willing to allow them to charge and the actual cost of the service. The fees basically cover public hearing notice requirements, publishing in the paper, sending out postcards, administrative costs for filing and file set up, the recording secretary, time to conduct the meeting, staff time to prepare the agenda items and so on. Having said that, one of the other items in the affordable housing package that the City Commission will be evaluating is whether or not to waive fees for housing projects. That is something the City Commission has discussed as an alternative to charging an applicant seeking a Special Land Use vs. allowing by right. Staff hasn't heard a big push back on the fees from the development community so much as the process. Ms. Schulz summarized that there are discussions at the City Commission level about fees and whether the Affordable Housing Community Fund would subsidize the fees that would otherwise be paid to the Planning Dept. for those activities.

Mr. Van Strien clarified that that is a City Commission decision.

Ms. Schulz agreed, adding that the Planning Commission could offer a recommendation if desired.

The Planning Commission engaged in discussion on each of the four recommendations.

Recommendation #6 Density Bonus

Mr. Van Strien recalled issues that were raised during discussion. There were two areas in the Ordinance where the Planning Commission questioned the statement that the remainder of the units must be market rate. The question was whether that was an oversight or intentional. If it was intentional, why? Three times in the two-family mixed-income and multi-family the proximity requirement was within 300 ft. of a transit line.

Mr. Ross recalled questioning the minimum of 20 units. He would suggest no minimum.

Mr. Van Strien asked if the intent behind the minimum requirement of 20 units is to ensure that it is a significant enough of a project to warrant a bonus.

Ms. Turkelson agreed.

Mr. Ross recalled that when talking about the density bonus that minimum was aligned with LIHTC projects. You would never do a LIHTC of less than 20 units. He would suggest removing that so that HOME projects and projects smaller than LIHTC projects could also take advantage of the bonus. He believes that number recommendation was based on the fact that you wouldn't do a LIHTC project with less than 20 units. The question is whether they only want this bonus to be available for those projects.

Mr. Davis recalled from testimony that affordable housing is going to have to be solved by more than those who qualify for LIHTC, which is a very competitive process at the State level twice per year. Mr. Davis would also support eliminating the minimum and just make sure there is a percentage of units at the AMI level so that others can help address the affordable housing issues.

Mr. Van Strien clarified then that **the suggestion is to eliminate requirement 1.b** but to maintain requirements 1.c and 1.d where it speaks to AMI.

Mr. Davis suggested a minimum of 1/4 or 1/3 of the units are provided at or below 60% AMI.

Mr. Ross also suggested eliminating requirement 1.a and that only requirements 1.c and 1.d remain. He feels they need to figure out how to incentivize affordable housing in all neighborhoods, not just low income neighborhoods that are served by mass transit. If you're a resident of Grand Rapids how can you afford to live in any neighborhood? He feels that within 300 ft. of a transit line is an undue hardship in some neighborhoods where they have great school districts and great neighborhoods where people that need affordable housing could actually prosper and have more opportunity.

Mr. Van Strien stated that in his experience if you're at Leonard and Quarry at 7:30 a.m. there are people walking from Richmond, which is over a 1/2 mile away, to get to the bus. He thinks 300 ft. might be unnecessarily restrictive.

Mr. Davis related that he lives by the Coke plant and people are walking more than a 1/2 mile to work. The intent is to increase housing stock and opportunities to incentivize people to help in addressing affordability. He feels the 300 ft. rule only holds those opportunities back.

Mr. Kelly understands the point being made and feels that the 300 ft. seems arbitrary. However, he does feel there is a connection between cost of living and transit. In some ways he likes tying it to proximity to transit but feels 300 ft. is completely arbitrary.

Mr. Ross also stated that if you are getting HOME funds or LIHTC there is a walkability score and proximity to transit score so most of the layering of financing already has a more qualified definition of proximity to transit than that arbitrary number.

Mr. Davis stated that he sees the reason to incentivize it, given the cost of living. This also limits a developer based on where transit exists. That seems counterintuitive if trying to create housing stock that might drive future transit stops. If more units can be created where more affordability and more density existed would that change the way transit is used?

Mr. Kelly thought back to the Grandville Avenue ASP where they were concentrating the housing around the transit nodes that already exist.

Mr. Ross stated that transit is something they talk about in Grand Rapids but he doesn't feel there is a robust enough vision around transit oriented development to hold people hostage to it.

Mr. Kelly stated that he would not disagree. He feels more frequent, reliable transit is needed.

Mr. Davis asked, if there is a proximity requirement, if there is a different number someone would propose.

Ms. Schulz related that a quarter mile is a 15 minute walk and that was the walking radius they took into account in Green Rapids. The goal was to have a park within a quarter mile walking radius of each home. It is a typical walk that people cite as not being unreasonable.

Mr. Ross suggested that if they are looking at something that will be around awhile that they also have to take a look at how they look at transit and transit lines. Affordable transit won't necessarily be bus lines. To try to align all policies and development around what may be an obsolete primary form of mass transit may be short sighted.

Mr. Davis stated that they have a goal in mind as a Planning Commission to create multiple opportunities for mixed housing; various housing types. Specifically with transit, a lot of the time they are talking about either addressing an affordable community of low income or trying to get the middle and upper income people to appreciate and utilize a system that needs to flourish for Grand Rapids to grow. Therefore, how far are you willing to walk to utilize that so you don't have to fight parking, get gas, etc. Especially if you are talking about low and moderate income families, are they likely to walk a little further to be able to afford a place? Mr. Davis would argue yes. Therefore, 300 ft. feels very disproportionate to the goal of this conversation.

Mr. Kelly asked what Mr. Davis feels is reasonable.

Mr. Davis replied that he would eliminate the proximity to transit requirement. However, if a number is needed then he would suggest 1,000 ft. or a quarter mile. If that is the distance someone would walk to a park then it is likely reasonable to expect they would walk that far to a bus.

Mr. Kelly asked if it has to be tied to feet. Could it be tied to time?

Ms. Schulz explained that from an administrative standpoint feet would be easier. Everybody's walking speed could be different.

The Planning Commission was generally comfortable with **changing the proximity requirement to within a quarter of a mile to a transit line.**

Ms. Schulz clarified that the Planning Commission is saying that there is no prerequisite for being tied to LIHTC or HOME. It will be necessary to figure out the reporting piece for a private developer. From an enforcement standpoint, someone will get the bonus and it will be necessary to ensure that the affordable units are preserved.

Mr. Ross suggested adding language that the developer has to demonstrate the historical capacity of managing other affordable housing projects requiring reporting, or partner with an agency that does. Mr. Ross explained further that if you do a LIHTC, affordable housing developers regularly partner with a for-profit developer to get those capacities. If a small developer wishes to partner with that capacity for income certifications, etc. there are likely non-profits that wouldn't mind partnering with them. The other option is to limit it to just non-profit developers but that seems to go against the desire to have all hands on deck to add affordable units.

Ms. Schulz stated that they wouldn't be able to impose that requirement. A property owner has a right to develop their property, regardless of who you are. She suggested language could be added that they have demonstrated the ability or that they partner with persons with management experience working with the low income.

Mr. Davis asked if there is a way to require annual reporting.

Mr. Van Strien recognized that there are **requirements for annual reporting, certification of eligible tenants and purchasers, certification of rental property, monitoring of affordable rental housing requirements. The owner, whether the initial developer or future owner, would be bound to those requirements.**

Ms. Schulz felt **having it recorded on the deed would be appropriate.** She also suggested requiring demonstrated management.

Mr. Kelly pointed out that there is already a reporting requirement for the mixed-income housing bonus. He asked how people are currently required to report.

Ms. Schulz replied that there have only been two cases where it has been used and both have been LIHTC projects so the reporting requirements are built in and the City hasn't had to monitor that.

Mr. Kelly expressed hesitation with the reporting as it would seem to add more cost to a project.

Ms. Schulz suggested the argument is that if you're giving a public benefit by letting them build more density/more units that if they say they're going to do it you want to make sure they have.

Otherwise they could build it and in two years abandon it and begin charging market rate while still experiencing the benefit of the density.

Mr. Kelly asked if there is another way to address the reporting besides making them hire someone.

Mr. Davis asked if we don't want new developers to do affordable housing. Why would they be asked to prove their past?

Mr. Rozeboom suggested they simply specify the outcome they want; LIHTC type reporting to go to the City. Whether they partner with someone or not to provide that would be a private matter.

Mr. Van Strien agreed that he wouldn't want it to be so restrictive that it restricts new developers otherwise you just have the same four players.

Ms. Schulz stated that it will be necessary to make sure the rules are clear and, from an administrative and enforcement standpoint, that there is enough language in the Ordinance that if they fail to perform that enforcement can commence.

Mr. Rozeboom explained that that is why he would reference something that is already established, like LIHTC reporting.

Mr. Van Strien referred to Section 5.5.06.I.4.

Ms. Schulz **suggested adding something along the lines of “failure to perform will result...”**.

Mr. Davis recalled from public comment that there was a question about enforcement of fees and what they might be. He suggested using a structure that exists is to our benefit.

Mr. Koetsier commented further on proximity to transit. If the desire is for density what difference does it make how close you are to a bus line?

Ms. Schulz explained that transportation is the second largest household cost. If you're working with persons that are 30-60% AMI and you're not near transit then you're building housing that isn't accessible for them to get to if they can't afford a car. What she doesn't want to have happen is a developer say no one can get here now, so I have to do market rate.

Mr. Ross suggested that is the developer's risk and they don't get the bonus. Mr. Ross suggested that the way the City is planned contradicts that requirement. Is it required to be a ¼ mile from bike lanes or is there an assumption that poor people don't ride bikes. There has been a huge investment in bike lanes and complete streets. Continuing to act like bus transit is the only way for the low income to get around is false.

Mr. Koetsier feels that if a family or person is choosing a place to live they weigh those things themselves when making a housing decision.

Mr. Davis agreed. One might settle for additional transportation costs to get to work knowing their children can walk to school safely. Mr. Davis related that he lives near the zoo, an employer of 230 full time employees, and the Coke plant has three shifts. There are a ton of people and none of the homes are within a ¼ mile of the bus stop and people are walking to work. Mr. Davis doesn't understand why it is being tied to the transit line.

Mr. Koetsier stated that personally if he were going to build affordable housing units he would likely want to be close to transit as a smart business decision.

Mr. Ross related that in his experience, as a former affordable housing developer, it doesn't matter. They built near transit to get points. There has been no correlation or rush of tenants saying thank you because they are now closer to the bus. They take that into consideration for their own families.

Mr. Kelly added that if they are close to transit and don't have to provide parking that would be an incentive because it is cheaper to develop. If there is a way to tie it to increased affordability because you don't have to provide parking that is something he would be interested in seeing.

Mr. Van Strien pointed out that a certain percentage of parking can be waived by staff. **Mr. Van Strien stated that he is comfortable with eliminating the proximity to transit requirement.**

Commissioners Davis, Ross, Koetsier and Mendivil agreed with eliminating the proximity to transit requirement.

Mr. Van Strien summarized that **the recommendation of the Planning Commission is to remove requirements 1.a and 1.b. The language related to the remainder of the units required to be market rate is also recommended for removal.**

Ms. Schulz added that she will **add a final point related to failure to perform and recording the deed.**

Recommendation #8 - Allow Accessory Dwelling Units by Right

Mr. Van Strien related that the only note he made related to ADUs related to the parking requirement and the consistency with non-conforming rights. He recalled that it had been clarified that if they have existing non-conforming rights for the primary structure they would only have to add parking for the ADU. Mr. Davis brought up the matter of green space but that is addressed in tying the lot size to the district.

Mr. Davis recalled they discussed Heritage Hill, qualifications, and who this will impact. He suggested requiring anyone putting in an ADU by right be required to be in compliance with the parking required in the zone district. In other words, if your home is currently in compliance with the parking requirement, than an ADU would be allowed without an additional parking space. If your property doesn't currently comply with the parking requirements of the district

then the primary building would have to come into compliance with the parking requirement to even consider an ADU.

Mr. Van Strien argued however that if they have non-conforming rights for insufficient parking related to the primary structure they can't be forced to come into compliance.

Ms. Schulz clarified that if that is the desire then that can be the recommendation.

Mr. Davis recalled that they heard concerns about parking. His idea is to bring properties that want to do this into compliance with the parking requirements.

Mr. Van Strien asked if the suggestion is to bring the lot into compliance with the parking requirement for the primary structure and not requiring an additional space for the ADU.

Mr. Davis agreed; that is his suggestion for discussion.

Mr. Koetsier recalled from the public hearing testimony that one of the biggest concerns is parking. He agrees that there should be some restriction established but he isn't sure they need to go back to the idea of bringing non-conforming lots into compliance. They should absolutely control parking for whatever they are adding however.

Mr. Davis explained that his thought was based on the fact that the people that are very concerned are those that are already in areas with parking issues. There is a good chance that the homes around them aren't in compliance.

Mr. Koetsier argued that based on the fact that they have non-conforming status they are in compliance.

Mr. Van Strien clarified that as written, if you have non-conforming rights on your primary structure you would need to add one parking space for one- or two bedrooms and an additional parking space for anything over two-bedrooms. He is comfortable with that, assuming they don't have to add two spaces for their non-conforming use.

Mr. Ross asked if they would have to add a space for the ADU if they already have sufficient parking for both uses.

Ms. Schulz replied no. If you can demonstrate that you have adequate parking for the main unit and the ADU already then additional parking would not be required.

Mr. Koetsier was comfortable with the parking requirement as written.

Mr. Davis explained further that his fear was that with the green space and the parking requirements combined that it will reduce the number of properties eligible to have an ADU because they can't meet both.

Ms. Schulz related that they would have the option of seeking a variance in that case.

Mr. Van Strien recalled that as part of this amendment the Planning Commission's authority to waive a requirement is being removed so a property would have to seek a variance for any relief from the requirements. He provided the example of someone's home being next door to a large church parking lot. He asked if that would be a unique enough instance to warrant a variance for the parking requirement.

Ms. Schulz replied that a parcel has to stand on its own merits according to the Standards of the BZA. They can take that into consideration but Ms. Schulz isn't sure it is sufficient enough to find that there would be no detriment to the neighborhood. There is no guarantee that the parking lot would be there forever. Therefore, when the Board looks at it they look at the long term view and also taking precedent into consideration, because they are a quasi-judicial body. They will be very conservative in how they grant those variances.

Mr. Ross asked if the square footage of the ADU could be used toward the green space requirement calculation.

Ms. Schulz explained why the green space requirement is in place. If you are increasing density the amount of green space people have for recreation is identified as something that has been important. Tree canopy, as well as storm water management, also comes into the green space requirements. The more impervious surfaces there are and with increases in rainfall being experienced the intent is to decrease the amount of surface run off as much as possible. Green space is also necessary to allow for canopy to grow. It is a delicate balance.

Mr. Ross asked if it really is a delicate balance. The green space requirements are based on a planning model that has detached single-family Midwest homes. When looking at green space for attached structures, etc., his thought is that people who want to live in row houses have already conceded that they won't have as much green space. He asked if that should be a developer/market consideration.

Mr. Van Strien pointed out that green space requirements are different for each zone district. Therefore, as you get closer to the center city the threshold isn't as high.

Ms. Schulz added that you can get credit for porous pavers, green roof, green walls, planters, etc.

Mr. Ross pointed out that the chart states a maximum height of 14-16 ft. but the language says the maximum is up to 25 ft.

Ms. Turkelson explained that your typical detached structure/garage can be no greater than 14 ft. but in Article 9, if you add an ADU, then you can be permitted a greater height.

Ms. Turkelson commented on the parking and the example of having an adjacent church with ample parking. If the property owner had a shared parking agreement with the church and the parking was within 300 ft. it could be used toward your required parking.

Mr. Rozeboom asked if it is the Use Regulations that will make the difference here or the permitted by right vs. Special Land Use. The reason for asking is because in the time he has been serving on the Planning Commission there has been only one ADU request; 1 in 5 years. Is that because it is currently a Special Land Use?

Mr. Van Strien suggested that part of it is the size, as compared to the primary structure, which is why that change is recommended.

Mr. Koetsier added that the fees are also significant.

Ms. Turkelson suggested that the process is the greatest barrier.

Mr. Ross noticed that in Section I anti-Airbnb language was cleverly slipped in, which was specifically addressed at the Great Housing Strategy meetings. If the City Commission wants to ban Airbnb, the group felt they should take that up but it isn't a planning process. Mr. Ross feels that goes against economic development opportunities for residents. If they want to have a broader Airbnb conversation he doesn't think the way to do it is to slide it in at the end of sentence in this policy.

Ms. Schulz explained that requirements are already in place for short term rentals. They can't be in rental units and they can't be a whole unit rental. Prohibiting the use of an ADU as a short term rental is consistent with existing regulations.

Mr. Ross clarified that if you have a 2-bedroom ADU you wouldn't be permitted to use one bedroom as an Airbnb.

Ms. Turkelson replied that if the ADU is owner occupied they could utilize one bedroom for Airbnb.

Mr. Ross related that part of the discussions related to equity also. He wished to be on record in opposition to the Airbnb language. In his opinion, if you want to use a room as an Airbnb in order to move you from rental to homeownership he feels you should have that ability. It shouldn't only be Union Square \$200,000 condos that have the ability to have that revenue stream.

Ms. Schulz explained that, when looking across the country, one of the largest impediments is that hundreds of housing units have been identified as being taken out of the rental market because of short term rentals. It has become an entirely different commercial real estate class. The realtors association advocated for laws last year to exempt them from zoning. What they are finding is they get their property management fees on top of also renting out the units and they aren't available as housing any longer. A lot of these recommendations are dealing with supply. The theory is that the greater the supply it helps with affordability. By allowing short term rentals you are removing supply for commercial purposes.

Mr. Ross clarified that he is addressing it as an opportunity for economic development for home owners vs. the supply of housing in general. If you were going to have an Airbnb, where better to have it than above your garage vs. in your main house?

Mr. Van Strien suggested that may be a different conversation because he would agree that if one is already required to be owner occupied than why not. However, the point of these recommendations is to increase supply of housing, especially affordable housing, and does that help to achieve one of those goals.

Mr. Ross stated that there was a wealth component conversation as part of the home strategy conversation. The Planning Commission is looking at it strictly as affordable housing and adding units. Based on the advice offered by Mr. Forshee he felt that was information he should share that he learned in those meetings. Part of that conversation was not looking at housing in isolation; it was also the wealth building opportunity of housing. Mr. Ross feels that one of the wealth building opportunities of housing is the ability to create a revenue stream from your house.

Ms. Schulz stated that one concern she would have is that the community mentioned unintended consequences and it has been proven there are unintended consequences with short term rentals.

Recommendation #9 - Non-Condo Zero Lot Line Units

Mr. Van Strien identified the items brought up in their discussion as:

- The distance to TBA, TOD, TCC or C at 100 ft. and whether that is arbitrary.
- Why only 4 units
- Why eliminate the minimum lot width in the TN zone districts but not in the other districts

Mr. Kelly didn't believe it was eliminating the lot width in TN but rather reducing it.

Mr. Van Strien clarified that it does eliminate the lot width requirement and ties it to the building width; the structure is now the limiting factor.

Mr. Ross asked if it makes sense to have a lot depth requirement since the width of the lot is being limited to the width of the structure.

Mr. Kelly clarified that as proposed there is a minimum lot area requirement.

Mr. Van Strien added that currently there is also a minimum lot width requirement. That requirement is recommended to be eliminated in the TN-LDR and TN-MDR zone districts but not in the MCN or MON. The question was why.

Mr. Van Strien suggested they discuss the distance. That seemed to be arbitrary. One of the goals here is to increase supply in the City. By tying it to this it is being limited to one or two parcels behind the primary parcel that falls within one of the identified zone districts. That may

be too restrictive if they actually want to see progress in this area. Staff started their research at 1,500 ft. and ended up at 100. He suggested perhaps 500 ft.

Mr. Davis also recalled suggesting the potential of using parcels given the way that distance from thoroughfares varies across zones. If the goal is to create density around retail and commercial than why not say the first three parcels. In one area that might be 650 ft. and in another it might be 120 ft.

Mr. Van Strien pointed out though that parcels could be combined.

Mr. Ross referred to a middle of the block infill development his group did on Prospect. It was a 5-unit row house that fit the character of the neighborhood and everybody loved it. He feels they have to get past the idea that if you build something new in neighborhoods that it automatically clashes with the aesthetics of the neighborhood. There are many examples of row houses that are more than three units that sit in the middle of established blocks that work pretty well.

Ms. Schulz pointed out that there are two pieces at play here. One is the general dimensional changes that are proposed. That will generally make developing row houses easier, whether it is by right or Special Land Use. The question that then comes into play is the distance. If you want to allow it by right then what is that distance?

Mr. Davis recalled from testimony that more units equals more affordable and a more affordable build means more affordable rent or ownership so he has a hard time limiting the number to 4. When talking about the distance to commercial districts he feels the number is arbitrary. There are blocks within neighborhoods in Grand Rapids that are dying to literally be a row house. If limiting it to four units it may result in a really awkward block that has a townhouse and then it looks like servant quarters are next door. It seems like they are trying to dictate design and it seems off.

Ms. Schulz explained that the thinking was that if it's by right that it should match the scale of the neighborhood or be close to the scale of the neighborhood. If it's going to be bigger it could still be approved but it would be a Special Land Use process. In that case the Planning Commission could look at the building massing and scale to determine if it is in context with that particular block. The other piece Ms. Schulz wished to remind the Commission of is that this is dealing with density and supply. It does not guarantee affordability.

Mr. Davis understood. He clarified that while he is using that word often, what he doesn't want to do in limiting the number of units is eliminate opportunities to make it affordable. He feels that the lesser number of units reduces the chance that they will be affordable units.

Mr. Kelly clarified that it is more of an efficiency question and not necessarily affordability.

Mr. Davis agreed. They can't force a developer to keep rents low but it is very likely that they will be higher rents if they aren't given opportunities to save money in the development of the units. Mr. Kelly added that the idea is that the construction savings are passed on.

Ms. Turkelson clarified that you could do more than 4 units in a development. This requirement is just saying no more than 4 units in a building.

Mr. Ross stated that if you look at cities that are using row houses the limit of 4 seems arbitrary. It seems to be an effort to fit things into neighborhoods that need to be revitalized. On the southeast side there seems to be a strong preservation attitude to protect a house's aesthetic where those same people weren't even allowed to come to the table to speak to how they want their neighborhood. To say it needs to stay a certain way vs. letting the market, renter or buyer dictate it is part of the issue there is with density, that and thinking that density means a lot of affordable housing. If a developer can come with an 8 unit development and they get some affordable units out of it he would be willing to have one structure vs. two 4-unit structures.

Ms. Schulz recalled that Ms. Rabaut read a section of the Master Plan. The Master Plan provides guidance for the vision that the community expressed about neighborhood character. They said neighborhood character was very important. When the Master Plan was done the zoning ordinance was designed to match character because of the input they had throughout the community and that is what has driven the regulations.

Mr. Ross doesn't feel that as City staff they can be that audacious about what community outreach looks like. His hunch is that the Master Plan process was no more robust and inclusive than this process where they've heard a gallery full of people say they haven't heard about it.

Ms. Schulz disagreed. There were well over 200 meetings.

Mr. Kelly suggested the other point they are missing is that the Master Plan is 15 years old and the City has changed pretty dramatically in that time.

Mr. Ross suggested that a process done 15 years ago, under the lens Grand Rapids had 15 years ago, should probably not set precedent for what they do today. They can begin a new Master Plan process but what they have now is a process that was inclusive of a lot of people over several years. This is the most recent body of work.

Ms. Schulz acknowledged that the Master Plan needs to be updated. She suggested that, from a policy standpoint, the amendments being considered should still comport with the Master Plan until you have a new Master Plan. You want to modernize the ordinance as you go along but you also want to keep the context as best you can. There have been dramatic changes since the Master Plan was adopted but the core of it, and the foundational principals in it, have been consistent in how they have regulated. How do you phase this or think about it with the Master Plan and what the policy is. If there is a need for a new policy then the focus is on working with the community to create new policy and writing ordinances that reflect that vs. jumping that process and leaving out community voice in the creation of the policy to guide what the regulations should be.

Mr. Davis asked if there is currently a process in place, given the character of the neighborhood and the importance that that held and still holds today, where a development that may be more than 4 units, if it were by right, would still have to fall within the same character given the pitch,

height, building materials, transparency, etc. Is that something that would remain in place if 8 units were permitted by right? Is there still a process for character of neighborhood to be enforced by the department?

Ms. Schulz replied that there are some but the Planning Department's position is that it isn't strong enough and the Commission also heard that from the community. Design guidelines have higher expectations than what is currently in place and would be beneficial if you're talking about that extent of change in a neighborhood. Ms. Schulz provided Belknap as a good example. The neighbors were very involved in the design of those structures, even though they were dramatic changes from what was there with demolition of several blocks for multi-family development, some of which look like row houses. The neighborhood had a lot of input in that design. That is what made those work. When they came to the Planning Commission it was a rezoning request so more accountability could be built in. With by right development, and without requirements for design guidelines, it makes it more difficult. Staff would be looking at transparency but not whether or not all the windows fit into the character of the neighborhood, or the roof pitch. Those regulations aren't in place so they get as close as they can but if this is done without design guidelines there is likely to be some bad examples.

Mr. Koetsier clarified that what this recommendation is saying is that 4 units or less is as far as you want to go by right because it won't be much bigger than a normal house. Anything greater the Planning Commission should be involved so that it can have a public hearing and the neighborhood can have input because the bigger it gets the harder it is to control.

Mr. Davis understood. He just doesn't want to prevent the opportunity for affordability. If they are going to say there is a new developer that is trying their best but to make it cost effective he needs 8 units, then he has to go through the costly Special Land Use process.

Ms. Schulz suggested that a \$2,000 fee to come to the Planning Commission isn't going to make or break a project of that size.

Planning Commissioners pointed out that it isn't just the fee; there is a risk involved as well.

Mr. Ross understood what was being explained. However, he doesn't feel that going to 8 as the limit would be a substantial change.

Mr. Davis also suggested 8.

Mr. Rozeboom recognized that there was general agreement on the underlying changes.

Others agreed.

Mr. Van Strien suggested they discuss the proximity to the listed zone districts further. He stated that he is a proponent of 500 ft. In looking at the maps it seems to make sense. If you have a row house or two 4-unit row houses next to each other then you are bumping up against that 500 ft. Otherwise, if you only have one parcel that is 100 ft. adjacent to a TBA then you can't even do this; it eliminates that parcel altogether.

Mr. Ross commented further on Mr. Davis's point stating that they have lost units and LIHTC deals and had to reduce the amount of affordable units because Planning wanted a 3-unit instead of a 4 or a 4 instead of a 6. Every time you have that end wall you bring in green space, setback requirements, etc. so there is a real unit cost when going from 4 to 8 or whatever the numbers are.

Mr. Van Strien asked Commissioners what they are comfortable with.

Mr. Davis, Mr. Ross and Mr. Kelly support 8.

Mr. Koetsier stated that he is comfortable as written.

Mr. Rozeboom suggested being conservative at first because it is a big change. They heard a lot of feedback on the density concerns. He agrees with the changes as proposed.

Ms. Mendivil agreed with Mr. Rozeboom.

Mr. Ross feels that 4 is arbitrary. He has experience where that has cost them units and added cost.

Mr. Kelly suggested if they recommend 8 and have a flood of them go through they can always dial it back. He understands the fear of change but continuing to go incremental with so many of these things won't get the impact they are trying to achieve. He hears daily about the housing challenges in the City. If they are going to try something different, then try it.

Ms. Schulz explained that when you take huge leaps you can also get huge push back. Whereas with incremental change you look, test, see and it can grow and the community adapts over time.

Mr. Ross argued that when it comes to the lives of the marginalized people and people in poverty though that isn't true. It hasn't been incrementally getting better because there hasn't been bold leadership. As a developer he knows he can walk in and get that by right because that is what staff is comfortable with. That isn't a big change in the development world. Going to 8 would actually be a change. Mr. Ross stated that we don't need incremental change in the City, we need massive change.

Mr. Van Strien agreed with the majority that they recommend 8 and the City Commission can consider the recommendation and take the dissenting voices into account as they ultimately have the say in this.

Mr. Davis clarified that the reason he supports 8 vs. 4 is that if they say they are going to baby step this with 4 and it isn't cost efficient for people to actually try it then they aren't actually doing anything. Therefore, if going to 8 actually incentivizes people to try it, because it is more cost efficient, then the Planning Commission can talk about any resulting implications as a Commission. He doesn't want to prevent people from trying this and he is fearful that the limit of 4 will do that.

Mr. Van Strien summarized the recommended changes: **change the distance to 500 ft. from one of the listed zone district and eight (8) or less attached units per structure.**

Mr. Ross referred to the third point, eliminating the required lot width and allowing the width of the unit to control it. He asked if they wanted to consider depth. There are a lot of shallow lots in the City.

Ms. Schulz clarified that there is no minimum depth requirement. Mr. Van Strien added that lot area is being reduced in the TN districts.

Mr. Davis pointed out that the lot area isn't reduced in the MCN or MON.

Ms. Turkelson explained that the rationale behind that was to be consistent with the existing pattern of development. Where they do have attached single family it has historically been done in the TN zone districts.

Mr. Davis feels that if talking about potential affordability, or market rate, and the desire is to diversify and create mixed-income communities that are vibrant then they are limiting that if they don't at least have conversations about reducing lot area requirements in the MCN and MON.

Mr. Van Strien clarified that the amendment still allows it in the MCN and MON, it just doesn't reduce the lot width or area.

Mr. Kelly feels it should be uniform. Mr. Davis agreed.

The consensus was to eliminate the lot width requirement in all districts.

Ms. Schulz clarified that the recommendation is that lot width doesn't apply with MCN and MON. She asked if they are to calibrate the lot area in the MCN and MON districts. Ms. Schulz referred to table 5.506.a. She pointed out that the dimensional requirements by neighborhood type are based on the land development patterns in that neighborhood.

Mr. Van Strien clarified that the question is do they eliminate the minimum lot area or just the minimum lot width. He isn't sure it will make much difference.

Ms. Schulz clarified her question - **does the Planning Commission want staff to calibrate the MCN and MON the same way they calibrated the TN by taking it down.**

Commissioners replied yes; it should be consistent.

Recommendation #3 - Incentives for Small Scale Development

Mr. Van Strien referred to his notes and identified points for further discussion:

- The distance from the TBA, TOD, TCC or C districts for two-family and multi-family

Ms. Schulz suggested the Planning Commission take a step back with this recommendation. It has been the most controversial for the community. The Planning Commission just made some rather aggressive suggestions for ADUs and row houses. She suggested just a general overall discussion on the considerations identified by Ms. Turkelson before getting into the specifics of what is being proposed.

Mr. Van Strien indicated that he would go back to where things started and how aggressive those were compared to where they've landed, which is still more restrictive than eliminating the proximity requirements. Personally, he falls in the 500 ft. range again. Still trying to push density toward the retail districts to support the vitality of the business districts, which supports the Master Plan. He doesn't think it is unreasonable to assume that people are walking 500 ft. from their homes to get to these places to support them.

Mr. Davis indicated he would be in support of that number if it wasn't that 100% of the property had to be within the 500 ft.

Mr. Van Strien pointed out that another difference with this recommendation vs. the row houses is how many parcels actually make sense to do this with right now if 100 ft. If there is a house there the acquisition cost of the house is a minimum of \$50,000 and then you have the cost of demolition and would you actually incur those costs to redevelop it into a two- or four-unit. It doesn't necessarily make sense. There will be limited opportunities in the City where this applies. He doesn't see why they shouldn't encourage this a little further from those business districts where they may experience some infil and add a bit of density that is in an appropriate location from business areas and major corridors.

Mr. Kelly agreed.

Mr. Davis recalled from Ms. Turkelson's presentation that currently 100% of the lot has to be within that distance. Mr. Davis asked what Mr. Van Strien's intent was; properties that fall completely within 500 ft. or a portion thereof.

Mr. Van Strien stated that if you were to use GIS and select properties within 500 ft. it would grab any property that touches that 500 ft. That is how mailings are generated so he would suggest it for any portion that falls within.

Mr. Kelly stated that the design guideline piece of this makes him nervous. Trying to get good architecture through zoning is challenging. The staff page even mentioned that it would likely add cost to some projects. Going through another process to put those guidelines in place could slow things down further. He would suggest eliminating it.

Mr. Ross agreed.

Mr. Van Strien pointed out that the height restrictions, setbacks, transparency, and building material requirements would all remain in place.

Mr. Koetsier recognized that Ms. Schulz was trying to get them to think this through a bit more. What happens if this becomes a popular thing to do? It will drive up the price of vacant lots if this becomes a good thing to develop. If the price of lots go up it makes it more appealing to tear down houses.

Mr. Van Strien argued that you still need approval to demolish a house; you have to have plans in place or go through the Special Land Use process if you don't have plans in place.

Ms. Schulz related that there are projects on Diamond and several off of Fourth St. and another by Mr. Eerdmans south of Fulton where they are demolishing single family homes for multi-family units. It is already happening. They are building them as pods where you have a duplex that is really four bedrooms for students in each bedroom. It isn't that that will happen in all cases but it is something to be aware of because it is currently a practice.

Mr. Ross suggested one way to hedge that is that with a LIHTC project it clearly states it can't be student housing.

Ms. Schulz clarified that the City can't distinguish who can live where and you can't give incentives for who lives where, per zoning.

Mr. Koetsier clarified that he wasn't suggesting this is a bad thing. He is recommending that they consider that as this moves forward it could change the whole dynamic of what development happens along and close to these corridors.

Mr. Davis asked Mr. Koetsier if his thinking is that this amendment was to encourage people to develop vacant lots. He related that his understanding as they went through it was that it was more about existing properties and the acquisition of properties.

Ms. Schulz clarified this is for any property; new builds, existing structures, it would allow for conversion of single family homes to be broken into four units, it would allow for the demolition of a home to facilitate construction of a new four unit structure.

Mr. Kelly pointed out that it is still only those properties within 500 ft.; it isn't for the entire City. It is still tied to proximity to a business district.

Ms. Schulz agreed. However, there are some dimensional concessions as well: reducing the dwelling unit width from 18 ft. to 14 ft.; eliminating the minimum lot area requirement of 20,000 sq. ft. Eliminating the lot area requirement is the biggest thing you can do to make it easier if someone wants to do these smaller scale developments. Those are two big changes that can be made without going into the realm of potential conversions and everything else. This would allow for some of those changes to happen without that. The other threshold is the distance and by right piece, similar to the other discussion.

Mr. Kelly stated that if there are some conversions in the City within 500 ft. of a TBA he doesn't think that is the worst thing that could happen. He feels some of that is needed. The other thing they need to keep in mind is that this is a small subset of the recommendations from the

Affordable Housing Committee. There are other policy recommendations that will be in place to help protect and provide more affordable housing. This is an opportunity to help make some significant change. He recognizes these are some pretty big changes but he feels they are needed if they are going to help drive more supply for housing and affordable housing in the City.

Mr. Van Strien asked if **the consensus is 500 ft. for the distance.**

Several **commissioners agreed.**

Mr. Van Strien asked about the **design guidelines.**

Mr. Ross feels it is arbitrary.

Mr. Rozeboom feels design definitely impacts the character of a neighborhood, even more so than use.

Ms. Schulz agreed that the design matters more than the density number in a building. There are some great examples of what look like big houses and they are full of apartments. If you have good design the density doesn't really matter but not having expectations for good design can lead to some undesirable development. Most of the push back from the community is when you have a poorly designed project. Concerns about how it fits are important.

Mr. Van Strien asked the process for creating a design guideline manual. Who's doing it? Who's approving it? How is it implemented?

Ms. Schulz would envision something similar to what they did with the neighborhood pattern workbook when they worked on the zoning ordinance. With that they identified key characteristics from the community that they thought were important to regulate. It would probably be similar to the neighborhood types that have already been established. They know what the dimensional requirements are, what can fit on a lot, and how that works. They've had an opportunity to calibrate those requirements over time. A preference survey was done and the community could weigh in on what they thought was most important to regulate and then rules would be developed for that. Those would be presented to the Planning Commission to recommend to the City Commission. Ms. Schulz would recommend that they become codified so they are enforceable.

Mr. Ross asked how you do that per neighborhood and get enough input so that it is truly what the community wants to see in their neighborhood vs. what staff recommends. What works in one neighborhood doesn't work in another. He wouldn't feel assured that they hit the mark if it is going to be a matter of sending a post card out, tell people it's a community meeting, and a book is put together. If he can be convinced that it will go deep into all neighborhoods and that the design books will be per district, then maybe, but he doesn't feel they have that capacity. He feels the capacity they have is to have transparency, square footage requirements, and some of the other things that are already in place. His fear is that they will still have a design book that is not inclusive of everyone. You might please the people that come to the meeting but the majority of people aren't engaged in these processes.

Ms. Schulz replied that it is the Planning Commission's job to hold staff accountable. If they are able to do that then it would make sense to adopt those regulations. If they haven't done a good job of it then the Planning Commission would be free to dismiss them. Not doing it because it might be too hard isn't a reason not to do them. Ms. Schulz feels there should be a full effort to engage people and have that conversation.

Mr. Ross clarified that he isn't saying not to do it because it will be too hard but rather that he doesn't know it will be effective.

Mr. Koetsier stated that if this opens things up to more development then there needs to be design guidelines that fit the neighborhood to satisfy the neighbors. You have to have some kind of guideline to hold people accountable to.

Mr. Van Strien stated that he isn't necessarily comfortable with the design guidelines. He is more comfortable if it comes for a round of approvals. The Planning Commission doesn't control the budget of the development department and staff; the City Commission does. He is fine leaving it in and if the City Commission says a design guidelines manual will cost a million dollars to do appropriate community engagement, resulting in something that the neighborhoods are happy with, they can decide if they actually want to spend that money or not. That is what it will take. It will take significant staff time and community involvement to actually get that. Mr. Van Strien was comfortable leaving the requirement in and letting the City Commission decide if they want to take it out or not.

Mr. Ross would add the caveat that if there is robust community engagement and input in all neighborhoods. If not it will be a document that is counterintuitive to what they are doing.

Mr. Rozeboom stated that citywide isn't very practical. The best experience he has seen is when neighborhoods have developed specific plans and those have worked quite well but some haven't done that.

Mr. Ross argued then that it has to be done on the neighborhood level.

Ms. Schulz felt it might be an interesting exercise since the Master Plan has to be updated. It could be an interesting place to start.

Mr. Davis likes the idea but isn't confident that the staff and capacity are there to handle all that. He feels the expertise is there but not necessarily the budget.

Ms. Schulz related that consultants are an option and that is a conversation to have with the City Commission. Investing in the Master Plan is inevitable anyway so it may be a matter of the process and how it happens.

Mr. Kelly pointed out that that involves significant time and potentially more money. As he is one voice, if the rest of the Planning Commission wishes to move it along to the City Commission he will relent but he doesn't think this is the place for design guidelines.

Mr. Ross and Mr. Davis agreed with Mr. Kelly.

Mr. Van Strien agreed with the point made.

Ms. Mendivil recognized from the discussion that they aren't ready to lose the flexibility of being able to take it case by case. They've talked about the number of units and the distance and in getting closer to having a new Master Plan they want to make sure they at least have the possibility to still have Special Land Use. She recognizes that the design manual will require a lot of neighborhood engagement and they want to make sure it is a document that represents the majority. She is in favor of keeping the form standards in.

Mr. Rozeboom pointed out that there are some things in place that they will continue to rely upon.

Mr. Van Strien related then that he is comfortable **taking the design guideline requirement out at this point and relying on the City Commission to determine if they want to put it back in and undertake that process.**

Mr. Van Strien asked Mr. Forshee if they have an appropriate amount of dialogue about the changes they'd like to see and whether it was necessary to read them off in the resolution.

Mr. Forshee recognized that they have been documented as discussed. He suggested directing staff to consolidate the recommendations and the amendments to the proposal.

Mr. Van Strien feels this discussion was very important and these four recommendations are some of the most important recommendations that came out of Housing NOW and the Affordable Housing Committee. These are likely to be the four things that they will actually see make a difference in this arena. He thanked Commissioners for taking so much time to review these amendments prior to the meeting and giving so much thought to it.

Mr. Ross **MOVED, NOW, THEREFORE, BE IT RESOLVED that the Planning Commission recommends that the City Commission approve the proposed Text Amendments to the Zoning Ordinance, for the following reasons:**

- 1. The proposed amendments are consistent with the purpose and intent of the Master Plan and Zoning Ordinance, because the amendments are intended for clarification of statements in the Zoning Ordinance to better reflect the goals and intents of the Master Plan and the Great Housing Strategies, and to implement the Housing Advisory Committee's Housing NOW! Recommendations.**
- 2. The proposed amendments will enhance the functionality or character of the future development in the City because the amendments will provide clarity to users of the Zoning Ordinance when developing projects within the City and the amendments will further the goals of the Master Plan and the Great Housing Strategies.**
- 3. The proposed amendments will protect the health, safety, morals, and general welfare of the public because a significant number of amendments are intended to incentivize**

the development of affordable housing and increase housing supply within the City of Grand Rapids.

- 4. The proposed amendments are needed to correct errors or omissions in the original text.**
- 5. The proposed amendments will address a community need in physical or economic conditions or development practices because the amendment will help to incentivize the development of affordable housing, increase housing supply, and promote a mix of housing types within the City's residential neighborhoods.**
- 6. The proposed amendments will not result in the creation of significant nonconformities in the City because the amendments are intended to correct existing nonconformities that represent the desired form and character of development in accordance with the Master Plan.**

SUPPORTED by Mr. Kelly.

Mr. Forshee asked staff if they had enough information to make the necessary changes.

Ms. Schulz replied yes.

Mr. Van Strien related that he also made some notes and would be happy to review those with staff.

Mr. Forshee suggested that Mr. Ross incorporate the discussion, per the minutes, and direct staff to consolidate those to present to the City Commission.

Mr. Ross **moved to incorporate the discussion related to changes and City staff is directed to consolidate those recommendations for City Commission action. Supported by Mr. Kelly. MOTION CARRIED UNANIMOUSLY.**

RESULT:	APPROVED [UNANIMOUS]
MOVER:	Darel Ross, Member
SECONDER:	Tim Kelly, Member
YEAS:	Rozeboom, Koetsier, Davis, Kelly, Mendivil, Ross, Van Strien
ABSENT:	Walter M Brame, Rick Treur

Text Amendments pertaining to Alcohol

AMENDMENTS RELATED TO THE SALE OF ALCOHOL FOR OFF-PREMISE CONSUMPTION AND MISC. AMENDMENTS

Ms. Turkelson recalled that Ms. Schulz has been keeping the Planning Commission abreast of proposed changes and how it got to this point. The State changed their requirements with regard to the SDM licenses; the sale of beer and wine for off-premise consumption. That change began this conversation. The requests were being treated as Special Land Uses and the Ordinance was more subjective in nature; there were no objective standards by which to review what are referred to as gas station requests. The City Commission directed staff to look at some procedural requirements or changes to the Ordinance regarding the sale of alcohol for off-

premise consumption. The Planning Commission's packet included a fairly extensive memo drafted by Ms. Schulz for the City Commission. There is also a sheet in the packet, which has been slightly revised, and a red-line version of the proposed Article 9 amendments related to alcohol sales. Ms. Turkelson explained that characteristics have been added including hours of operation, proximity, sales area, healthy corner stores (as defined in Article 16), store expansions and the concentration of alcohol licenses. Ms. Turkelson explained that the idea was to create objective standards. The changes from what is in the Planning Commission packet to what is now being proposed is the proximity. The packet information related to proximity says 300 ft. and that is being changed to 500 ft. That change is based on additional input from the City Commission. The goal is to establish what can be approved administratively vs. what requires Special Land Use review and approval.

Mr. Van Strien asked the State's distance requirements to a school, park, or church. Mr. Van Strien provided the example of a church, within a certain proximity, having an opportunity to speak against a proposed liquor license.

Ms. Turkelson replied 1,000 ft.; it is a 1,000 ft. drug free zone. Ms. Turkelson related that, through the engagement process over the last few weeks, there has been a request to add rehabilitation facilities to parks, schools and residential zone districts. Where there are substance/drug abuse/rehab facilities that an additional buffer is created.

Mr. Van Strien clarified that that would change it from Director Review to Special Land Use.

Ms. Turkelson agreed.

Mr. Van Strien asked if there were any other changes to the packet information.

Ms. Turkelson replied that there were non-substantive changes to the concentration section. It currently states that "where more than one establishment selling alcohol for off-premise consumption exists within a half mile"...Ms. Turkelson clarified that if there are two within a half mile it is a Special Land Use and that would apply to both SDM and SDD licenses. Language has been added to read "establishments with a Class C license shall be exempt from this requirement". Ms. Turkelson related that a lot of Class C restaurants have an SDM, which allows you to cork a bottle of wine and take it with you. They aren't selling packaged alcohol for off-premise consumption.

Mr. Van Strien clarified that they could as the holder of an SDM license.

Ms. Turkelson agreed that would be possible, as it is worded now, provided they received approval from the Planning Commission. She clarified that the proposed amendment is that if it is a restaurant with a Class C license they would be exempt from the concentration requirement.

Under the **Concentration of Licenses** section, Ms. Schulz suggested **changing the number of establishments from one to two.**

Mr. Ross asked if these proposals have been laid over the approvals the Planning Commission has granted. He asked if there is any knowledge as to whether it would have changed the result of any of those decisions.

Mr. Van Strien stated that he had the same thought. In his recollection, most of them were within a ½ mile of another liquor license. There were no other alcohol related uses listed in the staff report related to the Walker Ave. J & H store that was approved at the last meeting but the Walker Pharmacy should have been.

The Commission briefly discussed **concentration**. Mr. Van Strien feels **there should be a differentiation**. His understanding is that they are trying to tie this to the current MLCC code that is going to be removed for liquor licenses/party stores. Mr. Van Strien stated he would go back to **the differentiation of a gas station that has 2% floor area dedicated to beer and wine sales vs. a liquor store; he feels they need to be treated differently**.

Mr. Ross feels that **concentration should be removed**. Through Planning they are choosing winners and losers in commercial corridors.

Ms. Schulz provided further explanation. What was proposed to the City Commission was that concentration would not apply for Director Review where it has been determined that it is 2% or less of floor area, closed at a certain time, etc. The thought was that if it is benign then the number shouldn't be important. Commissioner Leneer felt that the reason for writing these regulations related to concentration and indicated she would like concentration to apply to all requests for SDM and SDD, which is why that is included.

Mr. Davis commented on hours of operation. The Planning Commission has approved requests where hours of operation weren't changing; they weren't adding hours due to the addition of beer and wine sales. However, some that have already been granted are open past 2 a.m.

Ms. Schulz explained that in the Special Land Use standards for alcohol a store that closes by 11 p.m. shall be presumed to have minimal negative secondary impacts. That has already been in the code so the suggestion was made to pull that and apply it where there is minimal secondary impact.

Mr. Van Strien clarified it is 11 p.m. Sunday through Thursday and midnight on Friday and Saturday.

Mr. Davis recalled a conversation where they discussed noise, traffic lights, impacts on nearby communities and when they weren't adding hours of operation, where the operation already had established hours, he feels the Commission was very amenable.

Mr. Ross suggested that in looking at the proposed amendments that they will still be reviewing just as many of the alcohol sales requests. His understanding was that the intent was to streamline it and, if the Planning Commission has ruled consistently, then to remove that obstacle for business owners. He asked if this is an exercise so they feel like they've made some

recommendations but they'll still review all of the cases anyway? Mr. Ross doesn't recognize any instances where applications wouldn't require review.

Ms. Schulz replied that the 500 ft. distance was a newer modification. Because there is a 500 ft. separation for MLCC that was a suggestion by one of the City Commissioners. Ms. Schulz agreed that that requirement would likely result in the majority of applications requiring Special Land Use review. She suggested that **for hours of operation they could add language about maintaining existing hours of operation.**

Mr. Davis agreed. The verbiage is minimal impact and he feels that no change in hours is minimal impact.

Ms. Schulz asked if that would also apply to liquor stores/SDD or only SDM.

Mr. Davis clarified that the conversation he has been referring to is the Planning Commission's recent history and that **relates to gas stations asking to sell beer and wine/SDM licenses.**

Ms. Schulz feels that would be reasonable; **to differentiate it from SDD. Staff can offer that recommendation.** She clarified that any use open after midnight that involves alcohol already comes to the Planning Commission under the current ordinance.

Mr. Van Strien felt that could be a business decision as well; whether the cost of the Special Land Use application is worth it for them to get the two extra hours of sales.

Ms. Turkelson explained that the Good Neighbor Plan is a proposed addition to the requirements. Any time a Special Land Use is required there is a process called the Good Neighbor Plan. It has strategically been included in Article 12, with the idea that that concept could be broadened in the future if desired. Essentially it requires an applicant to work with the neighborhood to develop an operations plan with standards for loitering, lighting, etc. Currently the Ordinance suggests a neighborhood meeting but it isn't defined. This amendment would require it for Special Land Uses and it has very specific criteria for what is expected from that plan.

Ms. Turkelson indicated that was the last of the alcohol related amendments proposed. However, there are miscellaneous amendments proposed as well.

Mr. Rozeboom asked if City staff would be present at the meetings centered around the Good Neighbor Plan.

Ms. Schulz replied that they currently aren't when developers meet with neighbors so she wouldn't anticipate being there. However, if requested, they would attend.

Ms. Turkelson briefly touched upon other miscellaneous amendments relating that the vast majority are clean up items from when the Ordinance was repealed and the new adopted. They are finding that a few of the provisions that they became accustomed to, and really worked well, had been dropped or the language became ambiguous so they would like to add some of those back in. They have also modified some other requirements.

Ms. Turkelson identified some of the more substantial proposed amendments. It is proposed that Group Daycare would be allowed by right vs. Special Land Use. There would still be staff review to determine if requirements such as parking and drop-off area are met. In general the Planning Commission has been approving all of the group daycare requests so staff felt it could be appropriate to make it a permitted use by right.

Another more significant change is to Article 6, which came out of some of the Commission's comments, in light of the affordable housing, about where are there good opportunities for redevelopment and where should it be encouraged, not just housing. In Article 6, under the Use provisions, what is proposed is that for parcels located within the MCN-C and MON-C that have frontage either on Lake Michigan Dr., 28th Street, or Plainfield that any use designated as a Special Land Use may be reviewed as a permitted use. Ms. Turkelson clarified that that would exclude alcohol uses. She provided an example. In the MCN-C zone districts self-storage units are allowed as a Special Land Use. This amendment is saying that if you are located on one of these 3 streets that self-storage could be permitted by right. It isn't necessarily a lot of uses that change.

Mr. Rozeboom referred to the **use table that speaks to the commercial production of food**. He noted that a line was added to differentiate between more than 30,000 sq. ft. and less but it is all the same.

Ms. Turkelson **recognized the error. The top line was supposed to be changed to permitted uses. Where there is smaller scale commercial production of either alcohol, or perhaps a bakery, that if it is between 15,000 and 30,000 sq. ft. it would be permitted. If greater than 30,000 sq. ft. it would be Special Land Use.**

Mr. Van Strien opened the public hearing and invited public comment.

Lynn Rabaut suggested adding drug and alcohol rehabilitation facilities to the alcohol amendments being considered. The reason it came up is that her neighborhood has quite a few of these types of facilities. They discussed this at the BZA meeting last week and one of the Board members represents a number of rehab facilities. He said that if people think the clientele don't get out and abuse the situation then they are fooling themselves. Ms. Rabaut added that she knows firsthand that even nursing home residents get out every once in a while when they aren't supposed to. Ms. Rabaut would appreciate some thoughtful consideration to that addition. They are trying to support a community service based neighborhood that deals with a lot of that type of thing and would like to remove that temptation. Ms. Rabaut also shared a comment she heard from Marian Barrera-Young at a planning meeting in January. Her concern was about the number of alcohol outlets and how many children walk by repeatedly on their way to/from school, dealing with people hanging out in front and things they shouldn't have to deal with as young children. It may not be a problem in all neighborhoods but it is in some. Ms. Rabaut also offered her support for the Good Neighbor Plan. The Planning Commission permitted a store fairly close to rehab facilities in her neighborhood. The proprietor did talk to the neighborhood association but there was no plan as to what they were supposed to talk about or address. Within a few weeks they had enforcement out for signage issues.

There being no further public comment, Mr. Van Strien closed the public hearing and invited Planning Commission questions and discussion. He asked if there are any issues with the cleanup of code items or **adjustments for Plainfield, Lake Michigan Dr. and 28th St.**

Mr. Kelly indicated that he reviewed the Special Land Uses in those areas. They include pawn shops, cash advance, and gun stores. He asked if those are things they feel are appropriate as a permitted use. He understands that the desire is to redevelop those corridors but he wondered if moving those Special Land Uses to Permitted Land Uses is the direction they want to go.

Ms. Schulz explained that the suggestion for that was made by a Commissioner as part of the Affordable Housing discussion on increasing the number of uses allowed along those corridors for redevelopment and making it easier to develop along those corridors.

Mr. Van Strien recalled that there was a lot of push back on cash advance stores.

Mr. Kelly asked if the City Commission is fully aware of what is in the table and what would become permitted uses.

Mr. Van Strien doesn't recall the last time a requested cash advance store was approved.

Ms. Schulz advised that the Planning Commission can recommend that provision be stricken.

Mr. Davis agreed it should be stricken.

Mr. Kelly felt **fire arm sales, cash advance stores, and pawn shops should remain Special Land Uses.**

Mr. Ross didn't feel it made sense that they are considering the concentration of gas stations selling beer yet they are recommending permitting gun, pawn, and cash advance stores by right.

Ms. Schulz asked if the recommendation is to delete that provision.

Mr. Kelly recommended they be reviewed on a case by case basis.

Ms. Schulz suggested **amending that recommendation so that it only applies to the residential use categories**; that may address what the City Commissioner was looking for.

Mr. Kelly was comfortable with that.

Mr. Van Strien recalled that the City Commission had agreed with them previously on their position on cash advance stores. Ms. Schulz agreed.

The Planning Commission agreed that **it should be amended so that it only applies to the residential use categories.**

Mr. Rozeboom added that a blanket approval approach on Special Land Uses is odd because the idea of Special Land Use is that it is a special use.

Ms. Schulz clarified that **the Planning Commission feels that allowing all residential uses by right would be appropriate.**

The Commission agreed.

The Planning Commission moved the discussion to the alcohol related amendments.

Mr. Van Strien recalled that they had discussed **changing the closing hour to midnight for Administrative Review. If it closes after midnight then it would be Special Land Use approval. He clarified that would be 7 days a week until midnight.**

Mr. Van Strien commented on **proximity** noting that **public comment suggested adding drug and alcohol rehab facilities.**

Mr. Davis related that he would be more in favor of adding rehab facility then limiting concentration.

Mr. Van Strien asked if everyone is **comfortable with 500 feet** and if that is the case it would push it to Special Land Use review.

Commissioners agreed.

Mr. Van Strien moved the discussion to **Concentration**. If the intent is to do what the State of Michigan is currently enforcing with liquor stores, that are predominantly alcohol sales, then he agrees they should be treated the way the State is treating them. **But gas stations that fit the other criteria for Administrative Review aren't a concern with respect to concentration in his opinion.**

Mr. Ross agreed. He would **remove Concentration**.

Ms. Schulz asked if he was referring to SDMs that meet the criteria for Administrative Review and if it is an SDD then it rises to the concentration consideration.

Mr. Van Strien suggested that since square footage is another consideration that that be the trigger. He doesn't feel concentration matters at all. He would **suggest eliminating concentration altogether**. If the alcohol sales are more than 2% they will have to come for Special Land Use review. **If there are a combination of two gas stations and a convenience store selling 2% it is insignificant**. They've talked about that in past approvals of the gas stations.

Other Commissioners agreed.

The Commission discussed the **Good Neighbor Plan**.

Mr. Van Strien feels that in general it is likely a good thing. He has some concern about a case where there is disagreement that can't be resolved; what happens then? If the applicant comes up with a litter control plan, a management plan, hours of operation, trash clean up, etc. but a neighborhood just says no they don't want this 2% in their neighborhood, then what happens?

Ms. Schulz replied that if they've done everything that was asked then there is a level of reasonableness involved. In that case staff would likely support the business. She provided an example of a situation they are currently dealing with. A resident moved in next to a non-conforming vet clinic. Staff found that the business was fine and the neighbor wasn't being reasonable. There is always the reverse also. If the business owner isn't being reasonable and accommodating the neighbors that is different; they are bringing the use into the neighborhood. It will be a matter of judgement as to whether the business and or neighbors are being cooperative and reasonable in their expectations or performance.

Mr. Van Strien asked if there is any further discussion.

Mr. Kelly related that he has a question about the **consistency between the statement for applicability in 5.12.07. and what is stated on page 9.9. Basically one says "any establishment providing for the sale of alcohol for off-premise consumption requiring an SLU shall have to do a Good Neighbor Plan" and the other says "A Good Neighbor Plan must be submitted for all new and expansion SDM and SDD license applications"**.

Ms. Schulz clarified that one is generally applied and the other is specific to the alcohol section.

Ms. Turkelson agreed with Mr. Kelly that it is confusing. Is it something they want only for Special Land Uses or for all? Her recollection was that it was only for Special Land Uses.

Ms. Schulz felt it was for all. In the memo she prepared it was intended that the Good Neighbor Plan would be for any request, similar to doing a CPTED plan.

Mr. Van Strien agreed. Requiring it for those that are only subject to Administrative Review provides a level of engagement to ensure it wouldn't have negative secondary effects.

Mr. Kelly was comfortable with that and just wanted to make sure it was consistent.

Ms. Turkelson indicated she would **amend the language so that the two sections were consistent.**

Mr. Rozeboom **MOVED, NOW, THEREFORE, BE IT RESOLVED that the Planning Commission recommends that the City Commission approve the proposed Text Amendments to the Zoning Ordinance, for the following reasons:**

- 1. The proposed amendments are consistent with the purpose and intent of the Master Plan and Zoning Ordinance, because the amendments are intended for clarification of**

statements in the Zoning Ordinance to better reflect the goals and intents of the Master Plan.

2. The proposed amendments will enhance the functionality or character of the future development in the City because the amendments will provide clarity to users of the Zoning Ordinance when developing projects within the City and the amendments will further the goals of the Master Plan.
3. The proposed amendments will protect the health, safety, morals, and general welfare of the public because alcohol sales have been a concern of the community.
4. The proposed amendments are needed to correct errors or omissions in the original text.
5. The proposed amendments will not result in the creation of significant nonconformities in the City because the amendments are intended to correct existing nonconformities that represent the desired form and character of development in accordance with the Master Plan.

SUPPORTED by Mr. Koetsier.

Mr. Rozeboom amended the motion to include Planning Commission discussion and proposed amendments with direction to City staff to consolidate those findings for the record. Supported by Mr. Koetsier. **MOTION CARRIED UNANIMOUSLY.**

RESULT:	ADOPTED [UNANIMOUS]
MOVER:	Paul Rozeboom, Vice-Chair
SECONDER:	Thomas H Koetsier, Secretary
YEAS:	Rozeboom, Koetsier, Davis, Kelly, Mendivil, Ross, Van Strien
ABSENT:	Walter M Brame, Rick Treur

B. (2:00 p.m.) 600 Burton Street SE Samaritas

Address: 600 and 650 Burton Street SE
Applicant: Samaritas
(Sam Beals)
Requesting: Approval to reuse the former St. Joseph Seminary building for (+/-) 50 affordable, independent-living housing units for seniors and persons with disabilities, and to use the former gymnasium building for adoption, foster care, home-based counseling, refugee services and home health care offices.
Zoning: TN-LDR (Modern Era Neighborhood-Low Density Residential)
Requirements: Article 5 Residential Zone Districts
5.7.06. Planned Redevelopment District
5.9.20. Multiple-Family Dwellings
5.12.08.E. Standards for Site Plan Review
5.12.12. Planned Redevelopment District
Case Number: PC-PRD-2017-0128
Staff Assigned: Elizabeth Zeller ezeller@grcity.us
Type of Case: Planned Redevelopment District

Effective Date: City Commission approval

Ms. Turkelson introduced the request for approval to reuse the former St. Joseph Seminary building for approximately 58 independent-living housing units for seniors and persons with disabilities, and to use the former gymnasium building for adoption, foster care, home-based counseling, refugee services and home health care offices. Ms. Turkelson related that they would essentially be consolidating the vast majority of their West Michigan social services and locating them in this facility. Ms. Turkelson stated that staff asked for a more detailed project description, which was provided and uploaded to the Commission's packet earlier today. The description provides detail as to hours of operation, number of employees, etc., to provide a better understanding of the non-residential uses that would be occurring on the site. At this time no site changes are being proposed as part of this application. However, it is worth noting that on the east side of the main building is a former school building. That is going to be a separate application that will come to the Planning Commission next month. Should the Planning Commission hear public comment related to that plan she suggested encouraging that those comments be brought forward at that point. It will be a Special Land Use review and notices have been sent.

Jeff Brinks, Venture Engineering, related that they are present seeking a favorable recommendation from the Planning Commission to allow Samaritas to breathe some new life into the existing buildings that currently aren't being utilized. As mentioned, it will be affordable housing for seniors and some availability for those with disabilities yet capable of living independently. The former gymnasium building would be utilized as offices. This will all occur within the existing facilities. The reuse will involve remodeling. The infrastructure is in place, there is sufficient parking for their needs and per the zoning requirements. Mr. Brinks stated that they feel this reuse is an excellent fit that will help to reutilize some buildings currently not being used.

Mr. Van Strien invited public comment.

Maria Vandermark read the notification card she received. During the first informational meeting that was held they were told that the gymnasium would be used for offices only. The card states something very different. The notification also states that another building will be used for outpatient substance abuse treatment and residential re-entry center. It also says that some of the building is the independent living nursing units for seniors.

Mr. Van Strien clarified that there are two different proposals and one will be taken up at a future meeting.

Ms. Vandermark asked where the residential facilities will be and what will it be.

Ms. Schulz suggested the applicant speak to that following public comment.

Ms. Vandermark asked what will happen to all of the beautiful green space.

Mr. Van Strien replied that there has been no proposal to change anything with the greenspace at this point.

Ms. Vandermark noted that that can change at any time.

Mr. Van Strien clarified that they would have to make a request.

Ms. Vandermark asked if the use will be subsidized by the tax payers.

Ms. Schulz explained that the Planning Commission can't take into account who will be residing there or who is paying for it. That isn't a land use question.

Ms. Vandermark asked how neighbors can find out about that.

Ms. Schulz replied that the applicant would have to share that information.

Craig Newhouse related that he lives in the area and has seen this property go through many changes since the early 2000's. He supports the proposed reuse of these facilities. He would love to see the site cleaned up. If the applicant can maintain the value and presence that it has as a natural environment that would be great. Mr. Newhouse appreciates the reuse of the old seminary building, which is a gorgeous, old, historic façade.

Heidi Enck stated that she lives at the corner of Winchell and Martin. She is very excited to have this group come in.

Mr. Van Strien asked the applicant to address the citizen's question about where the housing is. Mr. Davis also pointed out that greenspace and the playground equipment were mentioned in letters that were submitted.

Sam Beals explained that the seminary building will be used as residential housing for seniors. Behind that is the gymnasium they will convert to offices.

Mr. Davis asked about the foster care and adoption vs. what was communicated as office space. He related that he was also confused. The application information states that the foster care and adoption will have 26, plus 6 employees, and that there may be visitations coming in and out of that space. Mr. Davis asked if that is happening where the offices are to be located.

Mr. Beals replied that it is currently happening in several places in the community and they are trying to consolidate five offices into one. He clarified that this will be an office use, not housing. They come to this location for supervised visits with their parents in an effort to get them back into the home. Their presentation to the community was accurate as to their intended use. The offices will be for staff and within that there will be some rooms for those visitations.

Mr. Koetsier asked the number of employees they anticipate.

Mr. Beals replied up to 70 with approximately 50% of them being off-site most of the time.

Mr. Van Strien asked if they have any intention to change the green space.

Mr. Beals replied that they have plenty of room within the structure for a number of years going forward.

Ms. Schulz explained to the Planning Commission that this is a PRD rezoning. If they were going to make changes to the site it would come back for review and approval and neighbors would be able to have input at that time about the design.

Mr. Van Strien added that they have the ability to assign a zone district to apply tree canopy and green space requirements to. Typically they would assign something a bit less restrictive on a site this large. However, one of the possible conditions that could be imposed is applying the LDR requirements for greenspace and tree canopy. Considering the nature of the site, and the existing tree canopy and green space already in place, he doesn't feel that is unreasonable or would place any undue burden on the applicant.

Mr. Van Strien invited thoughts from the Commission on the proposed use. He feels it is appropriate. It is an institutional feel on site already.

Mr. Davis added that it is difficult to appropriately reuse a building that large that embraces community. That is supported by neighbors both in letters and per testimony.

Mr. Koetsier asked about landscaping and screening on Union and the parking lots. He asked if there is a desire to do anything with that.

Mr. Van Strien noted that the existing screening isn't necessarily up to code but there was a comment in the staff report about how far away it is from the street, which may be a consideration as to whether it is acceptable as is or if it should be brought up to standards.

Mr. Davis feels if there is an opportunity then they should screen parking. It is reuse of an existing building but as you add traffic and cars it should be screened well.

Mr. Koetsier **MOVED, NOW, THEREFORE, BE IT RESOLVED that the Planning Commission recommends that the City Commission approve the request of Samaritas (Sam Beals) for approval of a Planned Redevelopment District with 58 affordable, independent-living housing units for seniors and persons with disabilities and reuse of an existing building for adoption, foster care, home-based counseling, refugee services and home health care offices at 600 Burton Street SE, for the following reasons:**

- 1. The mix of uses, density of development, and design of the proposed PRD are consistent with the Master Plan and the purpose and intent of the Zoning Ordinance, because the surrounding land use is designated as Medium-Low Density Residential and the proposed density in this development is consistent with that land use category and the proposed use is consistent with the objectives of the Great Neighborhoods Chapter within the Master Plan and specifically the preservation of and reuse of historically and architecturally significant structures, promoting a broad range of housing choices, and encouraging income diversity within neighborhoods.**

2. The proposed PRD will ensure efficient development on the property and will result in a logical and orderly development pattern in the neighborhood because the SD-PRD zone district provides flexibility relative to use. This flexibility will allow for viable reuse of the existing buildings, which have unique nonresidential characteristics and not historically used for residential purposes.
3. The proposed development will be compatible, harmonious and appropriate with the existing or planned character and uses of the neighborhood, adjacent properties, and the natural environment because the proposed development will be an appropriate reuse of the existing buildings, which have not historically been used for residential purposes and no significant site alterations are proposed.
4. Potentially adverse effects arising from the proposed development on the neighborhood and adjacent properties will be minimized through appropriate orientation of buildings, structures and entrances consistent with requirements of the surrounding Zone District and adequate on-site parking is provided for all proposed uses.
5. The proposed development will not be detrimental, hazardous, or disturbing to existing or future adjacent uses or to the public welfare by reason of excessive traffic or noise because there is a break in the Union Street median that allows direct access into the site where nonresidential services will be provided and the building has always been used for nonresidential purposes.
6. Pedestrian and vehicular connections will be provided between buildings, uses and amenities within the property, as well as connections to and from the surrounding properties, because internal sidewalk connections are provided and no changes to the vehicular access are proposed.
7. The proposed development will retain as many natural features of the landscape as practicable, because no changes are proposed. The site is adequately screened and vegetated.
8. Adequate public or private infrastructure and services already exist or will be provided at no additional public cost, and will safeguard the health, safety, and general welfare of the public because the building is adequately served for the intended purpose. There are no known upgrades or changes required for the current proposed plan.
9. The proposed development will not be detrimental to the financial stability and economic welfare of the City because the proposed use will provide low income housing units for seniors and persons with disabilities. This type of housing is needed within the City. The existing building is significant in size and architecture. This proposed plan will add life and investment to an existing vacant building.
10. Wherever practicable, the proposed development will provide amenities, including but not limited to, park and recreational facilities, urban open space, and non-vehicular connections that serve a public purpose. The property provides significant greenspace which will remain.

BE IT FURTHER RESOLVED that the following conditions of approval shall apply to this project:

1. That the plans prepared by Venture Engineering, dated November 2017, and signed, dated and stamped by the Planning Director shall constitute the approved plans, except as may be modified in this resolution.

2. That the development shall contain no more than 58 dwelling units.
3. That the nonresidential uses operate as stated in the submitted Project Description.
4. That additional landscaping should be added between Union Street and the parking lots to provide year round screening, as required by Article 11 of the Zoning Ordinance.
5. Any new lighting shall meet the requirements of Article 2, of the Zoning Ordinance.
6. The LDR Zone District should be applied for greenspace and tree canopy computations.
7. That the proposed use will comply with all other applicable City ordinances and policies and State laws.
8. That this approval shall take effect upon City Commission approval.

SUPPORTED by Mr. Rozeboom.

Ms. Turkelson asked for clarification on the condition related to tree canopy. Is that suggesting that if the site has deficient tree canopy currently that they would be required to add trees to meet current requirements?

Mr. Van Strien recalled from the staff report that currently it meets those standards. The intent is to apply the LDR standards going forward; preserve what is there.

The question was called.

MOTION CARRIED UNANIMOUSLY.

RESULT:	APPROVED [UNANIMOUS]
MOVER:	Thomas H Koetsier, Secretary
SECONDER:	Paul Rozeboom, Vice-Chair
YEAS:	Rozeboom, Koetsier, Davis, Kelly, Mendivil, Ross, Van Strien
ABSENT:	Walter M Brame, Rick Treur

C. (2:30 p.m.) 3000 Monroe Avenue NW Veterans' Home Expansion

Address: 3000 Monroe Avenue NW
Applicant: Grand Rapids Home for Veterans
(Brad Slagle)
Requesting: Approval to construct a skilled nursing facility for up to 128 residents. The facility will consist of four single-story residence pods and a two-story community center and will be situated on approximately 15 acres northeast of Monroe Avenue and 3 Mile Road, located on the south side of the existing facility.
Zoning: MCN-LDR
(Mid-Century Era Neighborhood-Low Density Residential)
Requirements: Article 5 Residential Zone Districts
5.7.06. Planned Redevelopment District
5.12.08.E. Standards for Site Plan Review
5.12.12. Planned Redevelopment District

Case Number: PC-PRD-2017-0127
Staff Assigned: Elizabeth Zeller ezeller@grcity.us
Type of Case: Planned Redevelopment District
Effective Date: City Commission approval

Ms. Turkelson introduced the Special Land Use request of Grand Rapids Home for Veterans for approval to construct a skilled nursing facility for up to 128 residents. Per the site plan, the facility will consist of four single-story residence pods and a two-story community center. Ms. Turkelson suggested that one of the most significant aspects of this development, from a site perspective, is the amount of trees that will be removed to facilitate the plan, as well as the significant grade changes. There is an approximately 30 ft. grade change from west to east. Essentially what they are planning to do is create two levels. The first level would be on the west side and then go up to the second level on the east side. There will be a fairly significant/tall retaining wall along Monroe Ave. Staff has worked with the applicant and their landscape architects to look at how the wall is tiered and to get vegetation in front of it to minimize the massing of the structure along Monroe. It tapers down as it gets closer to 3 Mile and toward the north so it isn't the full expanse of the right-of-way but it is significant.

Mr. Van Strien reminded the applicant that the Planning Commission saw the preliminary plans and is somewhat familiar with the application. They have also reviewed their packets.

Shawn Parshall, TowerPinkster, was present to discuss the project. Mr. Parshall related that early on in the process they studied a number of options on the site. It was ultimately determined that this south western portion of the site is really the most ideal. The project has been centered around meeting the Federal VA guidelines for a small household. The State is seeking funding from the Federal VA that drives the direction of the project both to permit them to seek the funding and ultimately it is about changing the residential environment for residents being cared for at the facility. It will take the former institutional model and turn it into a much more home-like setting. The planning principal for the development is a group of four neighborhoods, the four elements around the perimeter, that are centered around a community center. There will be a total of 128 residences on the site and that will provide a new model of care that creates a sense of community within the environment.

Mr. Van Strien suggested he speak to the amount of mature trees on the site, their preservation plan for retaining mature trees not affected by the development, and what is proposed to address the loss of trees; payment in lieu, replacement, etc.

Craig Newhouse responded to Mr. Van Strien's questions. He explained that they had some good conversations with neighbors as they waited to be heard today. Mr. Newhouse agreed that there are a fair amount of trees that will be removed from the site. In order to make the 30' grade change work they have to split into two levels. They are trying to make the walls step back so they are no more than 4' tall with a 6' gap before the next 4' tall section to fit into the existing contours that are there. The goal was to not only keep as much of the wood lot along 3 Mile, so they have a good buffer to the neighbors to the south, but also keep some of the portions up close to where the existing facility is now, in the northeast corner of the campus. They will be putting back approximately 400 trees. They will be investing a lot of time and resources into getting those just right. The plantings will include shade trees where it is appropriate to help shade the

parking lots, structures and provide buffers. The plantings will also include evergreens and flowering trees. They like to have an understory canopy replanting in areas where the woodland is old. The wood lot used to be very diverse and there are signs present naming the types of trees that can be found. They are going to try to improve upon that and plant redbud, dogwood, spruce, and white pine, where it works out the best and is best for those particular plants.

Mr. Van Strien indicated that it would be his intention that the Planning Commission condition an approval on meeting the tree ordinance of the City. If they are putting 400 trees in but taking out 1,000 that doesn't meet the tree ordinance.

Mr. Newhouse replied that they fully intend to meet the ordinance.

Mr. Davis asked how they are dealing with the interior and exterior grade change and accessibility as it relates to those they are trying to serve as well as visitors.

Mr. Newhouse replied that that does pose some challenges. Mr. Newhouse explained that the building in the middle is the neighborhood center. That building has upper and lower floors. The lower floor serves the west side of the development and the upper floor serves the east side. Between there they have a corridor and an elevator allowing them to bridge between them. There is 12-15' of grade as you work around the building so they are looking to step that back. To address those issues for accessibility they will have a series of retaining walls and barrier free ramps coming into the area just west of the southeast housing unit and also on the northwest corner of the northeast housing unit, which is where they will also have some barrier free ramps. That is based entirely upon the edge conditions of this portion of the property. They can't change what is happening at the existing building on the north edge and they can't change what is happening on the east edge of the property and they certainly can't change 3 Mile or Monroe. Mr. Newhouse recalled that at a recent meeting with the Planning Commission it was suggested that they provide some additional connectors on the west side of the development that takes the site down to Monroe. They are looking at adding those as well.

Mr. Koetsier feels this is a great project. However, he feels part of this is community pride in a veteran's facility of this nature. Mr. Koetsier related that he is concerned with what a person actually sees. Their main interaction with it will be driving up and down Monroe. Mr. Koetsier asked if there will be any way to see the nice surroundings that are in there. He understands that the walls are necessary to deal with the grade change. He asked if any of the buildings will be visible when driving or walking.

Mr. Newhouse replied that you will see the buildings when driving or walking. He explained that they produced a graphic that showed what that experience was proposed to look like. They are not only trying to make it a buffer from the side but there will be views into the site as well. It is good for way-finding for visitors to see where the residential units are. At the corner of Monroe and 3 Mile they are trying to maintain a very significant wood lot.

Mr. Koetsier agreed that they should be doing that there because there is an extensive neighborhood right across 3 Mile but on the Monroe side there is no neighborhood to screen. He would like for the community to be able to see it as they pass.

Mr. Newhouse explained that along Monroe, the west side of the property, is where they will have some significant retaining walls and where they will have some ramping coming down. Above that will be a walkway, which will go around the entire facility. It will be a very walkable campus community area. That provides incredible viewing looking off to the west at the park and river. Mr. Newhouse stated that that is what they are trying to provide from the top down. From the bottom looking up they are providing a lot of shrubs in the retaining walls, flowering trees, evergreens and shade trees to fill in but you will be able to see through there. It will be a clean edge that has both existing large trees and some additional new trees.

Mr. Koetsier clarified that you will be able to see at least parts of the buildings so that people can see what's going on in there and that it's a nice place to live and be.

Mr. Newhouse replied absolutely.

Mr. Koetsier asked if there is sidewalk in front of that on Monroe.

Mr. Newhouse replied yes. The sidewalk on the east side of Monroe will remain.

Mr. Rozeboom asked that he speak to the drive on the east side of the property and how close it is to the property line.

Mr. Newhouse explained that the east side of the property abuts a large wooded area. It is a very wet wooded area. The Federal guidelines require a ring road around the entire facility to be able to access all of the housing units front door parking areas that occur at each of the sides of the housing units. Therefore, they provided as much of a ring road as they could while still working with the grades. To do that they are positioning it so that it is about 15-20 ft., at least, off of the property line. That allows them to capture all of the water flowing downhill from the east to the west. At the ring road they will be installing a large stone trench with a pipe in it that will collect the water so it doesn't negatively impact this site's facilities. It will also serve to not back water up onto neighboring properties. That water will be directed to the storm system on site and eventually out to the City storm sewer.

Ms. Schulz related that there will be sidewalk on 3 Mile; currently there is none. The City is also working to extend that sidewalk so it will go from Monroe to Coit.

Mr. Van Strien opened the public hearing and invited public comment.

Bill Hirsch, 320 3 Mile Rd., related that his house faces the woods across the street and is located between Lafayette and Oakwood. Mr. Hirsch stated that he is present as a veteran, an affected homeowner, and as a taxpayer. At this point he has no predisposition of what his position will be; he is open minded. He is present to become educated so that whatever position he takes will be informed based on facts and knowledge. As a veteran his heart wants to support any project that helps veterans have a good quality life. As a homeowner his view from the front windows will be whatever this project is. Mr. Hirsch is interested in learning what he will see. He is also interested in learning whether there will be any auto entrances and exits on 3 Mile and he heard

that answer in testimony. Mr. Hirsch is also interested as to whether lights will shine into the homes on 3 Mile and what increase in traffic and noise levels he might anticipate. As a homeowner Mr. Hirsh wishes to know what impact this project will have on his family. He asked the expected time frame from start to finish of the project and what, if any, effect this will have on property values. Finally, as a tax payer, Mr. Hirsch wants to be assured that this money is being spent wisely. The land along 3 Mile has surface water he believes comes from springs and possibly other run off. He has seen huge trees topple, ripped out by their roots because the ground could no longer support them. He is also aware that a company has been taking soil samples and he'd like to know what the results were, although his concerns on that may be unfounded. Mr. Hirsch hopes that as he learns more he can follow his heart and support this project.

Mr. Ross left the meeting.

Ms. Linder indicated that she has several questions. Where does the vet's home fall in the Master Plan and is the proposal in line with the Master Plan? What are the plans for the current buildings once vacant? Are there any designated wetlands on site and, if so, will they be allowed to build within the wetlands? She would also like to know if there will be surveillance, where it will be, and whether it will overlap into the neighborhood or will neighbors be able to maintain their privacy. Finally, with respect to parking and the main entrance, currently it is hard for people to find adequate handicap and regular parking, especially during shift change. Ms. Linder feels they need to make sure they have adequate parking not only for employees but for visitors, including sufficient handicap parking.

Paul V'soske related that he is the neighbor to the direct east. Ms. V'soske agreed with the comments offered by Mr. Hirsch. Mr. V'soske related that combined, he and his neighbor Joe own approximately 9 acres directly east of the subject site. They have been stewards of the property for many years and have been very good neighbors to the Veteran's facility. Mr. V'soske related that he is a Veteran and appreciates what is going on at the Veteran's facility and wouldn't want to do anything to lessen the quality of life of the residents. They want the project to succeed but they want them to be respectful of neighbors. Mr. V'soske explained that they had an opportunity to meet and talk with the people involved in the project as they waited for the hearing to begin. They are pleased with their empathy and apparent willingness to work with neighbors in any way they can. Mr. V'soske stated that their biggest concern at this point is the sidewalk issue. Eighteen years ago they did major work on their property. They brought in fill to raise the grade and planted trees. He is concerned that is going to be disrupted by the placement of the sidewalk. Mr. V'soske stated that both homes on this 9 acres were built in the '20's and the proposed sidewalk would go right through his neighbor's house.

Mr. Van Strien offered that City staff can look into the sidewalk matter with them to ensure it is done in a sensitive manner.

Ms. Schulz added that Vital Streets staff is currently working on that and she will ask that they be in contact with Mr. V'soske.

Pete Nortier stated that he has lived at Coit and 3 Mile his entire life. He too is a veteran and the veteran's residing in the facility deserve the best. Mr. Nortier wonders why the people in the neighborhood have only heard about this a week ago. It would be nice if they were in the loop when they were making all these plans. Mr. Nortier identified the building at the far northeast area of the property relating that it used to be owned by the vet's facility. It is currently vacant and they've talked about putting different things in there for the last couple of years. He heard that it was sold to a private individual and it is for lease. Mr. Nortier suggested they could acquire that building and that the proposed footprint would fit in that location and preserve all of the greenspace they will be disrupting. He asked if that was even considered.

James Redford related that he has the privilege of serving the veterans in the State of Michigan as the Director of Michigan Veteran's Affairs Agency. Mr. Redford thanked the neighbors for being great neighbors and supporters of the veterans for the 131 years they've had the privilege of serving veterans at the Grand Rapids Veteran's home. Mr. Redford responded to the questions related to the former VA clinic. That property was deeded to the City of Grand Rapids for \$1 in the mid-1980's or '90's with a restrictive covenant on it that the property be used for a veteran's clinic. At such time that it is no longer being used as a veteran's clinic then the State would have the right of first refusal to purchase the property for fair market value. Shortly after the transfer of title to the City of Grand Rapids the City sold the property to an LLC to develop the land. That LLC sold to another LLC and eventually a VA clinic was developed there and served the veterans for over 20 years. The property has been made available commercially and they have attempted to enter into negotiations with anticipated purchasers who are not able to successfully resolve it. Mr. Redford explained that they did ask the architects in the initial planning stage to assume that they could acquire the property and to place the planned development in that section of the property. Unfortunately, the distance of travel between the individual houses that would be required in that location is not consistent with the small house design and the ability to have shorter distances that the veterans would have to travel. Mr. Redford explained that they did explore that option, and others on their campus, but the project doesn't work. It isn't that they didn't want to locate it other than in the existing woods, it simply won't work on the campus as it currently exists.

Mr. Van Strien closed the public hearing.

Mr. Davis asked to hear about traffic implications and whether a traffic study was conducted.

Mr. Parshall related that as of this point he doesn't believe a traffic study has been conducted. He also responded to questions that came up during public comment. There is one drive proposed from 3 Mile, directly across from Lafayette. Visitors can gain access there and access the west side loop road. It would also serve as a service access point. They've been very sensitive in considering that entrance and the views from the neighboring residences. There will be an island as you proceed north from the entry drive. The community center has a service component; loading dock, deliveries, trash pick-up, etc. The island was strategically placed in that location so that it can be landscaped and provide screening so neighbors aren't seeing that back of house activity. Their hope as designers has been to encourage a front door approach. In this case the front door to the community center would be on the north side. The primary access to the site that will be encouraged is on Monroe. Mr. Parshall acknowledged that there will be

traffic that comes in and out from 3 Mile but the overall encouragement is that the front door presence on Monroe continue.

Mr. Rozeboom asked what sort of signage will be at the drive.

Mr. Parshall anticipates they will propose a monument sign at the Monroe entrance.

Mr. Van Strien clarified that there are two drives on 3 Mile and the west entrance is where the monument sign would be proposed.

Mr. Parshall disagreed. The main drive will be on Monroe, which is where they would intend signage.

Ms. Schulz summarized that the main drive where most of the traffic will be directed will be off of Monroe and the drives on 3 Mile are for emergency access.

Mr. Parshall clarified that the 3 Mile drives can be for emergency, service, and some visitor parking as family members become accustomed to the most convenient path to reach their family member.

Ms. Schulz asked if the veterans have their own vehicles.

Mr. Parshall replied very few of them have vehicles.

Ms. Schulz asked about staff parking.

Mr. Parshall related that the idea is to continue the use of the bank of parking at the northeast corner of the site where the east side loop road ties in. That area would be screened by the buildings and landscaping from the 3 Mile approach.

Mr. Davis clarified that visitor and handicap parking will be closest to the residential visiting areas and staff parking will occur in the northeast lot.

Mr. Parshall agreed.

Mr. Davis asked about security and whether surveillance would impact neighbors.

Mr. Parshall introduced Rob to address that question. Rob related that they've had one brief meeting related to security and security camera locations. Everything they've discussed is within or at the entrances of the buildings. At this point they don't anticipate cameras site-wide or at any of the campus entrances. It should not have any impact on neighbors.

Mr. Rozeboom recognized that they often see institutional uses that have areas of land that are wooded and enjoyed by the whole neighborhood. When they get put to the use of the institution it feels like a loss to the neighborhood. He understands that feeling but it is zoned institutional.

Mr. Van Strien feels they've done their best to try to maintain the wooded nature of the parcel.

Mr. Davis recalled the mention of springs and wetlands during public comment. He asked staff if that will be addressed during permitting.

Ms. Turkelson agreed. Design team meetings have occurred and the City's stormwater engineer has been actively involved through the process. Ms. Schulz added that it is a complicated site. They have to manage all of their stormwater on site and with the river across the street there have been a lot of discussions about water quality. Ms. Turkelson stated that she doesn't believe there are any wetlands on the site.

Mr. Parshall agreed there are none on the affected part of the site. There is a creek elsewhere on the property.

Mr. Van Strien clarified that the Planning Commission is making a recommendation to the City Commission in this case.

Mr. Rozeboom clarified his previous statement. He had stated that it is zoned Institutional. However, the Future Land Use is institutional.

Ms. Schulz stated that it was anticipated that it would be. She agreed it is a very big change for the neighbors.

Mr. Davis **MOVED, NOW, THEREFORE, BE IT RESOLVED that the Planning Commission recommends that the City Commission approve the request of The Grand Rapids Home for Veterans (Brad Slagle) for approval of the Planned Redevelopment District for a skilled nursing facility on approximately 15 acres at 3000 Monroe Avenue NE, for the following reasons:**

- 1. The mix of uses, density of development, and design of the proposed PRD are consistent with the Master Plan and the purpose and intent of the Zoning Ordinance, because the development will promote a range of housing choices; housing has been clustered to minimize environmental impacts; the site's natural features are preserved and incorporated into the development where possible; tree canopy removal will be addressed.**
- 2. The proposed PRD will ensure efficient development on the property and will result in a logical and orderly development pattern in the neighborhood because the SD-PRD zone district provides flexibility relative to density and setbacks and the proposed buildings are set back from Three Mile so as to preserve existing natural features and to respect the existing scale and massing of the neighborhood.**
- 3. The proposed development will be compatible, harmonious and appropriate with the existing or planned character and uses of the neighborhood, adjacent properties, and the natural environment because the proposed development will be massed, oriented, and architecturally designed in a manner consistent with other development in the surrounding neighborhood and development is clustered to preserve the site's natural features as much as practicable.**

4. **Potentially adverse effects arising from the proposed development on the neighborhood and adjacent properties will be minimized through appropriate orientation of buildings, structures and entrances consistent with requirements of the surrounding Zone District, the location of screening and buffers and preserved natural areas on the perimeter of the site.**
5. **The proposed development will not be detrimental, hazardous, or disturbing to existing or future adjacent uses or to the public welfare by reason of excessive traffic or noise because traffic is not anticipated to significantly increase, the additional points of entry from Three Mile will not result in any safety concerns, and, per testimony, the main entry will be from Monroe Avenue and promoted with signage.**
6. **Pedestrian and vehicular connections will be provided between buildings, uses and amenities within the property, as well as connections to and from the surrounding properties because the development will provide for good pedestrian connections into and throughout the new development and the realignment of the Monroe access point to the park will improve safety.**
7. **The proposed development will retain as many natural features of the landscape as practicable, because existing mature vegetation will be retained along the development edges as a buffer between residences and to screen the effects of noise, light and glare, and to preserve the general character of the neighborhood.**
8. **Adequate public or private infrastructure and services already exist or will be provided at no additional public cost, and will safeguard the health, safety, and general welfare of the public because the applicant will be responsible for providing the necessary public and private utilities for the development and adequate stormwater detention and management facilities will be provided.**
9. **The proposed development will not be detrimental to the financial stability and economic welfare of the City because new housing units will be designed for an underserved population within our City. The scale and design of the proposed development will not place an excessive burden on services currently furnished by the City, including, but not limited to, fire and police protection, water supply, stormwater management, sanitary sewage removal and treatment, traffic control, and administrative services.**
10. **Wherever practicable, the proposed development will provide amenities, including but not limited to, park and recreational facilities, urban open space, and non-vehicular connections that serve a public purpose.**

BE IT FURTHER RESOLVED that the following conditions of approval shall apply to this project:

1. **That the civil plans prepared by the team of Tower Pinkster and Prein & Newhof, dated 12/6/2017, and signed, dated and stamped by the Planning Director shall constitute the approved plans, except as may be modified in this resolution.**
2. **That the architectural plans prepared by TowerPinkster, dated 11/27/2017 and 10/20/2017, and signed, dated and stamped by the Planning Director shall constitute the approved plans, except as may be modified in this resolution.**
3. **That the proposed uses are as described in the submitted application.**

4. That development and/or building permits shall be obtained before any site work, demolition, or building construction begins.
5. That the proposed use will comply with all other applicable City ordinances and policies and State laws.
6. That this approval shall take effect upon City Commission approval.

SUPPORTED by Mr. Koetsier.

At the suggestion of Mr. Rozeboom, Mr. Davis **amended the motion to include:**

7. The **MCN-LDR Zone District should be applied for greenspace and tree canopy computations.**

SUPPORTED by Mr. Koetsier. **MOTION CARRIED UNANIMOUSLY.**

RESULT:	APPROVED [UNANIMOUS]
MOVER:	James Davis, Member
SECONDER:	Thomas H Koetsier, Secretary
YEAS:	Rozeboom, Koetsier, Davis, Kelly, Mendivil, Van Strien
ABSENT:	Darel Ross, Walter M Brame, Rick Treur

VI. Planning Commission Discussion

None.

VII. Public Comment

None.

VIII. Adjournment

The meeting was closed at 6:00 PM