

# **Dexter Downtown Development Authority**

September 15, 2016 < > 7:30 AM

**Dexter Senior Center**  
7720 Ann Arbor Street  
Dexter, MI 48130

## **MINUTES**

1. Call to Order: Called to order at 7:30 AM on September 15, 2016 by Vice Chairman Doug Finn. Chairman Steve Brouwer arrived at 7:31 and assumed meeting chair.

2. Roll Call

Becker, Patrick-ab	Bellas, Rich	Brouwer, Steve
Darnell, Don	Finn, Doug	Fitzpatrick, Mike
Jones, Carol	Keough, Shawn-ab	Model, Fred
O'Haver, Dan-ab	Schmid, Fred-ab	Willis, Randy

Also in attendance: Michelle Aniol, Community Development Manager; Courtney Nicholls, City Manager; Julie Knight, City Council Member; Jeremy McCallion, AKT Peerless; and Nathan Voght, Washtenaw County Brownfield Redevelopment Authority.

3. Approval of Minutes from the Regular Meeting on August 18, 2016.

*Motion Willis; support Finn to approve the minutes of the Regular Meeting on August 18, 2016 as presented.*

*Unanimous voice vote approval with Becker, Keough, O'Haver and Schmid absent.*

4. Approval of Agenda:

*Motion Model; support Darnell to approve the agenda as presented.*

*Unanimous voice vote approval with Becker, Keough, O'Haver and Schmid absent.*

5. Pre-arranged Audience Participation:

*None*

6. Non-Arranged Citizen Participation:

*None*

7. Treasurer's Report:

a) September Invoices: Two invoice from Scott Munzel. One for Dexter Wellness Attorney Fees in the amount of \$1,113.50 and the other for Redevelopment Attorney Fees in the amount of \$238.00 for a total amount of invoices of \$1,351.50.

*Motion Darnell; support Willis to pay the September invoices in an amount of \$1,351.50.*

*Unanimous voice vote approval with Becker, Keough, O'Haver and Schmid absent.*

b) Approval of September 2016 Treasurer's Report:

*Motion Darnell; support Bellas to approve the September Treasurer's Report as presented.*

*Unanimous voice vote approval with Becker, Keough, O'Haver and Schmid absent.*

8. Correspondence / Communications:

*None*

9. Action Items:

a) Old Business – *None*

b) New Business – *None*

10. Discussion Updates:

a) Draft Brownfield Plan for Grandview Commons – Discussion regarding draft Brownfield Plan for 7931 Grand Street, a/k/a Grandview Commons, a Planned Unit Development proposed by MMB Equities, LLC.

*Chairman Brouwer recused himself as meeting presider and Vice Chairman Finn assumed the chairman's role.*

*Jeremy McCallion of AKT Peerless gave an overview of the Brownfield Plan at 7931 Broad Street which includes the eligibility; funding; environmental issues; and non-environmental issues in building demolition.*

*Nathan Voght of the Washtenaw County Brownfield Redevelopment Authority introduced himself and explained his role in the Brownfield process. He also discussed local only financing.*

*Question – Have all the containments been tested on the site? (This began initially when the property was purchased, but it may require more testing.)*

*Ms Aniol discussed funding for the Brownfield. The starting point is 100% capture over 10 years, but there may be other possibilities. Would like to have a sub-committee from the DDA to look at funding and bring back a report to the DDA. Mike Fitzpatrick, Don Darnell and Shawn Keough volunteered to be the sub-committee.*

*At this point, Mr. Brouwer resumed the chair position for the balance of the meeting.*

11. City Mayor and Staff Reports

- a) Mayor – Shawn Keough - *No report*
- b) Staff – Michelle Aniol
  - *Ms. Aniol submitted her report as per packet. In addition she gave the following update – the work on 8080 Grand is going well.*

12. Chairman’s Report: October 20, 2016 Agenda

- a) Brownfield Redevelopment Plan for Grandview Commons
- b) Underground Trash Receptacles - Estimates
- c) Maintenance of Public Stair behind Dexter Pub - Bids
- d) Security Cameras in Parking Lot

13. Non-Arranged Citizen Participation:

*None*

14. Adjournment

*Motion Darnell; support Finn to adjourn at 8:25 AM.*

*Unanimous voice vote approval with Becker, Keough, O’Haver and Schmid absent.*

Respectfully submitted,

Carol Jones, Secretary

## Memo

**To:** Dexter DDA  
**From:** Marie Sherry, City Treasurer  
**Date:** October 12, 2016  
**Re:** Treasurer's Report

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### Invoice Approval Notes

- OHM; General Services (dumpster & stairway): \$489.50
- US Bank; 2008 Non-Taxable Bond Interest: \$45,689.38
- PNC Bank; 2011 Refunding Principle & Interest: \$40,189.00
- US Bank; 2015 Taxable Bond Refunding Interest: \$29,901.25
- Combined total due for all invoices is \$116,269.13

### Cash Status

DDA Cash Balances Report			
9/30/2016			
Fund	Account Name	General Ledger Balance	Notes
248 - DDA General	TCF Pooled Account	\$ -	
394 - DDA Debt	TCF Pooled Account	\$ -	
	<b>Total DDA Pooled Checking</b>	<b>\$ -</b>	
248 - DDA General	TCF Money Market Account	\$ 327,620.34	
248 - DDA Parking	TCF Money Market Account	\$ 12,500.00	
394 - DDA Debt	TCF Money Market Account	\$ -	
	<b>Total DDA Pooled Savings</b>	<b>\$ 340,120.34</b>	
248 - DDA General	ONB Money Market Account	\$ 202,628.05	
394 - DDA Debt	ONB Money Market Account	\$ -	
	<b>Total DDA Pooled Savings</b>	<b>\$ 202,628.05</b>	
248 - DDA General	Flagstar Bank CD	\$ 200,000.00	.70%, matures 1-27-2017
	<b>Total Non-Pooled</b>	<b>\$ 200,000.00</b>	
Total General Cash		\$ 742,748.39	
Total Debt Cash		\$ -	
		\$ 742,748.39	
Month End Cash		\$ 742,748.39	
Projected FY 16/17 Revenue All Funds		\$ 369,410.00	
Projected FY 16/17 Expenditures All Funds		\$ (676,172.25)	
Wellness Center Set Aside		\$ (310,124.53)	Through September 30, 2016
Projected Year End Cash		\$ 125,861.61	

## Fiscal Year 2016-2017 Revenue Expenditure Report

10/12/2016 REVENUE AND EXPENDITURE REPORT FOR CITY OF DEXTER						
PERIOD ENDING 09/30/2016						
% Fiscal Year Completed: 25.21						
		2016-17	YTD BALANCE		AVAILABLE	
		ORIGINAL	2016-17	09/30/2016	BALANCE	% BDGT
GL NUMBER	DESCRIPTION	BUDGET	AMENDED BUDGET	NORMAL (ABNORMAL)	NORMAL (ABNORMAL)	USED
<b>Fund 248 - DOWNTOWN DEVELOPMENT AUTHORITY</b>						
Revenues						
Dept 000-ASSETS, LIABILITIES & REVENUE						
248-000-405.000	TAX CAPTURE REVENUE	303,600.00	303,600.00	217,340.85	86,259.15	71.59
248-000-574.001	PERSONAL PROPERTY TAX REIMBURSEMENT	7,800.00	7,800.00	-	7,800.00	0.00
248-000-665.000	INTEREST EARNED	500.00	500.00	49.15	450.85	9.83
248-000-671.000	OTHER REVENUE	-	-	12,500.00	(12,500.00)	100.00
<b>Total Dept 000-ASSETS, LIABILITIES &amp; REVENUE</b>		<b>311,900.00</b>	<b>311,900.00</b>	<b>229,890.00</b>	<b>82,010.00</b>	<b>73.71</b>
<b>TOTAL Revenues</b>		<b>311,900.00</b>	<b>311,900.00</b>	<b>229,890.00</b>	<b>82,010.00</b>	<b>73.71</b>
Expenditures						
Dept 248-ADMINISTRATION						
248-248-802.000	PROFESSIONAL SERVICES	5,000.00	5,000.00	1,961.75	3,038.25	39.24
248-248-803.000	CONTRACTED SERVICES	1,700.00	1,700.00	-	1,700.00	0.00
248-248-810.000	ATTORNEY FEES	20,000.00	20,000.00	3,366.00	16,634.00	16.83
248-248-957.002	DDA CAPTURE REFUNDS	5,000.00	5,000.00	-	5,000.00	0.00
<b>Total Dept 248-ADMINISTRATION</b>		<b>31,700.00</b>	<b>31,700.00</b>	<b>5,327.75</b>	<b>26,372.25</b>	<b>16.81</b>
Dept 442-DOWNTOWN PUBLIC WORKS						
248-442-803.015	CITY MAINTENANCE	5,000.00	5,000.00	-	5,000.00	0.00
<b>Total Dept 442-DOWNTOWN PUBLIC WORKS</b>		<b>5,000.00</b>	<b>5,000.00</b>	<b>-</b>	<b>5,000.00</b>	<b>0.00</b>
Dept 901-CAPITAL IMPROVEMENTS						
248-901-972.001	PURCHASE OF HOUSE	20,000.00	20,000.00	-	20,000.00	0.00
248-901-972.002	DTE SUBSTATION MOVE	50,000.00	50,000.00	-	50,000.00	0.00
<b>Total Dept 901-CAPITAL IMPROVEMENTS</b>		<b>70,000.00</b>	<b>70,000.00</b>	<b>-</b>	<b>70,000.00</b>	<b>0.00</b>
Dept 965-TRANSFERS OUT - CONTROL						
248-965-999.394	TR OUT FOR BOND PAYMENTS - 394	287,400.00	287,400.00	-	287,400.00	0.00
<b>Total Dept 965-TRANSFERS OUT - CONTROL</b>		<b>287,400.00</b>	<b>287,400.00</b>	<b>-</b>	<b>287,400.00</b>	<b>0.00</b>
<b>TOTAL Expenditures</b>		<b>394,100.00</b>	<b>394,100.00</b>	<b>5,327.75</b>	<b>388,772.25</b>	<b>1.35</b>
<b>Fund 248 - DOWNTOWN DEVELOPMENT AUTHORITY:</b>						
<b>TOTAL REVENUES</b>		<b>311,900.00</b>	<b>311,900.00</b>	<b>229,890.00</b>	<b>82,010.00</b>	<b>73.71</b>
<b>TOTAL EXPENDITURES</b>		<b>394,100.00</b>	<b>394,100.00</b>	<b>5,327.75</b>	<b>388,772.25</b>	<b>1.35</b>
<b>NET OF REVENUES &amp; EXPENDITURES</b>		<b>(82,200.00)</b>	<b>(82,200.00)</b>	<b>224,562.25</b>	<b>(306,762.25)</b>	<b>273.19</b>

Fund 394 - DDA DEBT FUND						
Revenues						
Dept 000-ASSETS, LIABILITIES & REVENUE						
394-000-695.248	TRANSFER IN FROM DDA FUND 248	287,400.00	287,400.00	-	287,400.00	0.00
Total Dept 000-ASSETS, LIABILITIES & REVENUE		287,400.00	287,400.00	-	287,400.00	0.00
TOTAL Revenues		287,400.00	287,400.00	-	287,400.00	0.00
Expenditures						
Dept 850-LONG-TERM DEBT						
394-850-992.000	BOND FEES	1,000.00	1,000.00	-	1,000.00	0.00
394-850-997.003	DDA 2008 TAXABLE BOND (\$1.6M)	90,000.00	90,000.00	-	90,000.00	0.00
394-850-997.004	DDA 2008 BOND (\$2+M)	116,500.00	116,500.00	-	116,500.00	0.00
394-850-997.005	2011 REFUNDING BOND (\$620K)	79,900.00	79,900.00	-	79,900.00	0.00
Total Dept 850-LONG-TERM DEBT		287,400.00	287,400.00	-	287,400.00	0.00
TOTAL Expenditures		287,400.00	287,400.00	-	287,400.00	0.00
Fund 394 - DDA DEBT FUND:						
TOTAL REVENUES		287,400.00	287,400.00	-	287,400.00	0.00
TOTAL EXPENDITURES		287,400.00	287,400.00	-	287,400.00	0.00
NET OF REVENUES & EXPENDITURES		-	-	-	-	0.00
TOTAL REVENUES - ALL FUNDS		599,300.00	599,300.00	229,890.00	369,410.00	38.36
TOTAL EXPENDITURES - ALL FUNDS		681,500.00	681,500.00	5,327.75	676,172.25	0.78
NET OF REVENUES & EXPENDITURES		(82,200.00)	(82,200.00)	224,562.25	(306,762.25)	273.19

## 2016 Summer Tax Collection

- Summer tax collection is largely complete. The revenue/expenditure report reflects removal of the Dexter Wellness Center capture, which has been placed into the set aside account.

## Parking Fund

- The Other Revenue line in Fund 248 contains monies received for public parking. These funds are reflected in the newly created public parking cash line within the TCF Money Market account.

## Outstanding Accounts Receivable for Site Improvements

- The following invoices from 2009 are outstanding:
  - Mary O'Neil: \$1,300. No payments were ever made.
  - Dexter's Pub: \$3,000. Partial payments made in 2010 and 2011 on an original balance of \$7,000.
- Invoices have been sent. Mary O'Neil's was returned as a bad address, however City staff did have another address and the invoice has been resent. Staff is in conversation with Dexter's Pub about the timing of the payments.

## **Required Reporting**

- Form 5176 – Request for State Reimbursement of Tax Increment Finance Authority. Deadline to file for 2016 is June 15<sup>th</sup>.
- Form 2604 – Tax Increment Financing Plan Report for Capture of Property Taxes (deadline to file is July 31<sup>st</sup> of each year).
- Qualifying Statement – File the Fiscal Year 2015-2016 Statement by December 31, 2016
- Audit – File the 2015-2016 Audit by December 31, 2016.
- Publish the Fiscal Year 2014-2015 Annual Report by February 2017.

394-850.000-977.005

2011 Refunding Bond

Due Date	Principal	Interest	Month Due	Fiscal Due	Interest
November-11	10,000	2,701.38	12,701.38		
May-12	59,000	9,027.00	68,027.00	80,728.38	11,728.38
November-12	31,000	8,156.75	39,156.75		
May-13	30,000	7,699.50	37,699.50	76,856.25	15,856.25
November-13	33,000	7,257.00	40,257.00		
May-14	33,000	6,770.25	39,770.25	80,027.25	14,027.25
November-14	35,000	6,283.50	41,283.50		
May-15	34,000	5,767.25	39,767.25	81,050.75	12,050.75
November-15	37,000	5,265.75	42,265.75		
May-16	36,000	4,720.00	40,720.00	82,985.75	9,985.75
November-16	36,000	4,189.00	40,189.00		
May-17	36,000	3,658.00	39,658.00	79,847.00	7,847.00
November-17	35,000	3,127.00	38,127.00		
May-18	35,000	2,610.75	37,610.75	75,737.75	5,737.75
November-18	35,000	2,094.50	37,094.50		
May-19	34,000	1,578.25	35,578.25	72,672.75	3,672.75
November-19	37,000	1,076.75	38,076.75		
May-20	36,000	531.00	36,531.00	74,607.75	1,607.75

320,000  
284,000

*PNC Bank*

Coded by: ~~Marie~~ Marie  
 GL # 394-850-977.005 Amt. 40189.00  
 GL # \_\_\_\_\_ Amt. \_\_\_\_\_  
 GL # \_\_\_\_\_ Amt. \_\_\_\_\_  
 Scanned by: \_\_\_\_\_  
 Date: \_\_\_\_\_



### Corporate Trust Services

Debt Service Invoice      November 01, 2016

VILLAGE OF DEXTER DDA  
ATTN: MARIE SHERRY, CPFA  
8140 MAIN STREET  
DEXTER MI 48130

DX08BLDTXGO  
VILLAGE OF DEXTER DOWNTOWN  
DEVELOPMENT BOND COUNTY OF  
WASHTENAW MICHIGAN SERIES 2008B

CUSIP	Maturity Date	Accrual Start Date	Accrual End Date	No. of Days	Principal Balance	Interest Rate	Interest	Principal	Premium or Discount
252248HS1	05/01/2017	05/01/2016	10/31/2016	180	25,000.00	4.37500 %	546.88	0.00	0.00
252248HT9	05/01/2018	05/01/2016	10/31/2016	180	35,000.00	4.50000 %	787.50	0.00	0.00
252248HW2	05/01/2021	05/01/2016	10/31/2016	180	255,000.00	4.60000 %	5,865.00	0.00	0.00
252248HZ5	05/01/2024	05/01/2016	10/31/2016	180	510,000.00	4.80000 %	12,240.00	0.00	0.00
252248JB6	05/01/2026	05/01/2016	10/31/2016	180	475,000.00	5.00000 %	11,875.00	0.00	0.00
252248JD2	05/01/2028	05/01/2016	10/31/2016	180	575,000.00	5.00000 %	14,375.00	0.00	0.00

**WIRING INSTRUCTIONS:**

Funds must be received by 10:00 AM CST to:

BBK: U.S. BANK NA (ABA 091000022)

BNF: U.S. Bank Trust N.A.

AC: 170225065771

OBI: DX08BLDTXGO      802503000

Interest Due: 45,689.38

Principal Due: 0.00

Amount of Principal that is Prem/Disc: 0.00

Sub-Total 45,689.38

Funds are due on      11/01/2016      Total Due      45,689.38

**U.S. BANK CONTACT**

TFM Analyst: Mai Mao Lee

E-mail: maimao.lee@usbank.com

Phone:

Coded by: Marie

GL # 394 - 850 - 997.004 Amt. 45,689.38

GL # \_\_\_\_\_ - \_\_\_\_\_ - \_\_\_\_\_ Amt. \_\_\_\_\_

GL # \_\_\_\_\_ - \_\_\_\_\_ - \_\_\_\_\_ Amt. \_\_\_\_\_

Scanned by: \_\_\_\_\_

Date: paid 10/14/16 ck 1994



All of us serving you®

Coded by: marie  
GL # 394 - 850 - 997 - 003 Amt. 29,735.00

Invoice Date: 9/21/2016  
Invoice Number:

GL # \_\_\_\_\_ Amt. \_\_\_\_\_  
GL # \_\_\_\_\_ Amt. \_\_\_\_\_

CITY OF DEXTER, MI  
8140 MAIN STREET  
DEXTER, Michigan 48130

Scanned by: \_\_\_\_\_  
Date: Paid 10/14/16 CK 1994

Contact	Phone	Fax	Email
MARY SHERRY	(734)-426-8303		

Account Name: CITY OF DEXTER COUNTY OF WASHTENAW 2015 DOWNTOWN DEVELOPMENT REFUNDING BONDS LIMITED TAX GENERAL OBLIGATION (TAXABLE) Payment Date Rule: Semi-Annually/1	Account Number: 0026982NS Principal Pays: 5/1/2017
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Payment Date: 11/1/2016		Payment Type: Debt Service								
CUSIP: 252248KA6		30/360								
Start of Period	End of Period	Days	Principal Balance	Rate Index	Spread	Liquidity Premium	Bank Multiplier	Interest Rate	Interest	
5/1/2016	10/31/2016	180	\$385,000.00					3.55%	\$6,833.75	
Totals:		180						Interest Due:	\$6,833.75	
								Net Due:	\$6,833.75	

CUSIP: 252248KB4		30/360								
Start of Period	End of Period	Days	Principal Balance	Rate Index	Spread	Liquidity Premium	Bank Multiplier	Interest Rate	Interest	
5/1/2016	10/31/2016	180	\$985,000.00					4.65%	\$22,901.25	
Totals:		180						Interest Due:	\$22,901.25	
								Net Due:	\$22,901.25	

PAYMENT SUMMARY	
Total Interest Due:	\$29,735.00
Total Due on 11/1/2016 :	\$29,735.00

Notes

WIRING INSTRUCTIONS	
US Bank must receive funds prior to 10:30 A.M. CST to ensure DTCC receives funds prior to their same day settlement deadline of 2:00 P.M. CST. Any payments received by DTCC after the 2:00 P.M. deadline will be allocated the next day.	
ABA:	091000022
BBK:	U.S. BANK NA
A/C:	180120521620
BNF:	U.S. Bank Trust N.A.
OBI:	DEXTERLTGO15

CHECK INSTRUCTIONS
If paying by check, please include a copy of this invoice and remit payment 5 business days prior to payment date.
U.S. BANK St. Paul CM-9705 P.O. BOX 70870 St Paul, MN 55170

U.S. BANK CONTACTS

TFM Analyst Sotta Sem  
TFM Specialist Sotta Sem

Email: sotta.sem@usbank.com  
Email: sotta.sem@usbank.com

Phone: (651)-466-6106  
Phone: (651)-466-6106

DENVER-DEXTERLTGO15



City of Dexter  
Attn: Courtney Nicholls  
8123 Main Street  
Dexter, MI 48130

Invoice Date: 09/01/2016  
Invoice #: 180354  
Project: 0130-16-0012

**Professional Fees**

**Fixed Rates Labor**

<i>Classification / Employee Name</i>	<i>Date</i>	<i>Hours</i>	<i>Rate</i>	<i>Amount</i>
Graduate Engineer I				
ZACHARY HAMPTON	8/3/2016	1.25	103.0000	128.75
<i>Hydrant Addendum</i>				
	8/10/2016	2.00	103.0000	206.00
<i>Dumpster Estimate</i>				
	8/11/2016	0.25	103.0000	25.75
<i>Dumpster Est</i>				
	Subtotal	3.50		360.50
Professional Engineer/Architect II				
PATRICK DROZE	8/10/2016	0.50	129.0000	64.50
<i>Dexter DDA dumpster design and estimates</i>				
	8/12/2016	0.25	129.0000	32.25
<i>Bidding document formatting (Stair Repair)</i>				
	8/17/2016	0.25	129.0000	32.25
<i>DDA Dumpster Estimate</i>				
	Subtotal	1.00		129.00
	Fixed Rates Labor subtotal	4.50		489.50
	<b>Total Professional Fees</b>			<b>489.50</b>

**Total Project: 0130160012 - Dexter DDA - General Assistance**

**489.50**

248.248.802.000

**REMIT TO:**

OHM Advisors  
34000 PLYMOUTH RD  
LIVONIA, MICHIGAN 48150-1512

T 734.522.6711  
F 734.522.6427

OHM-Advisors.com

Traverse City News and Events  
**Tuesday, October 18, 2016**

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## Short On Options, Restaurant Owners Build Rental Housing

October 17, 2016

By [Beth Milligan](#)



Amidst a housing rental shortage straining Traverse City employers' efforts to attract and retain staff, two local restaurateurs are taking matters into their own hands and building a downtown housing development.

Jeff and Trish Wiltse – owners of Firefly, Bubba's, The Kitchen and Maddy's Tavern – recently broke ground on a 14-unit apartment complex called Boardman Flats at 619 East Eighth Street between Railroad Avenue and Franklin Street. Scheduled to be ready for occupancy in spring 2017, the 8,200 square-foot building will house 12 single-bedroom studio apartments and two larger two-bedroom apartments.

Two homes were demolished on the site to make way for the development. "We owned one house since 1998," says Trish, "and when the other went on the market last year, we had this idea to (combine the properties) and build small flats so people could work and live downtown."

The Wiltses echo the frustrations of other local restaurateurs and retailers who've found it increasingly difficult to hire and keep staff in the wake of Traverse City's housing shortage. "We've had employees move because they could find lower-cost housing downstate," says Trish. "We've tried to be competitive with our wages. But unless you live outside the city and drive in (to the restaurants), or else pile people up in a small apartment in town, it's difficult to make it work. That's how this (project) started: our employees talking about housing."

President Chris Richter of RCI/Richter Construction – which is overseeing construction of Boardman Flats – says the development will feature "trendy touches" like arched walkways, bike racks and attractive finishes that will make it a "highly desired" addition to the corridor. "It's cool to be a part of this revitalization of Eighth Street," Richter says. "We're taking out these old buildings, helping clean up that section of Eighth Street and putting in a place people are going to want to live."

While construction has only been underway a few weeks, Richter says the job site has generated "a ton" of interest from passersby. "People constantly stop and ask us what's going in, how tall the building will be, when it will be ready," he says. But the million-dollar question – as is often the case with new Traverse City rental developments – has been: How much will the rent be?

"It's not low-income housing," says Richter. "It's a valiant attempt at providing affordable housing in Traverse City, but it's not low-income."

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[Commission Tables Wayne Street Request](#)  
Grand Traverse County



Sheriff's Office

[Details Emerge In Fatal Long Lake Shooting](#)



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[Deputy Injured In Garfield Township Crash](#)



[Two Leelanau Accidents Lead To Arrests For Downstate Drivers](#)

As business owners and now first-time developers, the Wiltzes are experiencing both sides of the affordable housing crisis coin: the economic impact of not having housing available to workers, and the difficulty in making the numbers work to construct affordable housing – even for builders personally motivated to bring it to the marketplace.

“We really want to meet this need, but (the process) is frustrating,” says Trish. Renting out apartments significantly below market-rate – for example, to low-income tenants – typically requires public-private partnerships with entities like the Michigan State Housing Development Authority to make the development sustainable. It can take multiple application cycles to be approved for MSHDA funding, if funding is approved at all – a process Trish says can be “very difficult to work through.”

The Wiltzes instead are trying to make the apartments available as quickly as possible and still keep rent within reach for middle-income workers. The couple originally set a target goal of \$800/month for the studio units, which can accommodate 1-2 individuals. But the couple was informed by the city assessor’s office that property taxes alone could equal \$200/month per unit.

After factoring in building, development and maintenance costs, those expenses could ultimately drive rental prices closer to \$980, according to Trish. “We have to at least get a return on our investment,” she says. “We’re not trying to make a lot of money. We’re hoping to work with the city on some type of concessions.”

City Assessor Polly Cairns says tax abatement requests for housing developments typically come to city commissioners before construction begins, not after, so she's uncertain how such a request would be handled. “We do appreciate the benefit of them trying to provide housing at a reasonable cost, because Traverse City doesn’t have enough of that housing,” Cairns says. “If an abatement is what they want, we would do our best to work with them and assist them with that request.”

Richter believes no matter the final rental rates, Boardman Flats will help meet a crucial need for downtown rental housing and offer a “studio concept that does not exist in the area.” He says his firm also has a “bigger vision” of developing multiple such properties in the city – smaller-scale developments integrated into the surrounding neighborhoods, rather than large-scale complexes. “We’re already looking at another piece of property right now,” he says. “There is a crying need for housing for our downtown workers.”

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## Comments



[Street Closures Planned  
For Eighth, Ninth,  
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# The Future of Retirement Communities: Walkable and Urban



Ben and Christine Brown in West Asheville, N.C., which they says is a more walkable community than their previous home in Franklin, N.C.

MIKE BELLEME FOR THE NEW YORK TIMES

OCTOBER 14, 2016

**Retiring**

By JOHN F. WASIK

**FEW** people in America walk to work. Most of us drive to the supermarket. But more older people these days are looking for a community where they can enjoy a full life without a car.

Ben Brown and his wife, Christine, say they weren't thinking about [retirement](#) when they moved to [Franklin, N.C.](#), a small, lovely town nestled in the Smoky

Mountains near Asheville, a haven for many East Coast and Midwest retirees.

“We loved the idea of living in a small town in a rural mountain area,” Mr. Brown recalled. “And we converted a summer house to a year-round home to suit our tastes.”

Yet Mr. Brown, a 70-year-old writer, and his 66-year-old wife said they had second thoughts as they made the transition toward retirement.

“We realized ‘aging in place’ means a lot more than just a comfortable house,” Mr. Brown said. “So we began thinking more about ‘aging in community.’ That means an urban neighborhood where you can walk or take transit to just about everything you need.”

ADVERTISEMENT



Then they discovered West Asheville, a vibrant, urban neighborhood that is brimming with trendy new restaurants, inviting shops and a number of bus routes into the larger city next door. Nearly every place they wanted to go was within walking distance, a major benefit for those who don't want to drive everywhere as they get older.

“We always thought we'd end up in an urban environment,” Mr. Brown added. “We're in one of the few places where you can comfortably live without a car in a growing, mixed-use neighborhood.”

In the age of the Fitbit and a growing cohort of active, engaged retirees eager to take their daily 10,000 steps, retirement communities have been slow to change. Eighty percent of retirees still live in car-dependent suburbs and rural areas, according to a [Brookings Institution study](#).

Developments for independent retirees typically come in two flavors: isolated, gated subdivisions or large homes on golf courses, often in the same bland package

of multiple cul-de-sacs. Both require driving everywhere, which is a problem for those who either don't want to drive or can't.

Enter a new paradigm: the walkable, urban space. It may range from existing neighborhoods in places like Brooklyn or San Francisco to newly built housing within city and suburban cores from coast to coast. Though not primarily for retirees, places like Reston, Va., and Seaside, Fla., were early examples of the new urbanism built from the ground up. Among senior housing projects, examples include Waterstone at Wellesley along the Charles River in the Boston area and The Lofts at McKinley in downtown Phoenix. The theme is simple: Get out and walk to basic services.

Walkability, though, is much more than a hip marketing pitch. It's [linked](#) to better health, social engagement and higher property values.

The researchers Philippa Clarke and Linda George [found](#) that walkable, mixed-use environments could possibly reduce disabilities many face as they age. Pedestrian-friendly communities promote walking to a grocery store, cafe or other services like a dry cleaner or library.

Although there is clearly a growing demand for walkable, urban retirement communities, they are difficult to build within cities, said Christopher Leinberger, a developer based in Washington and a professor at the George Washington University School of Business.

Mr. Leinberger noted that most mainstream retirement developers had traditionally favored suburban or exurban sites that involve sprawling "greenfield" building on relatively cheap farmland. The [new approach](#), by contrast, is for dense, urban or town-centered sites that are accessible for services and socially vibrant.

"The model used to be to isolate old people on cul-de-sacs backing up to a golf course," Mr. Leinberger said. "The new model just beginning to rise is for walkable urban places."

But there are many obstacles. Age-friendly communities within cities may require extensive infrastructure improvements, including wider sidewalks, bike lanes, more public transportation options and longer pedestrian signal walk times. Local officials may not want to rezone or invest in the improvements or even permit them.

Michael Glynn, a vice president with National Development in Boston, who has built walkable communities primarily for homeowners 75 and older, said he had faced many roadblocks in pursuing his projects.



“Towns are frightened by density,” Mr. Glynn said, referring to clustering housing units in downtown areas. “But if you build in the right, walkable location, it could do a lot of good for an 85-year-old.”

Walkable areas in mature cities, though, may be unaffordable for retirees who are interested in paring their overall housing costs. Some of the most walkable cities are among the most expensive: New York, San Francisco and Boston top the list compiled by [Walkscore.com](http://Walkscore.com), which also rates individual neighborhoods.

New York’s Little Italy and Flatiron Districts; Chinatowns in Boston, San Francisco, New York and Washington; Philadelphia’s Rittenhouse Square; and Chicago’s Near North and West Loop all scored well.

Although the price tags for these neighborhoods can be lofty, there is a financial upside. They promise higher home equity down the road, if you can afford to buy there.

Mr. Leinberger, in a G.W.U. study, found that the walkability factor added more than 72 percent in [increased housing value](#) compared with car-dominated developments, where he says prices will fall over time as America ages.

The affordability issue may be a roadblock to many retirees looking to cut housing expenses, but it shouldn’t be a high barrier to those already living in a city. They may be able to stay put if the neighborhood where they live can accommodate their changing needs.

How do you rate a neighborhood’s walkability? You can start with the [WalkScore rankings](#) and sort cities based on affordability, location and amenities.

Also keep in mind that the most walkable communities may need other services to fit your needs.

Do they have quality health care institutions nearby? Is public transportation

adequate? Will you need barrier-free sidewalks and retail establishments? How easy is it to leave and visit other parts of a city or its metropolitan region? Will you need to rent or share a car? What about local colleges for cultural amenities and lifelong learning programs?

Picking the right community also should involve your family. If you want to be close to children and grandchildren, you should consider a place accessible to them as well.

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# SENATE BILL No. 960

May 11, 2016, Introduced by Senators BRANDENBURG, HUNE, MARLEAU, PROOS, GREEN, WARREN and SCHMIDT and referred to the Committee on Finance.

A bill to amend 1893 PA 206, entitled  
"The general property tax act,"  
by amending section 7o (MCL 211.7o), as amended by 2006 PA 681.

## THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

1           Sec. 7o. (1) Real or personal property owned and occupied by a  
2 nonprofit charitable institution while occupied by that nonprofit  
3 charitable institution solely for the **CHARITABLE** purposes for which  
4 that nonprofit charitable institution was incorporated is exempt  
5 from the collection of taxes under this act.

6           (2) Real or personal property owned and occupied by a  
7 charitable trust while occupied by that charitable trust solely for  
8 the charitable purposes for which that charitable trust was  
9 established is exempt from the collection of taxes under this act.

10           (3) Real or personal property owned by a nonprofit charitable  
11 institution or charitable trust that is leased, loaned, or

1 otherwise made available to another nonprofit charitable  
2 institution or charitable trust or to a nonprofit hospital or a  
3 nonprofit educational institution that is occupied by that  
4 nonprofit charitable institution, charitable trust, nonprofit  
5 hospital, or nonprofit educational institution solely for the  
6 **CHARITABLE** purposes for which that nonprofit charitable  
7 institution, charitable trust, nonprofit hospital, or nonprofit  
8 educational institution was organized or established and that would  
9 be exempt from taxes collected under this act if the real or  
10 personal property were occupied by the lessor nonprofit charitable  
11 institution or charitable trust solely for the **CHARITABLE** purposes  
12 for which the lessor charitable nonprofit institution was organized  
13 or the charitable trust was established is exempt from the  
14 collection of taxes under this act.

15 (4) For taxes levied after December 31, 1997, real or personal  
16 property owned by a nonprofit charitable institution or charitable  
17 trust that is leased, loaned, or otherwise made available to a  
18 governmental entity is exempt from the collection of taxes under  
19 this act if all of the following conditions are satisfied:

20 (a) The real or personal property would be exempt from the  
21 collection of taxes under this act under section 7m if the real or  
22 personal property were owned or were being acquired pursuant to an  
23 installment purchase agreement by the lessee governmental entity.

24 (b) The real or personal property would be exempt from the  
25 collection of taxes under this act if occupied by the lessor  
26 nonprofit charitable institution or charitable trust solely for the  
27 **CHARITABLE** purposes for which the lessor charitable nonprofit

1 institution was organized or the charitable trust was established.

2 (5) Real property owned by a qualified conservation  
3 organization that is held for conservation purposes and that is  
4 open to all residents of this state for educational or recreational  
5 use, including, but not limited to, low-impact, nondestructive  
6 activities such as hiking, bird watching, cross-country skiing, or  
7 snowshoeing is exempt from the collection of taxes under this act.  
8 As used in this subsection, "qualified conservation organization"  
9 means a nonprofit charitable institution or a charitable trust that  
10 meets all of the following conditions:

11 (a) Is organized or established, as reflected in its articles  
12 of incorporation or trust documents, for the purpose of acquiring,  
13 maintaining, and protecting nature sanctuaries, nature preserves,  
14 and natural areas in this state, that predominantly contain natural  
15 habitat for fish, wildlife, and plants.

16 (b) Is required under its articles of incorporation, bylaws,  
17 or trust documents to hold in perpetuity property acquired for the  
18 purposes described in subdivision (a) unless both of the following  
19 conditions are satisfied:

20 (i) That property is no longer suitable for the purposes  
21 described in subdivision (a).

22 (ii) The sale of the property is approved by a majority vote  
23 of the members or trustees.

24 (c) Its articles of incorporation, bylaws, or trust documents  
25 prohibit any officer, shareholder, board member, employee, or  
26 trustee or the family member of an officer, shareholder, board  
27 member, employee, or trustee from benefiting from the sale of

1 property acquired for the purposes described in subdivision (a).

2 (6) If authorized by a resolution of the local tax collecting  
3 unit in which the real or personal property is located, real or  
4 personal property owned by a nonprofit charitable institution that  
5 is occupied and used by the nonprofit charitable institution's  
6 chief executive officer as his or her principal residence as a  
7 condition of his or her employment and that is contiguous to real  
8 property that contains the nonprofit charitable institution's  
9 principal place of business is exempt from the collection of taxes  
10 under this act.

11 (7) A charitable home of a fraternal or secret society, or a  
12 nonprofit corporation whose stock is wholly owned by a religious or  
13 fraternal society that owns and operates facilities for the aged  
14 and chronically ill and in which the net income from the operation  
15 of the corporation does not inure to the benefit of any person  
16 other than the residents, is exempt from the collection of taxes  
17 under this act.

18 (8) Real and personal property owned and occupied by a  
19 nonprofit corporation that meets all of the following conditions is  
20 exempt from the collection of taxes under this act:

21 (a) The nonprofit corporation is exempt from taxation under  
22 section 501(c)(3) of the internal revenue code **OF 1986**, 26 USC 501.

23 (b) The nonprofit corporation meets 1 of the following  
24 conditions:

25 (i) Is a skilled nursing facility or home for the aged,  
26 licensed under the public health code, 1978 PA 368, MCL 333.1101 to  
27 333.25211, or is an adult foster care facility licensed under the

1 adult foster care facility licensing act, 1979 PA 218, MCL 400.701  
2 to 400.737. As used in this subparagraph:

3 (A) "Adult foster care facility" means that term as defined in  
4 section 3 of the adult foster care facility licensing act, 1979 PA  
5 218, MCL 400.703.

6 (B) "Home for the aged" means that term as defined in section  
7 20106 of the public health code, 1978 PA 368, MCL 333.20106.

8 (C) "Skilled nursing facility" means that term as defined in  
9 section 20109 of the public health code, 1978 PA 368, MCL  
10 333.20109.

11 (ii) Provides housing, rehabilitation services, diagnostic  
12 services, medical services, or therapeutic services to 1 or more  
13 disabled persons. As used in this subparagraph, "disabled person"  
14 means that term as defined in section 7d.

15 (c) The nonprofit corporation meets either of the following  
16 conditions:

17 (i) The real and personal property of the nonprofit  
18 corporation was being treated as exempt from the collection of all  
19 taxes under this act on ~~the effective date of the amendatory act~~  
20 ~~that added this subsection.~~ **JANUARY 10, 2007.**

21 (ii) The real and personal property of the nonprofit  
22 corporation had been treated as exempt from the collection of all  
23 taxes under this act on December 31, 2004 and there has been no  
24 transfer of ownership of that property during the period of time  
25 beginning the last day the property was treated as exempt until ~~the~~  
26 ~~effective date of the amendatory act that added this subsection.~~  
27 **JANUARY 10, 2007.** As used in this sub-subparagraph, "transfer of

1 ownership" means that term as defined in section 27a.

2 (9) If real or personal property owned and occupied by a  
3 nonprofit corporation is not eligible for an exemption under  
4 subsection (8), that nonprofit corporation is not precluded from  
5 applying for exemption under subsection (1).

6 (10) As used in this section:

7 **(A) "CHARITABLE PURPOSE" MEANS 1 OR MORE OF THE FOLLOWING:**

8 **(i) THE ADVANCEMENT OF EDUCATION.**

9 **(ii) THE ADVANCEMENT OF RELIGION.**

10 **(iii) THE PROMOTION OF HEALTH AND WELLNESS.**

11 **(iv) THE RELIEF OF POVERTY.**

12 **(v) THE ERECTION OF PUBLIC BUILDINGS OR OTHER PUBLIC WORKS.**

13 **(vi) THE PROMOTION OF A GOVERNMENTAL PURPOSE OR THE**  
14 **ALLEVIATION OF BURDENS OR RESPONSIBILITIES THAT WOULD OTHERWISE BE**  
15 **BORNE BY THE GOVERNMENT.**

16 **(B) ~~(a)~~**"Charitable trust" means a charitable trust registered  
17 under the supervision of trustees for charitable purposes act, 1961  
18 PA 101, MCL 14.251 to 14.266.

19 **(C) ~~(b)~~**"Governmental entity" means 1 or more of the  
20 following:

21 **(i)** The federal government or an agency, department, division,  
22 bureau, board, commission, council, or authority of the federal  
23 government.

24 **(ii)** This state or an agency, department, division, bureau,  
25 board, commission, council, or authority of this state.

26 **(iii)** A county, city, township, village, local or intermediate  
27 school district, or municipal corporation.

1           (iv) A public educational institution, including, but not  
2 limited to, a local or intermediate school district, a public  
3 school academy, a community college or junior college established  
4 pursuant to section 7 of article VIII of the state constitution of  
5 1963, or a state 4-year institution of higher education located in  
6 this state.

7           (v) Any other authority or public body created under state  
8 law.

9           (D) "NONPROFIT CHARITABLE INSTITUTION" MEANS AN ORGANIZATION  
10 THAT MEETS AT LEAST 1 OF THE FOLLOWING:

11           (i) IS A NONPROFIT ORGANIZATION EXEMPT FROM TAXATION UNDER  
12 SECTION 501(C) (3) OF THE INTERNAL REVENUE CODE OF 1986, 26 USC 501.

13           (ii) IS PRIMARILY OR SOLELY ORGANIZED FOR CHARITY.

14           (iii) OFFERS CHARITABLE SERVICES TO A PARTICULAR CLASS OF  
15 INDIVIDUALS, AND DOES NOT CONDITION THE RECEIPT OF THOSE SERVICES  
16 WITHIN THAT CLASS BASED UPON AN INDIVIDUAL'S HEALTH, ABILITY TO  
17 PAY, OR OTHER CHARACTERISTICS.

18           (iv) SERVES A CHARITABLE PURPOSE OR A PURPOSE SET FORTH IN  
19 SUBSECTION (5) (A) .

20           (v) CHARGES NO MORE FOR ITS CHARITABLE SERVICES THAN IS  
21 REASONABLY NECESSARY TO MAINTAIN THE OPERATION OF THE ORGANIZATION.

22           (vi) HAS AN OVERALL NATURE THAT PROMOTES CHARITY, REGARDLESS  
23 OF THE AMOUNT OF MONEY THAT THE ORGANIZATION DEVOTES TO CHARITABLE  
24 ACTIVITIES ON AN ANNUAL BASIS.

25           (E) ~~(e)~~—"Public school academy" means a public school academy  
26 organized under the revised school code, 1976 PA 451, MCL 380.1 to  
27 380.1852.

1           (11) THE STATE TAX COMMISSION SHALL WORK WITH AN ORGANIZATION  
2           THAT REPRESENTS NONPROFIT ORGANIZATIONS IN THIS STATE TO PROVIDE  
3           EDUCATIONAL MATERIALS AND PROGRAMS TO ASSESSORS OF LOCAL TAX  
4           COLLECTING UNITS ON THE CHANGES TO THIS SECTION MADE BY THE  
5           AMENDATORY ACT THAT ADDED THIS SUBSECTION.



## OFFICE OF COMMUNITY DEVELOPMENT

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### STAFF REPORT

**To:** Chairman Steve Brouwer and DDA Board of Directors  
Courtney Nicholls, City Manager

**From:** Michelle Aniol, Community Development Manager

**Date:** October 18, 2016

Accompanying this report you will find staff's report to City Council, dated, October 10, 2016. Staff offers the following updates to that report:

#### Grandview Commons Brownfield Plan Update

- Staff attended a meeting of the DDA sub-committee established to review the draft Grandview Commons Brownfield Plan. Mayor Keough will provide a more detailed update during his report.
- Staff attended a meeting with the MDEQ regarding the draft Grandview Commons Brownfield Plan. MDEQ requiring additional testing, and suggested that presumptive mitigation may be more effective.

#### Planning Commission Updates

- The Planning Commission will conduct a public hearing on November 7, 2016. The purpose of the public hearing is to consider a couple of amendments to the Zoning Ordinance. The first amendment pertains to lot coverage. Current and former staff's interpretation of the intent of the zoning ordinance was/is, in regards to lot coverage and decks; that decks are included in the lot coverage calculation. This interpretation was recently questioned (not in a bad way). Thus, there may be ambiguity in the ordinance, and as such may be open to other interpretations.

Since ambiguity is the bane of any ordinance, staff is recommending the following amendment to the Lot Coverage definition (text to be added in underlined; text to be deleted is ~~struck out~~):

Section 2.02, Definitions, Lot Coverage: The part or percent of the lot occupied by a building, buildings and/or structures, including accessory buildings and structures, such as, but not limited to decks, stairways, porches, breezeways and swimming pools.

The second text amendment pertains to essential service uses. The City has been working with DTE to decommission the Broad Street sub-station. As part of the negotiation, the city has offered to sell a portion of property it owns on Dan Hoey Road, so that the sub-station could be re-established in the future. DTE is amenable to this proposal.

The Dan Hoey parcel is currently zoned RD, Research and Development District. Essential Service uses, such as an electric sub-station, are not listed within the RD District. As such, staff is recommending the following amendment to Article 17, RD Research and Development District, Section 17.02, Permitted Principal Uses to add Essential Services as a principal use in the RD Research and Development District, as follows:

§17.02 Permitted Principal Uses:

17. Essential Services

1. Essential Services, as defined in Article 2, shall be permitted as authorized and regulated by franchise agreements and federal, state and local laws and ordinance, it being the intention of this Ordinance to permit modification to regulations governing lot area, building or structure height, building or structure placement, and use of land in the city when strict compliance with such regulations would not be practical or feasible.

2. Although essential services may be exempt from certain regulations, proposals for construction of essential services shall still be subject to site plan review and special land use review, as set forth in this Ordinance, as the intention of the city is to achieve efficient use of the land and alleviate adverse impact on nearby uses or lands. Essential service shall comply with all applicable regulations that do not affect the basic design or essential operation of said services.

### 8180 Main Street (formerly Mill Creek Sports) Updates

- On October 6, 2016 the City received the following:
  - a. A written request to annex of a portion of 8180 Main St in to the City and connect to the city's public sanitary sewer. The request was made by Nate Pound, on behalf of Mill Creek Outdoor Adventures, LLC.
  - b. An Application for Preliminary Site Plan review for a Beer Garden and Canoe/Kayak Livery was submitted by AR Brouwer on October 6, 2016.
- On October 12, 2016, the applicant submitted a special land use application.

This project is complex with a number of moving pieces. Staff outlined the issues and timeline for the applicant, as follows:

1. Liquor License: Webster Township granted a tavern license. The applicant has indicated it could take approximately 90 days for the MLCC to approve the application. In addition, a determination from MLCC regarding the applicability of a multi-jurisdictional license is pending.
2. Annexation Request: Only that portion which is located within Scio Township has been requested for annexation into the city. At the pre-application meeting, those council members present expressed preference that both the Scio portion and the Webster portion be annexed into the City. City Council has yet to discuss, must less determine if it is willing to consider annexing only a portion of the property. Additionally, we do not know if the Webster Township Board would be amendable to a straight annexation. The next meeting of the Webster Township Board is October 19, 2016. Staff anticipates City Council will discuss the request at its meeting on October 24, 2016.
3. Site Plan and Special Land Use: The applicant requested the applications for site plan and special land use review be placed on the Planning Commission's November 7, 2016 agenda. However, because City Council has not yet discussed the annexation request, the applicant's request for VC Village Commercial zoning has not been addressed either.

The property at 8180 Main Street is not located in the city, thus the city does not currently have zoning jurisdiction. Zoning jurisdiction is defined in PA 110 of 2006 (the Zoning Enabling Act), as amended, as *the area encompassed by the legal boundaries of a city*. Staff consulted with our planning consultant, Doug Lewan, and we both agree, at the very least, City council must discuss the annexation request and provide some guidance regarding the requested VC zoning, before the Planning Commission can consider the site plan/special land use requests. However, The Planning Commission cannot take action on the site plan or special land use request until after City Council takes action on the annexation.

As a reminder, when the Dextech annexation request was submitted on April 16, 2013, a timeline was established to meet the needs of the company, which were aggressive, and to coordinate the review and approval processes of the Village, Scio Township, and Washtenaw County. At that time, Scio was amenable to a straight annexation, because a 425 Agreement would have delayed the process and Dextech needed to start construction in July 2013. In addition, Scio and Dexter officials agreed it was in Dextech's best interest to go through one municipality for site plan review and approval. The Planning Commission did not consider the site plan until after City Council took action on the annexation request.

4. Outdoor seating is a special land use in our VC District and requires a public hearing with the Planning Commission. The canoe/kayak livery is a commercial outdoor recreation use. Commercial outdoor recreation uses are not listed as principal or special land uses in the VC Zoning District. The only zoning district in the City that allows commercial outdoor recreation uses is the PP Public Park District, but taverns are not listed as a permitted or special land use in the PP District. In order to keep this project moving forward, the city could initiate a text amendment to zoning ordinance to allow commercial outdoor recreation uses as a special use in the VC District. Staff anticipates having a discussion with the Planning Commission, on November 7<sup>th</sup>. This will get the applicant valuable feedback on the proposed concept and gives the Planning Commission as heads-up on the potential text amendment.
5. The plan shows a small portion of the rear of the proposed new building, the dumpster enclosure, about a third of the parking lot, one of two kayak/canoe launches and all of the stormwater detention basin would be located on the Webster Township portion of the property. At the pre-app meeting, John Kingsley did not agree to have the city be the reviewing municipality. He retained the right of the Township to review site plan for the proposed improvements that would be located in Webster Township. The Township has zoned the property C, Commercial. According to the Township's Zoning Ordinance, both a tavern and indoor/outdoor recreation facilities are special land uses in the Commercial District. We will need to coordinate our site plan and special land use reviews with the Township, and vice versa. Staff has confirmation that the applicant submitted an application for site plan review to Webster Township, but it's not been confirmed if special land use has been requested.

The question regarding the liquor license is the primary issue that needs to be answered, from the City's perspective. In the meantime, while we are waiting for MLCC to provide that answer, we can do the following:

1. October 24<sup>th</sup>, City Council: Discuss the annexation and future zoning requests.
2. November 7<sup>th</sup>, Planning Commission: Discuss the proposed redevelopment of 8180 Main Street and possible text amendment.
3. December 5<sup>th</sup>, Planning Commission: Conduct public hearing to consider text amendment. If recommended for approval, City Council could take action on December 12<sup>th</sup>. This would mean the amendment could become effective by December 21, 2016.
4. The next steps are dependent on MLCC and the liquor license question.

This is an exciting project and staff looks forward to working with the applicant.

### **Miscellaneous Updates**

- Administration and staff, Mayor Keough, Councilman Carson, and Rob Toth met with the City's bond council, Tom Colis, on October 17<sup>th</sup>, to discuss the City's EDC Industrial Revenue Bond program. Mr. Toth is considering a business venture.
- A.R. Brouwer has requested a pre-application meeting to discuss a conception plan to redevelop 2830 Baker Road, formerly known as The Alley. The concept plan (attached) shows 2 offices and a warehouse and tenant storage expansion space.

The site is zoned C-1 General Commercial. Office use is a principal permitted use in the C-1 district. Warehousing as a use is not permitted in the C-1 district. Warehousing/storage can be an accessory use to a principal use in the C-1 District. In this case, it would need to be accessory to the proposed office uses.

Membership in the pre-application meeting committee rotates. For this pre-application meeting, the Committee consists of the following Council and Planning Commission members:

- Shawn Keough
- Julie Knight

- Zach Michels
- Jim Carty
- Jack Donaldson

A meeting date has not yet been identified.



## OFFICE OF COMMUNITY DEVELOPMENT

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### STAFF REPORT

**To:** Mayor Keough and City Council  
Courtney Nicholls, City Manager

**From:** Michelle Aniol, Community Development Manager

**Date:** October 10, 2016

#### Planning Commission Updates

- The applicant for Grandview Commons had proposed to remove and replace 11 good quality Oak, Spruce, Cedar, Maple and Pine trees. Applicant's October 3, 2016 and September 29, 2016 correspondence accompanies this report. Based on the DBH replacement standard in Section 6.14, a total of 41 trees would be required to replace these trees (a copy of Section 6.14 accompanies this report). Citing challenges in locating replacement trees on-site, the applicant proposed a contribution to the City's tree replacement fund of \$125/tree, for a total contribution of \$5,125.00

The applicant also requested a waiver from the DBH replacement for the removal of 116 trees, as follows:

- o 74 low quality Box Elder, Cottonwood, Mulberry, Siberian Elm and Willow trees;
- o 21 low quality Black Locust, Black Walnut, Maple, Cherry and Oak trees; and
- o 10 good quality Black Locust and Walnut trees.

According to Section 6.14, sub-section E, the Planning Commission may waive the DBH standards for select clearing of lower quality and non-native<sup>1</sup> species, including, but not limited to box elders, elms, poplars, willows, and cottonwoods. Waivers have been granted for previous developments, including the Dexter Wellness Center, Schulz (Mill Creek Terrace) and UMRC Cedars of Dexter. Contributions per tree ranged from \$120 (Dextech)<sup>2</sup> to \$233 (Cedars of Dexter).

The Planning Commission, after a thorough discussion, voted 5-1 to waive the DBH replacement standard for only the low quality trees and a contribution to the tree fund, based on the DBH standards would be required for the 10 good quality trees. As a result, a total of 21 good quality trees must be replaced. Pursuant to with DBH standards in Section 6.14, a total of 77 trees are required to replace the 21 good quality trees to be removed.

Following the meeting, the applicant informed staff that based on the Planning Commission's action; the proposed contribution would be reduced from \$125 per tree to \$100 per tree.

According to the Resolution Establishing Contribution to the City's Tree Replacement Restrictive Account (attached), City Council set the amount for contribution at \$250/tree (attached). The Resolution further stipulates that for Planned Unit Developments the per-tree "amount shall be used as a guideline to develop negotiated contracts" (e.g. the development agreements). The following table illustrates the required contribution to the Tree Fund, at \$250/tree compared to the proposed contribution by the applicant, at \$100/tree:

Required Contribution	Proposed Contribution	Difference
77 trees X \$250 = \$19,250	77 trees x \$100 = \$7,700	60% reduction

Thus, staff has directed the applicant to include its tree replacement contribution proposal with the revised final site plan submittal. The Planning Commission will consider it, along with the final

<sup>1</sup> In this case, only the Siberian Elm is a non-native species.

<sup>2</sup> ZBA case.

site plan, and make a recommendation to City Council. City Council will be responsible for determining the contribution to the Tree Fund.

- Current and former staff's interpretation of the intent of the zoning ordinance was/is, in regards to lot coverage and decks; decks are included in the lot coverage calculation. This interpretation was recently questioned (not in a bad way). Thus, there may be ambiguity in the ordinance, and as such may be open to other interpretations.

Since ambiguity is the bane of any ordinance, staff is recommending the following amendment to the Lot Coverage definition (text to be added in underlined; text to be deleted is ~~struck out~~):

Section 2.02, Definitions, Lot Coverage: The part or percent of the lot occupied by ~~a building~~buildings and/or structures, including accessory buildings and structures, such as, but not limited to decks, stairways, porches, breezeways and swimming pools.

Staff recommended a public hearing be scheduled to consider the amendment on November 7, 2016, and the Planning Commission agreed.

### Miscellaneous Updates

- A pre-application meeting was held on Monday, October 3<sup>rd</sup> to discuss a potential redevelopment project and annexation request for the property at 8180 Main Street (a/k/a Mill Creek Sports). In attendance were:
  - o Marni Schmid (PC)
  - o Thom Phillips (PC)
  - o Jim Carson (CC)
  - o Ray Tell (CC)
  - o Shawn Keough (CC)
  - o Patrick Droze (City Engineer)
  - o John Kingsley (Webster Twp.)
  - o Randy Raiford (Webster Twp.)
  - o Allison Bishop (A.R. Brouwer)
  - o Steve Brouwer (A. R. Brouwer)
  - o Nate Pound (Property Owner)
  - o Tyler Soja (Property Owner)

Pre-Application Committee

The property in question is under the jurisdiction of Scio and Webster Townships. The front half of the property is located in Scio Township, with the back portion in Webster Township (refer to attached survey). The property owners would like to redevelop the site for commercial recreation (kayak, canoe, etc. launch) and a beer garden. The concept plan (attached) was reviewed by the Washtenaw County Road Commission, who would want to see the existing driveway be shifted, so that it aligns with Dexter Chelsea Road.

The property owners would like to have the Scio Township portion annexed in to the City. The annexation discussion is driven by the need for sanitary sewer to support the redevelopment<sup>3</sup>. Scio Township officials did not attend the meeting. Staff understands that Scio officials would not oppose annexation of the property. It's unknown if Webster Township officials would support or oppose the annexation, but Mr. Kingsley agreed to bring the question to his board. The annexation will not require review and approval of the Boundary Commission if there are no objections by the two townships.

<sup>3</sup> The site is currently served by a well; however a new well will be required, per the Washtenaw County Health Division.

Webster Township granted a tavern license to the property owners. It's unknown if the license would transfer if the property is annexed. The developer (A.R. Brouwer) and city administration are researching this issue.

The following comments/questions were asked [answers in brackets]:

- o What does this (request) do to the City boundary? [Site is currently an island. If the Webster portion is not annexed, it's still an island]
- o Would Webster object to annexation? [Hasn't been discussed]
- o Amount of trees to be removed (from river bank)? [Working with JJR, but most likely will be significant in order to put in launch and other improvements]
- o Is the Huron River Watershed Council aware of this project? [HRWC is supportive]
- o Why not just establish (sewer) connection without annexation? [City policy not to extend service to properties outside the city]
- o Would need to have a stormwater agreement.
- o Webster asks for Washtenaw County Drain Commission review, but their comments are not binding.
- o Developer hoping for one review, based on city rules and regulations, with township support. [Webster will require full development review of their own, based on their process]
- o A tavern license is like the one the Beer Grotto has. Concerns voiced, as Beer Grotto is for sale.
- o Has there been any conversation with the Sheriff? [No room on site for drinking before going out on the river. The proposed Beer Garden would have limited hours of operation, in the evening after 5:30 pm and closing at 11:30 pm, 7 days a week]
- o Any conversation with the railroad? [No, there are no plans to use railroad right-of-way]
- o City ordinances would allow parcel to come in, but if well fails, may need to connect to water. That's very expensive. [Connection to public water only required if new well could not be installed]
- o Is enough parking proposed? [Developer thinks so. Staff will evaluate when plan is submitted]
- o Could the public launch from the site? [There is a public launch across the river at Mill Creek Park. Property owner will consider, but cited liability issues]
- o Will developer ask for tree replacement waivers for low quality and non-native trees? [Yes]
- o Will fence come down? [Yes, along the frontage, but probably not along railroad side]
- o Will owner seek Brownfield TIF? [Phase 1 done; doesn't anticipate needing a Brownfield TIF]
- o Applicant won't be submitting special land use request for outdoor seating with the preliminary site plan. Will seek SLU approve when final site plan is considered.
- o Like the use. Still need details worked out, but encouraged the project to move forward.
- o Glad for access to river.
- o Would prefer both parcels be annexed.

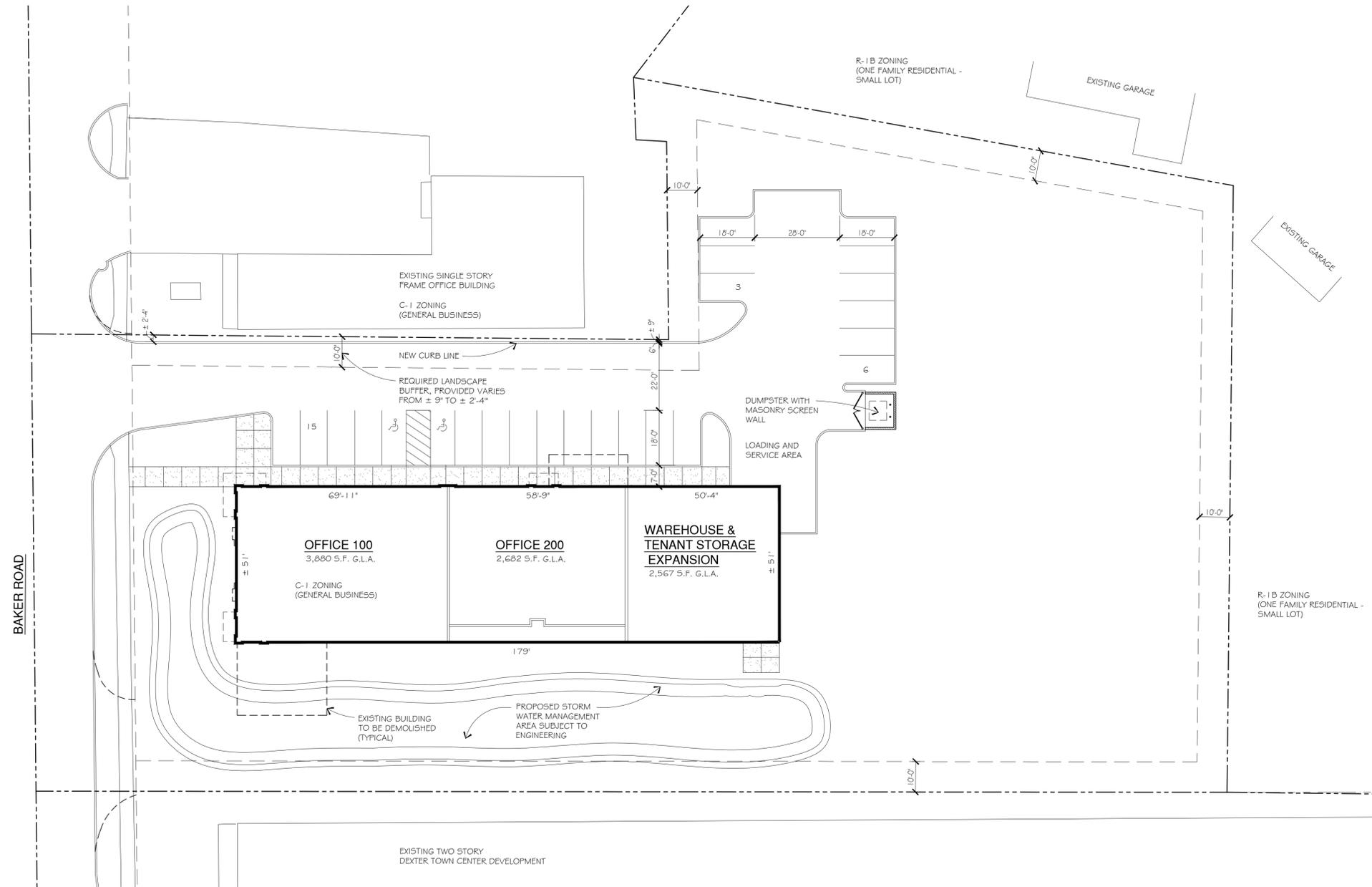
Applicant anticipates an application for preliminary site plan review and request for annexation will be submitted by Friday, October 7, 2016.

- Staff and a representative from Ann Arbor Spark met with the owner of Maggie's Organics. You'll recall Maggie's is leasing space in the Adair Printing building, after moving operations from

Ypsilanti. The owner, Bena Burda, and her husband, Doug Wilson gave us a tour of their space, which has grown from 8,000 sq. ft. to 10,000 sq. ft. The company has been in business for 25 years. The foundation of the company is Real Fair Trade, from Farm to Finish. You can learn more about how Maggie's makes their products by visiting the website (<http://www.maggiesorganics.com/behind-the-label/>).

2 years ago Bena created a women's line of apparel. This line is made in Peru, due to quality of the cotton. They are crossing marketing with 3bird and are finalizing plans to do a trunk show there.

They currently have 10 employees. They are interested in doing a direct to consumer sales on an irregular basis. Staff explained this would be a temporary special event, which would require a permit. Staff also connected them with Brenda Tuscano, the Farmers Market Manager.



**LEGEND**

LAND AREA : ± 1.64 ACRES GROSS  
± 1.53 ACRES NET

BUILDING AREA :

EXISTING (OFFICE)	6,562 S.F. G.L.A.
EXPANSION (WAREHOUSE)	2,567 S.F. G.L.A.
TOTAL	9,129 S.F. G.L.A.
TOTAL	9,139 S.F. G.B.A.

NOTE : ± 1,000 S.F. OF EXISTING BUILDING AREA TO BE DEMOLISHED

PARKING REQUIRED PER ORDINANCE :

OFFICE = 3 SPACES PER 1,000 S.F. OF G.B.A.	
= 6,562 / 333.33	= 19.7 = 20 SPACES
WAREHOUSE = 1.5 SPACES PER 1,000 S.F. OF G.B.A.	
= 2,567 / 666.66	= 3.8 = 4 SPACES
TOTAL	= 24 SPACES
PARKING PROVIDED	= 24 SPACES

**SITE PLAN**  
SCALE: 1" = 20'-0"



**BAKER ROAD OFFICE**

DEXTER, MICHIGAN

OWNER/DEVELOPER:

**A.R. BROUWER CO. LLC**  
7444 DEXTER - ANN ARBOR RD.  
DEXTER, MICHIGAN 48130



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ISSUED FOR :  
PRE-APP.  
OCT. 14, 2016

**PRELIMINARY**  
NOT FOR CONSTRUCTION  
A1.1