



## MEMORANDUM

TO : City Commission  
CC : Scott McCullough  
FROM : Paul Werner  
RE : 935 Michigan Redevelopment Project  
DATE : May 9, 2018

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This memo is in response to the opposition and deferment of Item No. 8 on the City Commission Consent Agenda for May 8, 2018.

I would like to apologize for not being in attendance at the City Commission meeting last night. This is the first time in my 23 years of doing this work that an item has been pulled from the consent agenda as a second reading. Had I known there was opposition, I would have come and had been prepared to defend the proposed project.

We started this project about a year ago. We met multiple times with City staff. That staff included the planning department, public works department, sanitation department, and the fire department. We worked through the possible scenarios and I think that together we came up with a good solution for an area that needs redevelopment, but that also comes with challenges.

I have taken this proposed project through a public hearing with the Planning Commission where I received unanimous recommendation for approval. At the public hearing the Planning Commission was addressed by the League of Women Voters and the Oread Residents Association. Please review those minutes at your convenience, but I can tell you that both representatives who spoke essentially admitted that they were initially confused about the project and although they may not be overly enthusiastic about it, they recognized that it does not have a real impact on the Oread Neighborhood and they had no real criticisms.

What was not mentioned at the City Commission meeting was that this proposal also went through a public hearing before the Historic Resources Commission last month where there was zero public comment received and where we received a unanimous recommendation for approval.

And as you are all aware, this item has already had its first reading in front of you all without any public comment being received. So, I did assume that this item would have been approved; therefore I did not attend the meeting.

From what I understood from watching the video of the meeting is that Marci Francisco is not necessarily opposed to this particular project, she is worried about setting a precedent for developers to use easements as a way to gain square footage to increase density. As Scott McCullough pointed out, there are already projects that have used easements to increase density. I think it is fair to say that each project brought before the City has its own set of circumstances, which is why the City has a system in place for approving these types of requests.

Without going through any of this process, we would be allowed to build two duplexes with four bedrooms in each unit for a total of 16 bedrooms. These duplexes would not be required to provide fire alarms or fire sprinklers, and no other public improvements would be made. As this property is outside of the Oread Design Guildelines area, double stacked parking would be allowed.

While we agree that using the area from the easement does help us gain five or six units for the proposed project, it does not change the number of bedrooms that we would provide using the ground off of Emery and the area to the east that was rezoned.

By moving forward with this project as proposed, the owner is taking responsibility for reconstruction of the entire area, including the recently vacated cul-de-sac for which the City would no longer have any responsibility to maintain or reconstruct to today's City standards.

I do recognize Mr. Markus's concern about projects like this where the applicant uses the easement as a way to increase density, but then turns around and "gives" the property back to the City for the City to maintain. I think that would be impossible in this situation. This is not a private road, this is a parking lot. The parking lot would be part of our site plan, for which the owner would sign a Site Plan Performance Agreement. This parking lot provides the necessary parking for the project. So, I do not think this is an issue for this particular project.

I will be in attendance at the upcoming City Commission meeting to answer any questions you may have.

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This information is in addition to our previous memo.

In order to help you understand how we have calculated the loss of units if the easement were not allowed to be included in the density calculation, please see the attached exhibits. Although we would be losing units by removing the square footage of the easement, we would not be losing any bedrooms. We would just have to change the mix of unit sizes. We would have to do more 4-bedroom units as opposed to the 1 and 2-bedroom units we are proposing.

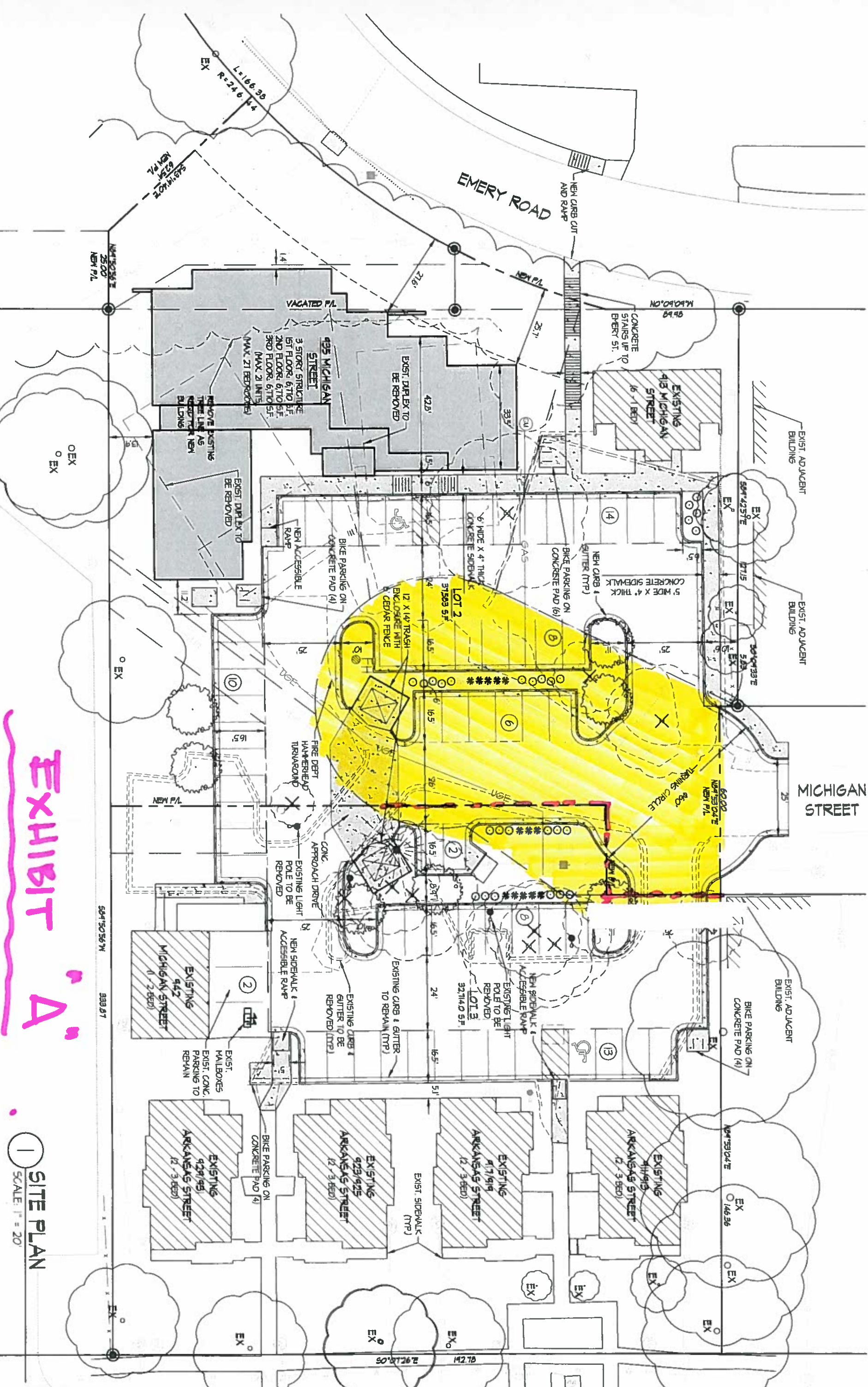
Exhibit A: This exhibit highlights the right-of-way that is being vacated. The total area being vacated is 9,428 square feet. Of which 1,107 is currently zoned RM12 and 8,321 square feet is currently zoned RM32. With these square footages, removing this from our density calculation, we would lose 6.4 units.

Exhibit B: This exhibit highlights the area currently zoned RM32, without including the easement. This area is 29,255 square feet which would allow for 21.49 units.

Our proposed project would include 27 units, for a difference of 5.5 units. Our proposed project includes 33 bedrooms. The density allowed for the 29,255 square feet that is zoned RM32 would allow for 108 bedrooms. We are only requesting 33% of the allowed number of bedrooms. If we included the area in the easement, that number would be reduced even more.

Exhibit C: This exhibit highlights the 120' diameter cul-de-sac. The total area of this cul-de-sac is 11,123 square feet. Of which 4,225 square feet is zoned RM12 and 6,898 square feet is zoned RM32. By removing this area from our calculation, we would lose 6.23 units.

Exhibit D: This exhibit shows our auto-turn analysis showing the fire departments ability to access the proposed site. We feel this is an important aspect to the project.



**EXHIBIT "A"**

**1 SITE PLAN**  
SCALE: 1" = 20'



ARKANSAS STREET

MICHIGAN STREET

EMERY ROAD

1/4 NEW 1/2" 20' 1/2" 20' 1/2" 20' 1/2" 20'

NEW P/L

NEW P/L

NEW P/L

NEW P/L

NEW P/L

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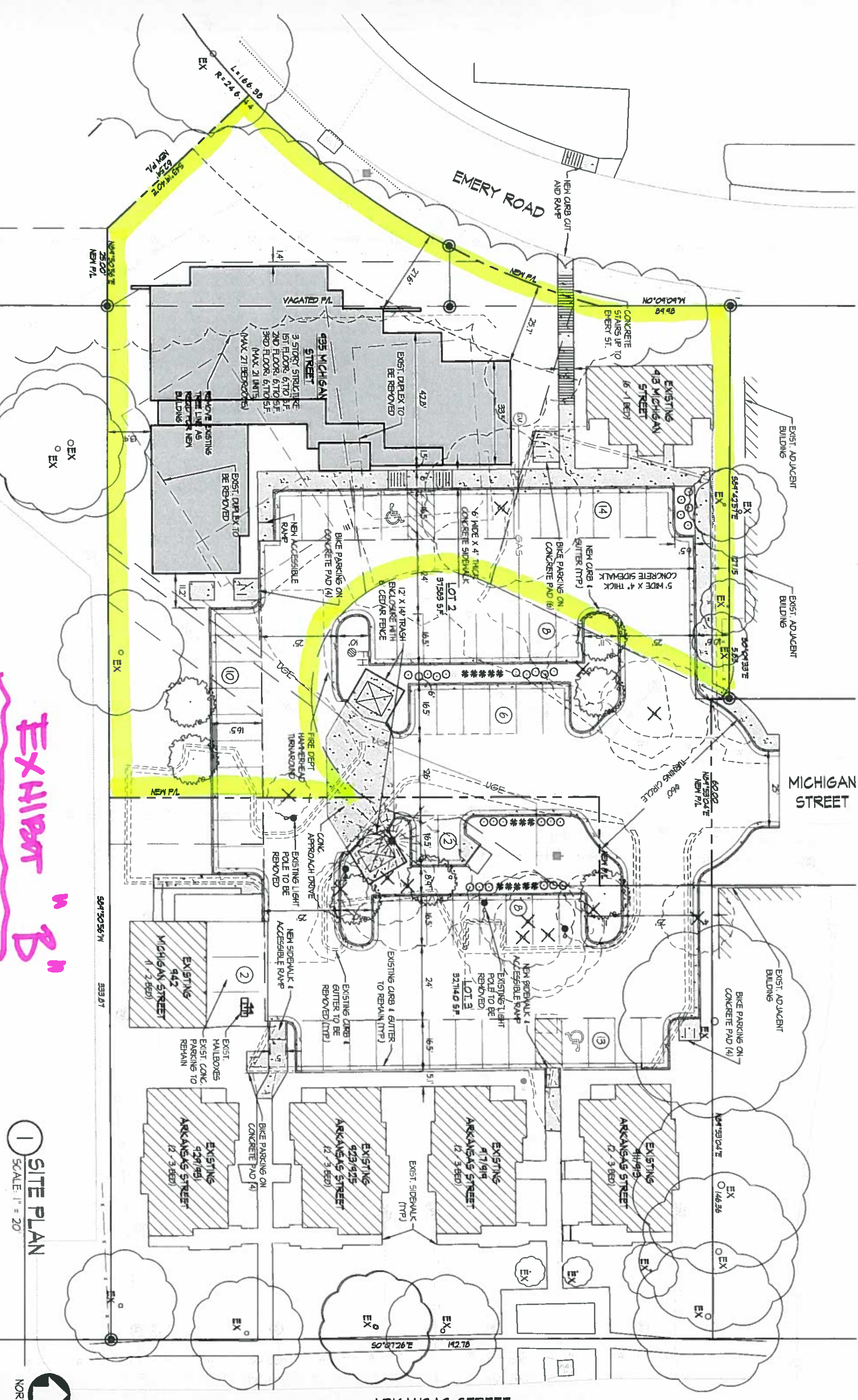


EXHIBIT "B"

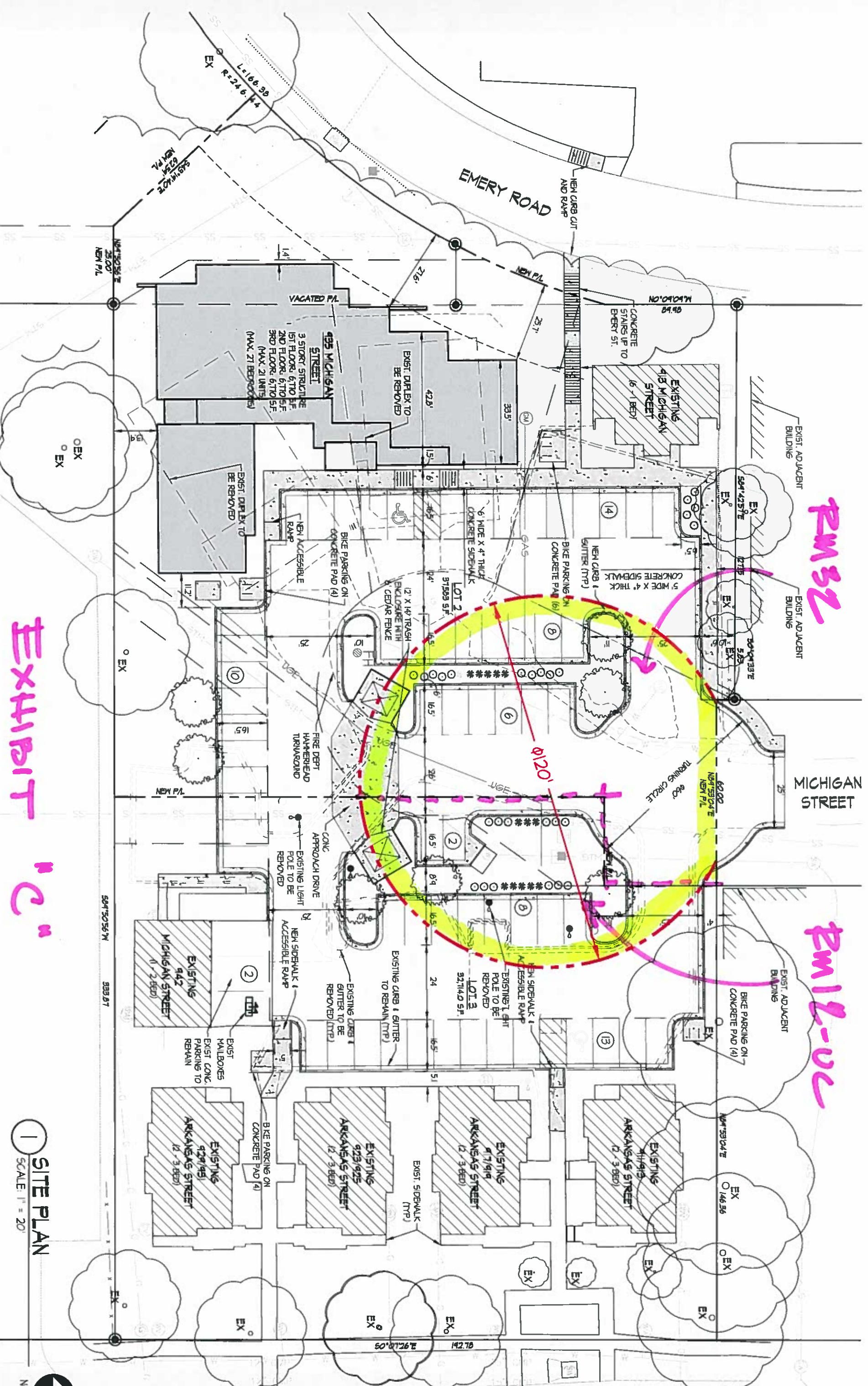
1 SITE PLAN  
SCALE: 1" = 20'



ARKANSAS STREET

MICHIGAN STREET

EMERY ROAD



PM 32

PM 12-02

EXHIBIT "C"

1 SITE PLAN  
SCALE 1" = 20'



ARKANSAS STREET

EMERY ROAD

MICHIGAN STREET

NEW PL

NEW PL

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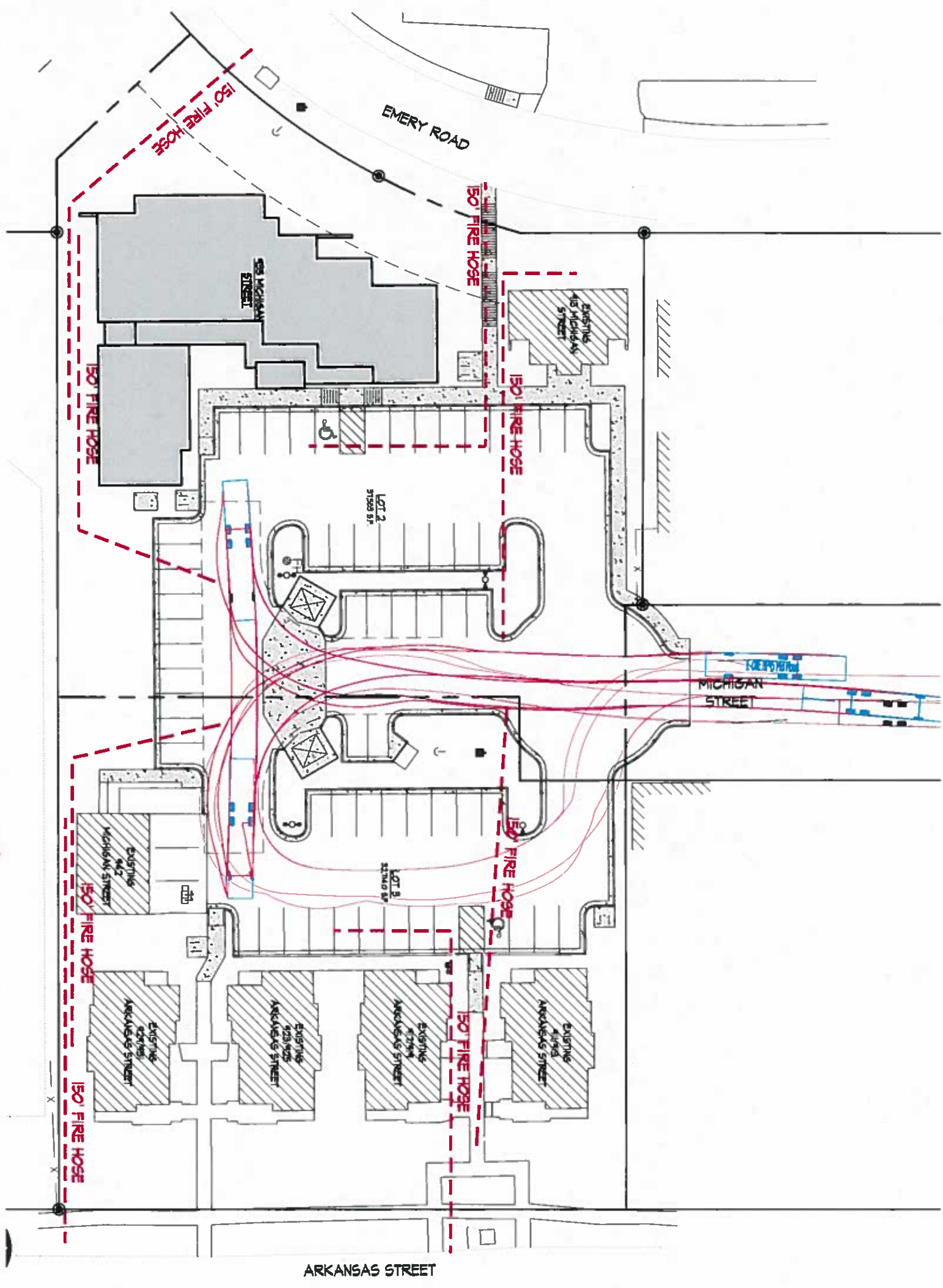
NEW PL

NEW PL

NEW PL

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EXHIBIT "D"



ARKANSAS STREET