



OFFICE OF COMMUNITY DEVELOPMENT

8140 Main Street • Dexter, Michigan 48130-1092 • (734) 426-8303 • Fax (734) 426-5614

Memorandum

To: Chairman Kowalski and Planning Commission
Courtney Nichols, City Manager

From: Michelle Aniol, Community Development Manager

Re: SLU #2016-02 Group Day Care Home Special Land Use Request

Date: July 19, 2016

The Planning Commission is scheduled to conduct a public hearing to consider a special land use request submitted by Becky Murillo, for a proposed group day care home at 7541 Ann Arbor Street. Included in your packet is the application and plot plan.

Ms. Murillo operated an existing group day care home at her former residence, located at 3411 Hudson Street. Ms. Murillo and her family recently bought the home at 7541 Ann Arbor Street. She desires to continue her day care operation at her new home.

SPECIAL LAND USE PROCEDURES

The intent of the special land use process is to regulate uses that may be compatible with uses in some, but not all, locations within a particular zoning district. The special land use process is designed to accomplish the following:

- Provide a mechanism for public input on decisions involving more intense land uses.
- Establish criteria for both new development and infill/redevelopment consistent with the City's land use goals and objectives as stated in the City Master Plan.
- Regulate the use of land on the basis of impact to the City overall and adjacent properties in particular.
- Promote a planned and orderly development pattern which can be served by public facilities and service in a cost-effective manner.
- Ensure uses can be accommodated by the environmental capability of specific sites.
- Provide site design standards to diminish negative impacts of potentially conflicting land uses.
- Provide greater flexibility to integrate land uses within the City.

The process for special land use requires the Planning Commission to conduct a public hearing, followed by a recommendation of approval, denial or approval with conditions to City Council. City Council is responsible for taking final action to approve, deny or approve with conditions.

SPECIAL USE CONSIDERATIONS

The Zoning Ordinance requires that the Planning Commission and City council consider the following standards for the use at the proposed location (Section 8.03):

- A. *The Special Land Use will be consistent with the goals, objectives and future land use plan described in the Dexter Master Plan.*

The subject site is identified on the City Future Land Use Map as City Residential, as are all properties adjacent to the subject site. The intent of the City Residential designation is to maintain the well-established character, scale and density of the traditional pattern of the developer single-family neighborhoods that are characteristic of the City of Dexter. These older neighborhoods consist of detached single-family homes at a recommended density of 4 to 6 dwelling units per acre (10,890 sq. ft. to 7,260 sq. ft. lot area).

Development should only occur if the character, scale and development pattern is compatible with the existing residential neighborhood. The proposed special land use request for a group day care home is consistent with the Master Plan's goals and objectives.

B. The Special Land Use will be consistent with the stated intent of the zoning district.

The subject site is zoned R-1B One Family Residential Small Lot, as are all properties adjacent to the subject site. Section 10.01 Intent, states this district is designed to encourage a suitable and healthy environment for family life, and to provide residential areas for one family residential density and other facilities that will serve the residents in the district.

Permitted principal uses include single family detached dwellings, Home Occupations, on-site signs, family day care and foster family homes, adult day care and foster family homes.

Family day care homes are defines as a *private home in which one (1) but less than seven (7) minor children are received for care and supervision for periods of less than twenty four (24) hours a day, unattended by a parent or legal guardian, except children related to an adult member of the family by blood, marriage, or adoption. It includes a home that gives care to an unrelated child for more than (4) weeks during a calendar year.*

Special uses include accessory apartments, farms, residential cluster development, churches, government/community-owned buildings, cemeteries, bed and breakfast inns, group day care homes and essential service buildings (without storage yards).

Group day care homes are defined as *A private home in which more than six (6) but not more than twelve (12) children are given care and supervision for periods of less than twenty four (24) hours a day unattended by a parent or legal guardian except children related to an adult member of the family by blood, marriage, or adoption. It includes a home that gives care to an unrelated child for more than four (4) weeks during a calendar year."*

The difference between the a family day care home, which is a principal permitted use and a group day care home, which is a special use, is 6 children. Moreover, the proposed group day care home will serve residents in the district. Therefore, the proposed group day care home use is consistent with the intent of the R-1B zoning district.

C. The Special Land Use will be designed, constructed, operated and maintained to be compatible with, and not significantly alter, the existing or intended character of the general vicinity in consideration of environmental impacts, views, aesthetics, noise, vibration, glare, air quality, drainage, traffic, property values or similar impacts.

The applicant has operated a licensed group day care, after receiving special land use approval in 2014, without any complaints or ordinance violations, at her previous residence (3411 Hudson Street). Prior 2014, the applicant operated a licensed family day care home at the same location, without any complaints or ordinance violations. Additionally, the applicant meets the following requirements set forth by the State of Michigan for a licensed group day care home:

- i. An outdoor play area of at least 600 square feet must be provided;
- ii. An adequate and varied supply of play equipment, materials and furniture that is appropriate to the developmental needs and interest of children, appropriate to the number of children and is safe and in good repair must be provided; and
- iii. The play area and equipment must be organized 1) to separate active and quiet activities, 2) for a clear and unobstructed view of the entire play area, and 3) to assure that there are safe distances between equipment.

The proposed group day care home use is compatible with character of the general vicinity in regards to the environment, views, aesthetics, noise, vibration, glare, air quality, drainage, traffic, property values etc.

- D. The Special Land Use will not significantly impact the natural environment. The proposed group day care home will not significantly impact the natural environment.
- E. The Special Land Use will be served adequately by public facilities and services such as police and fire protection, schools, drainage structures, water and sewage facilities, and refuse disposal. The proposed group day care home will be served by the site's existing municipal services.
- F. The proposed use shall be of a nature that will make vehicular and pedestrian traffic no more hazardous than is normal for the district involved, taking into consideration the following:
1. Vehicular turning movements;
 2. Proximity and relationship to intersections;
 3. Adequacy of sight distances;
 4. Location and access of off-street parking; and,
 5. Provisions for pedestrian traffic.

It's anticipated that the proposed group day care home may slightly increase traffic at peak times in the morning, for drop-offs and in the early evening, for pick-ups. The wide Ann Arbor Street right-of-way has on-street public parking on either side of its two-way traffic lanes. This design can accommodate drop-off and pick-up maneuvering, without negatively motorist, and is designed to accommodate on-street parking and motoring traffic simultaneously.

- G. The proposed use shall be such that the location and height of buildings or structures, and the location, nature and height of walls, fences and landscaping will not interfere with or discourage the appropriate development and use of adjacent land and buildings or unreasonably affect their value.

The proposed group day care home will be located in an existing home. The applicant proposes to install a fence to enclose the rear yard. The requested special land use should not interfere with the appropriate development and use of adjacent land or unreasonably affect their value, provided the applicant provides details regarding the type and height of the proposed fence.

- H. *The proposed use shall be designed, located, planned, and operated to protect the public health, safety, and welfare. The proposed group day care home should not negatively impact the public health, safety and welfare of City residents, provided the applicant identifies the hours of operation.*

STANDARDS FOR GROUP DAY CARE HOME

Section 8.11, sub-section B19 sets forth the following standards for a group day care home as a special land use:

- a. *The minimum lot area required for a group day care home shall be the same as the minimum lot area for the zoning district in which the use would be located. The subject site is located in the R-1 B, One Family Residential Zoning District. The minimum lot area for the R-1B district is 7,800 sq. ft. The subject site measures 13,068 sq. ft. This requirement has been satisfied.*
- b. *An on-site drive shall be provided for drop off/loading. This drive shall be arranged to allow maneuvers without affecting traffic flow on the public street. As cited above, the wide Ann Arbor Street right-of-way has on-street public parking on either side of its two-way traffic lanes. This design can accommodate drop-off and pick-up maneuvering, without negatively motorist, and is designed to accommodate on-street parking and motoring traffic simultaneously.*
- c. *A minimum of 2,000 square feet of outdoor play area shall be provided. The outdoor play area shall be fenced and screened with landscaping on the exterior side of the fence. The outdoor play area shall not be located within the primary front yard. The State requires an outdoor area of at least 600 square feet. As demonstrated on the plot plan submitted by the applicant, more than 10,750 square feet of outdoor area in the rear yard of the subject site would be provided.*

CONCLUSIONS

1. The proposed special land use request for a group day care home is consistent with the Master Plan's goals and objectives.
2. The proposed group day care home use is consistent with the intent of the R-1B zoning district.
3. The proposed group day care home use is compatible with character of the general vicinity in regards to the environment, views, aesthetics, noise, vibration, glare, air quality, drainage, traffic, property values etc.
4. The proposed group day care home will not significantly impact the natural environment.
5. The proposed group day care home will be served by the site's existing municipal services.
6. The use of public on-street parking for drop-off and pick-up will minimize potential conflicts between vehicular and pedestrian traffic.
7. The proposed special land use should not interfere with the appropriate development and use of adjacent land or unreasonably affect their value, provided the applicant submits details regarding the type and height of the proposed fence, which conform to the requirements of the Zoning Ordinance.
8. The proposed group day care home should not negatively impact the public health, safety, and welfare of City residents, provided the hours of operation are not out of character for the zoning district in which the use is proposed to be located.

- 9. The proposed group day care home meets the requirements of Section 8.11, sub-section B.19.

SUGGESTED MOTIONS

Based upon the information provided by the applicant and staff at the July 19, 2016 special Planning Commission meeting, and pursuant to Section 8.03, Special Land Use review standards, the Planning Commission finds the proposed group home at 7541 Ann Arbor Street **(meets / fails to meet)** the requirements for special use approval. Therefore, the Planning Commission recommends that City Council **(APPROVE/ DENY)** the Special Land Use application for a group day care home at 7541 Ann Arbor Street.

In making this determination, the following additional conditions shall apply:

- 1. _____
- 2. _____
- 3. _____

OR

Move to **postpone** the action on the special use request for a group day care home at 7541 Ann Arbor Street until **____(date)_____**, to allow the applicant and/or the Planning Commission time to address the following items:

- 1. _____
- 2. _____
- 3. _____

Please contact me prior to the meeting with questions.

Thank you.



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CITY OF DEXTER

SITE PLAN REVIEW & SPECIAL USE APPLICATION

Application is being made for: Preliminary Site Plan Review Combined Site Plan Final Site Plan Review Special Use Permit

Property Address: 7541 Ann Arbor St 08-08-06-486-012

Tax ID Number: 08-08-06-486-012

Proposed Use: Group Day Care Home

Zoning District:

Property Owner Name: Thomas Paup / ^{Toho} Becky Morillo Phone: 517 672 1625

Property Owner Address: 7541 Ann Arbor St

Applicant Name: Becky Morillo Phone: 517 672 1625

Applicant Address: 7541 Ann Arbor St

Representative (e.g. Engineer) Name: Phone:

Representative Address:

Regulations and Standards: Applicant must complete the following and applicable standards must be noted on the site plan.

	Plan Submitted	Requirement	
1. Front Yard Setback (ft)	16'	15'	check here if corner lot
2. Side Yard Setback (ft)	13' + 11.5'	10'	
3. Rear Yard Setback (ft)	130'	25'	
4. Lot Coverage (%) (7a/6)	9%	30%	
5. Height (ft)		2.5 stories or 35'	
6. Total Site Area (ft)	13,530 sf.	minimum lot area 7,000 sq ft	
7a. Building Coverage (ft)	9% 1,247.80 sf.	30%	1247.80 / 13530 = 9%
7b. Floor Area (ft)	1504 sf		

Special Use Form - Page 2

	Plan Submitted	Requirement
8. Floor Area Ratio (7b/6)	1170	
9. Total Paved Area (ft)		N/A
10. Total Impervious Cov. (7a+9)/6		N/A
11. Number of Parking Stalls	1 to 1st stub	
12. Density (6/13)		N/A
13. Number of Units (Residential)		N/A
14. For Multi-Family:		
Efficiency		N/A
1 Bedroom		N/A
2 Bedroom		N/A

Additional required information for Special Use Permit:

- 15. Statement describing the use proposed. This should include information about the hours of operation, number of employees and clients, type of programming or services, traffic expected to be generated, and any other pertinent information and/or site development characteristics.
- 16. All applications are presented to the Planning Commission at a public hearing for a recommendation prior to begin forwarded to the City Council for final consideration. Therefore, all applications must be submitted four weeks prior to 1st Monday of month in order to ensure proper notice time and preparation time. Incomplete applications cannot be processed.

 6/24/16
  6/24/16

Owner's Signature _____ Date _____ Applicant's Signature _____ Date _____

Staff Review: Fee: 350 Date Received: 6/24/16 Receipt #: 55976

Planning Commission Review Date: 7/19 Council Review Date: _____

_____ Approved _____ Denied Reviewed by: _____

REASONS FOR DENIAL: _____

EXISTING NON-CONFORMITIES/VARIANCES GRANTED: _____

APPROVAL STAMP:

MORTGAGE SURVEY

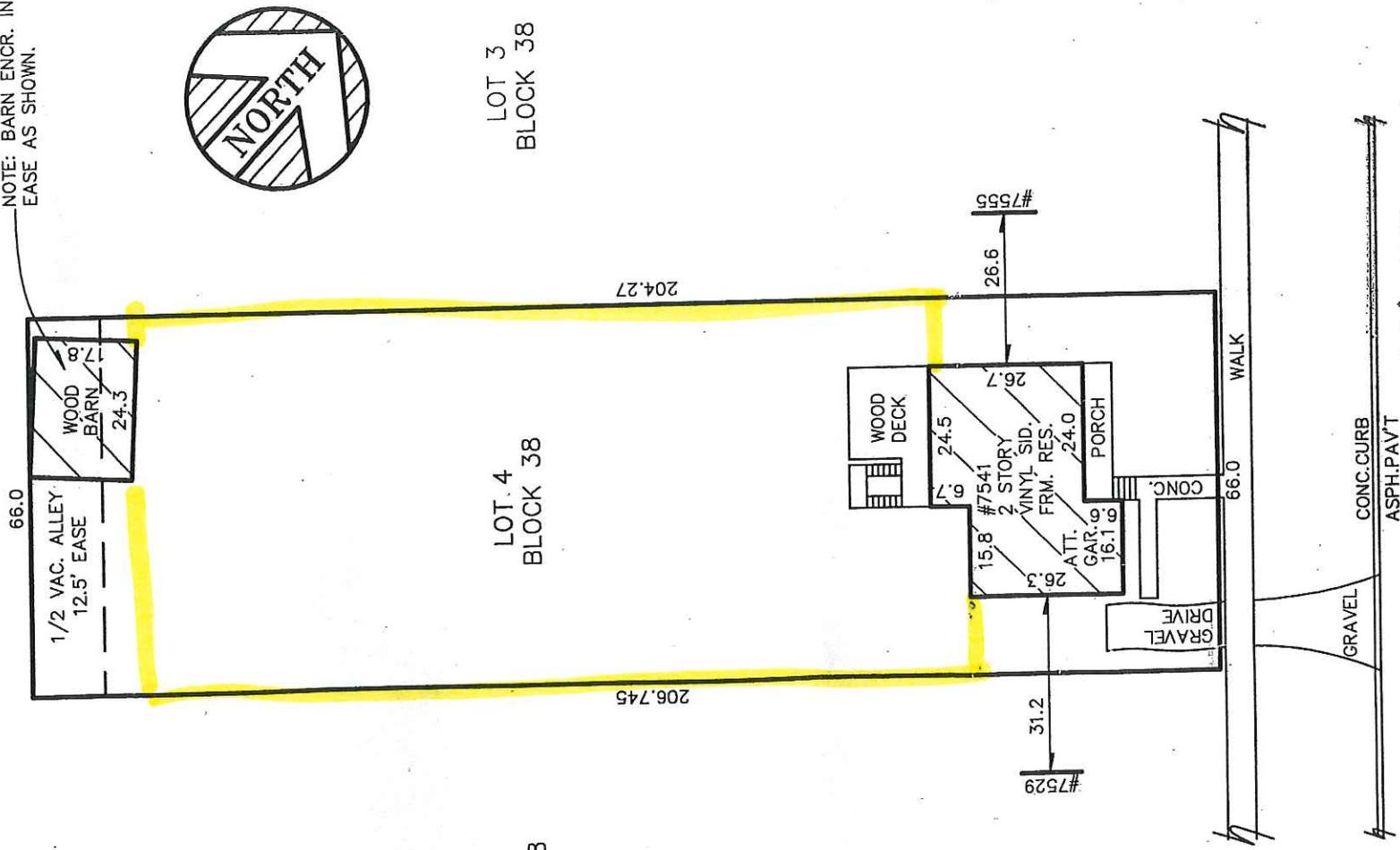
Certified to: FIRST HORIZON HOME LOANS CORP.

Applicant: THOMAS PAUP

Property Description:

Lot 4, Block 38; ADDITION TO THE VILLAGE OF DEXTER, Washtenaw County, Michigan, as recorded in Liber 55 of Deeds, Pages 476 and 477 of Washtenaw County Records.

NOTE: BARN ENCR. INTO EASE AS SHOWN.



LOT 5
BLOCK 38

LOT 4
BLOCK 38

LOT 3
BLOCK 38

ANN ARBOR ST. 66' WD.

CERTIFICATE: We hereby certify that we have surveyed the above-described property in accordance with the description furnished for the purpose of a mortgage loan to be made by the aforementioned applicants, mortgagor, and that the buildings located thereon do not encroach on the adjoining property, nor do the buildings on the adjoining property encroach upon the property heretofore described, except as shown. This survey is not to be used for the purpose of establishing property lines, nor for construction purposes, no stakes having been set at any of the boundary corners.



THIS SURVEY DRAWING IS VOID IF THE PROFESSIONAL SEAL IS NOT IN BLUE INK.

L.F. Schrader P.E.

JOB NO: 05-66750 SCALE: 1" = 30'
DATE: 09-15-05 DR BY: JJM

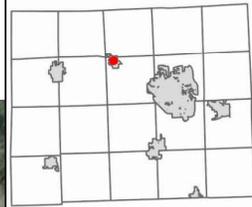
KEM-TEC
LAND SURVEYORS

22556 Gratiot Avenue
Eastpointe, MI 48021-2312
(586) 772-2222
FAX: (586) 772-4048



KEM-TEC WE
LAND SURVEYORS

800 E. STADIUM
Ann Arbor, MI 48104-1412
(734) 984-0888 * (800) 433-6111
FAX: (734) 984-0867



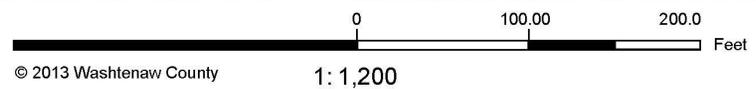
Legend

- Ann Arbor
- County
- TaxParcel_2K
- Simultaneous Conveyan
- Lot and Units_1K
- ROW lots
- Quarter Sections
- Sections
- University and College
- K12 Schools
 - Charter
 - Private
 - Public
- Police Stations
- Fire Stations
- County Buildings
- Local Unit Offices
- Lakes
- Streams
- Parks

THIS MAP REPRESENTS PARCELS AT THE TIME OF PRINTING. THE OFFICIAL PARCEL TAX MAPS ARE MAINTAINED SOLELY BY THE WASHTENAW COUNTY EQUALIZATION DEPARTMENT AND CAN BE OBTAINED BY CONTACTING THAT OFFICE AT 734-222-6662.

The information contained in this cadastral map is used to locate, identify and inventory parcels of land in Washtenaw County for appraisal and taxing purposes only and is not to be construed as a "survey description". The information is provided with the understanding that the conclusions drawn from such information are solely the responsibility of the user. Any assumption of legal status of this data is hereby disclaimed.

NOTE: Parcels may not be to scale.
7/15/2016



This map is a user generated static output from an Internet mapping site and is for reference only. Data layers that appear on this map may or may not be accurate, current, or otherwise reliable.
THIS MAP IS NOT TO BE USED FOR NAVIGATION

Notes



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STAFF MEMO

To: Chairman Kowalski and Planning Commission
Courtney Nicholls, City Manager

From: Michelle Aniol, Community Development Manager

RE: Amendment to Adopted Motion Recommending Conditional Approval of Grandview Commons PUD Petition and Area Plan

Date: July 15, 2016

As you will recall, the applicant for the Grandview Commons has requested reconsideration of one of the conditions of approval, as recommended by the Planning Commission on June 6, 2016 (see attached email correspondence between the applicant and staff). The condition in question is #4, Recommendations, as cited in the DAFD review dated, May 11, 2016 (attached). The DAFD review cited Fire Ordinance Requirements, as well as DAFD recommendations regarding fire monitoring alarm system and fire suppression of all buildings.

On June 6, 2016 the Planning Commission, in a 6-2 vote, recommended approval of the revised PUD Area Plan for Grandview Commons, subject to a number of conditions, one of which included DAFD recommendations regarding a fire alarm monitoring system and suppression of all buildings. DAFD's recommendation for fire alarm monitoring system and suppression of all buildings became a requirement when the applicant did not object to it as a condition of approval, before the Planning Commission took action. A copy of the approved meeting minutes accompanies this memo.

The following facts are provided for the Planning Commission's consideration:

- The applicant received a copy of the DAFD review letter, date May 11, 2016.
- The applicant received a copy of staff's review dated, May 31, 2016, which included the proposed conditions of approval, prior to the Planning Commission meeting on June 6, 2016.
- The applicant committed to providing fire suppression in accordance with code requirements, in the applicant's June 2, 2016 correspondence (attached).
- During the June 6, 2016 meeting, the applicant requested the Planning Commission recommend approval, subject to the conditions of approval cited in staff's review.
- There was no discussion regarding the DAFD review letter during the meeting.

The applicant believed he had made his position clear in his cover letter. Staff and the Planning Commission believed that since the applicant requested approval of the conditions listed in the suggested motion, the applicant understood that fire monitoring and fire suppression would be required. In hindsight, staff finds it reasonable and logical to conclude that there has been a miscommunication and misunderstanding by the applicant, staff and the Planning Commission.

MOVING FORWARD

In our planning consultant's opinion, the applicant's request could be handled by City Council when it considers the case, or the Planning Commission could conduct a public hearing to consider the request.

In the City Attorney's opinion, which was received after the July 5th Planning Commission meeting, as long as proper notices are given pursuant to our ordinance and the zoning enabling act, the issue could be on the next Planning Commission agenda, at which time anyone of the Planning Commissioners could bring a motion to amend the prior approval of the area plan and remove or modify the condition.

Neither the Zoning Ordinance, nor the Zoning Enabling Act addresses reconsideration or amendment of a motion. However, Section VIII of the Planning Commission's Bylaws states that parliamentary procedure

in Commission meetings shall be governed by Robert's Rules of Order, unless such rules are superseded by these Bylaws or surpasses by a majority vote of the Commission members attending.

Staff reviewed Robert's Rule of Order and offers the following comments.

- To Amend Something Previously Adopted, Robert's Rules states:
 - The purpose is to change something previously adopted either by striking out the entire action or by changing part of it.
 - The motion to amend needs a second.
 - The motion to amend is amendable and debatable.
 - If no previous notice is given, either a two-thirds vote or a majority of the entire membership is needed, whichever is more practical to obtain. If previous notice is given, the motion requires a majority vote to adopt.
 - If the motion to amend is adopted, the previously adopted motion is reversed or changed.

The Planning Commission discussed the applicant's request at its July 5, 2016 meeting and requested the item be placed on its July 19, 2016 agenda. Thus, previous notice was given.

SUGGESTED MOTION

Following discussion, staff recommends a commissioner make the following motion:

I move to amend the motion adopted on June 5, 2016 to recommend conditional approval of PUD-AP 2016-01 Grandview Commons PUD Petition and Area Plan to City Council by striking condition #4, Recommendations, as cited in the DAFD review dated, May 11, 2016, and inserting Fire Protection Ordinance requirements, as cited in the DAFD review dated, May 11, 2016.

From: [Michelle Aniol](#)
To: ["Allison Bishop"](#)
Cc: ["Donald Dettling"](#); ["Matt Kowalski"](#); ["Steve Brouwer"](#)
Subject: RE: DAFD recommendation - Contingency clarification
Date: Tuesday, June 28, 2016 8:59:00 AM
Attachments: [image005.png](#)

Allison,
Please see comments below:

Michelle Aniol

Community Development Manager

City of Dexter
8123 Main Street (physical)
8140 Main Street (mailing)
Dexter, MI 48130-1092

734-426-8303 (main office)
734-580-2233 (direct)
248-721-5076 (mobile)

maniol@dextermi.gov
www.dextermi.gov



From: Allison Bishop [mailto:allisonbishop@arbrouwer.com]
Sent: Monday, June 27, 2016 4:38 PM
To: Michelle Aniol
Cc: 'Donald Dettling'; Matt Kowalski; Steve Brouwer
Subject: RE: DAFD recommendation - Contingency clarification

Michelle –

It was my intention that the email be placed on the Planning Commission agenda for clarification, please let me know what additional information you are requiring to place the item on the agenda. I will include this email exchange in its entirety.

I am not sure that the Planning Commission necessarily considered that they were requiring a recommendation or that the recommendation would be interpreted as a requirement. Perhaps that

is the question that should be posed to the Planning Commission. I think you under estimate the Commission's ability to do their job properly and effectively.

We are required to place smoke detector in all buildings in accordance with the Michigan Building Code and that is reviewed and approved by the Washtenaw County Building Department. Are you willing to connect the duplexes, town houses and 4-unit buildings to a fire alarm system (i.e. smoke detectors) that is monitored by an offsite agency, as recommended by the DAFD? We are also required to monitor and suppress the 8-unit buildings, which we will also do and it will be reviewed and approved by the Washtenaw County Building Department in accordance with the Michigan Building Code.

It is my understanding and based on Inspector Dettling's feedback that the review included a recommendation, not a requirement. As I stated below, yes, it was a recommendation. You knew the proposed conditions of approval prior to the PC meeting, and you did not object to any of them. At the meeting you asked the PC for a recommendation of approval, subject to those conditions. **DAFD's recommendation regarding fire monitoring and suppression became a requirement when you did not object to it as a condition of approval, before the PC took action.**

Please let me know the plan to proceed. I have apprised Matt of the situation and inform City Council last night that you are asking the Planning Commission to reconsider one of the conditions of approval recommended on June 6th.

The PC packet will be posted today and I will send you a link.

Allison Bishop
Property and Development Manager



7444 Dexter-Ann Arbor Rd, Suite F
Dexter, MI 48130
(tel) 734.426.9980 (fax) 734.426.9985
allisonbishop@arbrouwer.com
www.arbrouwer.com

From: Michelle Aniol [<mailto:maniol@dextermi.gov>]
Sent: Monday, June 27, 2016 4:31 PM
To: Allison Bishop
Cc: 'Donald Dettling'; Matt Kowalski
Subject: RE: DAFD recommendation - Contingency clarification

Allison,
Please see my comments below:

Michelle Aniol

Community Development Manager

City of Dexter
8123 Main Street (physical)
8140 Main Street (mailing)
Dexter, MI 48130-1092

734-426-8303 (main office)
734-580-2233 (direct)
248-721-5076 (mobile)

maniol@dextermi.gov
www.dextermi.gov



From: Allison Bishop [<mailto:allisonbishop@arbrouwer.com>]
Sent: Monday, June 27, 2016 3:07 PM
To: Michelle Aniol
Cc: Donald Dettling (dexterfireduck@aol.com)
Subject: DAFD recommendation - Contingency clarification
Importance: High

Michelle –

Based on a conversation with Inspector Dettling today (6/27/16) regarding his May 11, 2016 review letter for the Grandview Commons project, it is our understanding that it was not his intention to require building fire suppression or monitoring within the development if not required by the Michigan Building code. It is our understanding that as stated in his review the fire monitoring and suppressing of “all” buildings was a recommendation. **Yes, it was a recommendation.**

It is also my understanding that your interpretation of the review letter provided by the DAFD on May 11, 2016, was that each building was required to be fire monitored and suppressed (**No, that was not my interpretation**) and that this requirement was included in the Planning Commission’s recommendation for approval. **The Planning Commission recommended approval subject to the recommendations in the DAFD review letter dated, May 11, 2016, among other things. You knew the proposed conditions of approval prior to the PC meeting, and you did not object to any of them. If fact, at the meeting you asked the PC for a recommendation of approval, subject to those**

conditions. Perhaps you didn't realize the implications.

Given that the DAFD review letter was a condition of our approval please provide clarification that we are not required to fire monitor or suppress buildings unless required by the Michigan Building Code. DAFD's recommendation regarding fire monitoring and suppression became a requirement when you did not object to it as a condition of approval, before the PC took action. If you are objecting to that condition now, I recommend you put the request in writing, so I can take it to the PC. I've cc'd Matt, so he's aware of the situation.

We are proposing to monitor and suppress the 8-unit buildings, as required by the Michigan Building Code. For clarity, the DAFD recommendation was for 1) buildings to be connected to a fire alarm system that is monitored by an offsite agency and 2) installation of fire suppression for all of buildings. Are you willing to monitor the smoke detectors in the duplexes, town houses and 4-unit buildings?

Thank you for your assistance.

Allison Bishop
Property and Development Manager



7444 Dexter-Ann Arbor Rd, Suite F

Dexter, MI 48130

(tel) 734.426.9980 (fax) 734.426.9985

allisonbishop@arbrouwer.com

www.arbrouwer.com



Dexter Area Fire Department

8140 MAIN STREET • DEXTER, MICHIGAN • 48130-1044
TELEPHONE: (734) 426-4500

FIRE CHIEF
ROBERT L. SMITH

May 11, 2016

Michelle Aniol
Community Development Manager
City of Dexter
8140 Main St.
Dexter, MI 48130

Subject: Plan review of: Grandview Commons
Plans dated: May 8, 2016

Dear Mrs. Aniol:

The Dexter Area Fire Department (DAFD) has reviewed plans submitted to our Department. We have reviewed these plans with Fire Safety and Prevention in mind. Our resources are the City's Fire Protection Ordinance and City's Engineering Standards. Below are our comments.

DAFD Comments: 1) Unknown if these roadways will be public or private? DAFD does not support private roadways without a detailed plan in place and approved for public safety

Village of Dexter Engineering Standards (as it refers to fire hydrant location & fire department connections): It is DAFD understanding the plan submitted are "area" plans and do not reflect plans that will be used for actual locations of fire hydrants. When ready please resubmit for approval.

Fire Protection Ordinance: Requirements of this Ordinance will need to be incorporated in future plans before approval: related but not limited to: **Knox Box International Fire Code (IFC) Section 506, Addressing IFC Section 505, Minimum Roadway Widths IFC Section D 103, Fire Lane Signage IFC Section 503.3 & D 103, Portable Fire Extinguishers IFC Section 906 Fire Suppression, Fire Alarm Systems and Kitchen Fire Suppression System (if Applicable) IFC 105.7 & Washtenaw County Building Department.**
DAFD Requirements: 1) Confirm the roadway names and addressing of this structures as well as the individual units 2) Depending on how the large units will be configured purchase and installation of Knox Boxes maybe required (more information needed) 3) Roadway widths and access within Ordinance.

DAFD Recommendations: These buildings be connected to a fire alarm system that is monitored by an offsite agency. The installation of fire suppression for all of these buildings.

Donald Dettling
Fire Inspector

Cc/Fire Chief Robert L. Smith
City Mgr. Courtney Nicholls

SMOKE DETECTORS SAVE LIVES

**CITY OF DEXTER
PLANNING COMMISSION
REGULAR MEETING
MONDAY, JUNE 6, 2016**

I. CALL TO ORDER AND ROLL CALL:

The meeting was called to order at 7:06 PM by Planning Commission Chairman Kowalski at the Dexter Senior Center located at 7720 Ann Arbor Street in Dexter, Michigan with roll call.

Matt Kowalski
Jack Donaldson
James Smith

Thomas Phillips
Alison Heatley
Scott Stewart –ab

Jim Carty
Marni Schmid
Tom Stoner

Also present: Michelle Aniol, Community Development Manager; Donna Fisher, and Julie Knight, Dexter Council Members; Carol Jones, Interim City Clerk; Laura Kreps, Carlisle Wortman; Patrick Droze, Orchard, Hiltz and McCliment; residents and media.

II. APPROVAL OF THE MINUTES

1. Work Session minutes – May 2, 2016
2. Regular Meeting minutes – May 2, 2016

Motion Smith; support Stoner to approve the minutes of the Work Session of May 2, 2016 and the Regular Meeting of May 2, 2016 as presented.

Unanimous voice vote approval with Commissioner Stewart absent.

III. APPROVAL OF THE AGENDA

Motion Smith; support Donaldson to approve the agenda with one change:

- Under Item X. Proposed business for next agenda – change June 6, 2016 to July 5, 2016.

Unanimous voice vote approval with Commissioner Stewart absent.

IV. PUBLIC HEARING(S)

- A. PUD-AP 2016-01 Grandview Commons:** Public Hearing to consider a Planned Unit Development (PUD) Petition and Area Plan, submitted by Steve Brouwer on behalf of MMB Equities, LLC for a mixed-density residential development at the southwest corner of Grand Street and Baker Road (7961 Grand Street, Parcel

ID 08-08-06-285-004; 7931 Grand Street, Parcel ID, Parcel ID 08-08-06-155-001; 7905 Grand Street, Parcel ID 08-08-06-427-001; and Vacant Baker Road, Parcel ID 08-08-06-427-002).

Laura Kreps of Carlisle Wortman (CWA) gave a report on the plan dated May 6, 2016 that she reviewed before the most recent revision received on June 2. Ms Kreps stated that the plan does meet the intent of the Master Plan.

Patrick Droze of Orchard, Hiltz & McCliment (OHM) gave his review on engineering based on the May 6, 2016 plan and he also reported on comments from the Dexter Area Fire Department (DAFD).

Ms. Aniol gave the following information:

- The plan as of June 2, 2016 is now a 76-unit, mixed residential development.
- Planning Commission is holding a second Public Hearing due to the addition of property to the development.
- Reviewed the requirements for submission and public benefits.

Allison Bishop, representing the developer AR Brouwer discussed the June 2 revised plan that would provide a centralized green space and a change in the number of units to 76. She reviewed the changes that the developer made based on the comments from the first presentation.

Chairman Kowalski opened the Public Hearing at 7:33 PM.

- Elaine Milbocker of 2901 Baker Road, Dexter stated that this development with the number of units planned and potential residents will have an impact on the traffic on Baker Road. It is already bad now in the mornings and afternoons with school traffic.
- Ron Klumpp of 3558 Dover Street, Dexter inquired if any traffic lights would be installed along Baker Road.

Chairman Kowalski closed the Public Hearing at 7:36 PM

Motion Phillips; support Carty based on the information provided by the applicant and reflected in the minutes of this meeting, the Planning Commission finds PUD-AP 2016-01 Grandview Commons Amended Planned Unit Development (PUD) Petition and Revised Area Plan, received by the city on June 2, 2016 meets the qualifications for consideration as a PUD and recommends approval to City Council, in accordance with the provisions set forth in Article 19, PUD Planning and Development Regulation for Planned Unit Development Districts, in the City of Dexter Zoning Ordinance, and subject to the following conditions:

1. Recommendations, as cited in the CWA review dated, May 20, 2016, ~~including which only includes~~ the following:
 - a. Applicant shall provide a parallel plan showing the entire project area and shall demonstrate all required setbacks of the proposed VR Village Residential District.
 - b. Site modifications, as provided in the applicants June 2, 2016 correspondence, page 4, item 6 and sidewalk connectivity between Baker Road and the proposed duplexes.
 - c. Applicant shall submit a revised area plan that provides the following information:
 - i. Location and dimension of all proposed, existing and/or modified

utility lines;

- ii. List of dimensional deviations sought through the PUD approval; and
 - iii. Verification of height of townhouse, duplex and 4-unit structures.
 - d. Attorney review and approval of Development Agreement; and
 - e. City Engineer's review and approval.
2. All General, Water and Sanitary Sewer, Stormwater Management, and Paving and Right-of-Way review comments, as cited in the OHM review dated, May 19, 2016.
 3. Recommendations, as cited in the DAFD review dated May 11, 2016.
 4. The applicant shall provide a revised area plan that includes the following, as cited by staff herein:
 - a. All plan sheets must be sealed by the professional, as required by the State of Michigan;
 - b. Legal description of each parcel, along with acreage;
 - c. Soil classifications on the topographic survey; and
 - d. Adjacent land uses and zoning, as well as the location of adjacent buildings, drives and streets.
 5. Material and recognized benefits, as determined by the Planning Commission, including the following:
 - a. The benefits listed in staff memo dated, May 31, items 2.a,b,e,f, and g, plus elevations depicted along Grand Street, in rendering distributed by applicant at the June 6, 2016 meeting.

Commissioner Comments:

Phillips: Complimented the applicant on the landscape and green space, the view shed comes through, aligning the site, trees on the Baker road side, like the design of the duplexes in that it adds some interest, and the use of brick along Grand street adds to the overall look.. You did a good job listening to Planning Commission to improve the site. There will be time to address issues and refinements of the plan.

Carty: Also like the look of the duplexes and the use of brick is a definite upgrade.

Donaldson: The developer has come a long way. I can support the motion.

Kowalski: There is no connection from Baker road to the duplexes. Feel I cannot move forward with this based on CWA and OHM not having a chance to review the new plan. What we have seen in the May plan is a much improved plan.

Smith: Commented about the 2 units that are at an angle. I agree with Chairman Kowalski regarding not moving forward with this plan.

Schmid: It seems that there is time to complete the requirement before sending the plan to City Council.

Vote:

Ayes: Phillips, Carty, Donaldson, Heatley, Schmid and Stoner

Nays: Smith and Kowalski

Absent: Stewart

Motion carries 6 to 2

A five minute break was taken at 8:26 PM.

V. PRE-ARRANGED PARTICIPATION

None

VI. REPORTS

A. Chairman Report – Matt Kowalski

At the July meeting there will be an election of officers for 2016-2017.

B. Planning Commissioners and Council Ex-Officio Reports

Commissioner Phillips – The Annual Meeting at Huron Farms is to be rescheduled.

Commissioner Smith – There has been a noise complaint made regarding the car wash on Second Street, and will be followed up by Ms. Aniol. The City of Dexter, Webster Township and Dexter Township will hold a joint meeting with DAFD to discuss capital expenditures at Webster Township Hall on June 7 at 7 PM. The Facilities Committee is in the process of putting together a summary report to present to the City Council on fire, police and city offices.

Commissioner Schmid – The Art Selection Committee and the Art, Culture & Heritage Committee will have a joint meeting on June 7 to discuss the art selection criteria.

Commissioner Carty – The Washtenaw County Commissioners are looking to put a road millage on the ballot with 20% of the funds for non-motorized pathways.

C. Community Development Office Reports – Michelle Aniol

Ms. Aniol submits her report per packet. Ms. Aniol gave the following updates:

- Mill Creek Sport building is back on the market.
- The third meeting on the 3045 Broad Street Redevelopment Project will be held on June 8 at 6 PM.
- Will be looking into ordinances regarding signs and content based regulations.
- Question – What about the Strawberry Alarm Clock? (Jack Savas is talking to a possible buyer for the property.)
- There may need to be a special meeting of the Planning Commission in July for a special land use for a day care facility.
- Included in the packet is a quadrant map for tree planting and leaf pick-up. Commissioner Smith suggested possible changes in the map sections.

VII. CITIZENS WISHING TO ADDRESS THE COMMISSION

None

VIII. OLD BUSINESS

A. CSPR2016-02 8080 Grand LLC – Combined Site Plan Review:

Consideration of a combined and final site plan, submitted by Don Darnell, on behalf of 8080 Grand, LLC for the redevelopment of an existing 6,330 square foot concrete block building for retail and office uses, for property located at 8080 Grand Street. Action was postponed on May 2, 2016.

Laura Kreps, CWA, reported that the applicant has addressed all comments from the original presentation and plan.

Patrick Droze, OHM, reported that the majority of stormwater issues remain as before as previously the applicant did not have an engineer complete the stormwater issues. They have hired an engineer who will begin tomorrow (June 7).

Ms. Aniol, stated that this plan does not require a special land use as it is zoned for business and retail office use.

Applicant, Don Darnell, spoke of hiring an engineer for the property and that the 8080 Grand LLC . He asked for approval of the site plan with conditions.

Motion Heatley; support Phillips based on the information provided by the applicant and reflected in the minutes of this meeting, and pursuant to Section 21.04, subsection E6 Planning Commission Action, the Planning Commission recommends that City Council approve CSPR 2016-02 8080 Grand, LLC Combined Preliminary and Final Site Plan, dated April 5, 2016 and received May 6, 2016, for the redevelopment of 8080 Grand Street, for business and professional offices and retail uses, subject to the following conditions:

1. Five additional parking spaces shall be provided on a revised site plan or the applicant shall submit a contribution to the Public Parking Fund in the amount of \$12,500;
2. The parking calculations table shall be updated on a revised plan, as cited in the CWA review letter, dated May 11, 2016;
3. A revised site plan shall be submitted addressing all issues cited in the OHM review, dated May 19, 2016 and shall be reviewed by the engineer and staff prior to consideration by City Council;
4. Comments of the DAFD review, dated May 11, 2016;
5. Applicant shall secure an easement for the sewer across the adjacent property or relocate it on a revised plan; and
6. Bike parking shall be relocated to the other side of the sidewalk, to ensure unobstructed pedestrian access.

Commissioner Comments:

Kowalski: Look at the placement of the bicycle parking.

Carty: Need to furnish the required parking, would be opposed to a variance.

Schmid: Questioned the reflection in the overhead door. Applicant confirmed it was a reflection, and not a car inside the building.

Phillips: \$2,500 is a bargain for a parking space.

Vote:

Ayes: Phillips, Carty, Donaldson, Heatley, Schmid, Smith, Stoner and Kowalski

Nays: None

Absent: Stewart

Motion carries 8 to 0

IX. NEW BUSINESS

None

X. PROPOSED BUSINESS FOR NEXT AGENDA – JULY 5, 2016

A. Work Session – Zoning Ordinance Updates

B. Regular Meeting – Election of Officers

XI. CITIZENS WISHING TO ADDRESS THE COMMISSION

Donna Fisher, 3035 Inverness, Dexter spoke about the map showing leaf pick-up and the use of sectors.

Paul Grusche, 5560 Crest Court, Dexter addressed the parking at 8080 Grand and that they had difficulty getting the required amount of parking in the space originally; but when the property design was changed to commercial, it was even more difficult to meet the requirements.

XII. ADJOURNMENT

Motion Donaldson; support Smith to adjourn at 9:25 PM.

Unanimous voice vote approval with Commissioner Stewart absent.

XIII.COMMUNICATONS

None

Respectfully submitted,

Carol J. Jones
Interim Clerk, City of Dexter

Approved for Filing, as amended: July 5, 2016

June 2, 2016

City of Dexter
Planning Commission and City Council
8140 Main Street
Dexter, MI 48130

RECEIVED
JUN 2 2016
CITY OF DEXTER

Planning Commission and City Council -

Following receipt of the City of Dexter consultant comments we have revised the Grandview Area Plan and provided the attached review responses. Please note that attached is a revised Area Plan, dated 6-1-16, based on the Carlisle Wortman design comments. The Area Plan revisions include:

1. Elimination of the Central 8-unit building
2. Addition of a 4-unit building
3. Total units reduced from 80-76.
4. Creation of a centralized community common area
5. 4 additional benches.

We are pleased to present this additional revision because it provides greater unit variety, improved views, centralized usable community space and satisfies many of the Planning Commissions comments and consultant design recommendations.

We hope that the Planning Commission prefers the revised Area Plan. We look forward to discussing it at the June 6 Planning Commission meeting.

At this time we have not addressed many of the detailed engineering site plan comments due to the ongoing evolution of the Area Plan design. We are requesting approval of the 6-1-16 Area Plan at the June 6, 2016 meeting so that we can move forward with the engineering design required without additional layout changes and delays.

We understand that approval would be contingent upon staff review and approval of all review comments and are prepared to address all review comments upon Area Plan approval.

We have also been asked to clarify the statement, "On-Street Public Parking and Streetscape improvements along 50% of Grand Street", included in our May 4, 2016 response letter. The

intent of the statement was to demonstrate that we will be improving the sidewalks, installing street trees and providing on-street public parking along 50% of the length of Grand Street from Baker Road to Broad Street.

Please feel free to contact us at any time with additional questions/concerns.

Thank you.

Sincerely,



Steve Brouwer, MMB Equities LLC

RESPONSE COMMENTS Area Plan dated 5-6-16

Carlisle Wortman Review dated May 20, 2016

Site Design Modifications

1. Frame Baker Road to anchor the site and continue the streetscape along Baker Road frontage.

Based on the feedback from the Planning Commission at the last meeting it is our understanding that the location of the buildings setback from Baker Road as presented is the preference. We intend to provide landscaping along the east side of the townhome to provide a visual buffer from the side of the building. Additional landscaping will also be provided at the Final Site Plan stage of the review process.

2. Consider widening of all pedestrian paths as noted.

Based on the extensive sidewalk network throughout the project, the width of City public sidewalks and in an effort to reduce impervious surface we prefer to maintain 5 foot sidewalks throughout the site. We have increased the Mill Creek public access sidewalk to 8 feet as requested.

3. Consider central open space.

In an effort to provide centralized open space and more centrally located common space we have eliminated the central 8-unit building. Elimination of the middle building permitted us to create an additional ½ acre of centrally located common space with 4 additional benches, further reduce the projects impervious surface, and improve individual unit view sheds and spaces overlooking the park.

The centralized open space qualifies as a mini-park for the residents of Grandview Commons in accordance with the City of Dexter Recreation Master Plan.

4. Demonstrate proposed open space amenities.

With the additional centralized open space (mini-park) and 4 additional benches we have provided additional site amenities and community gathering space.

5. Consider path connection north of southern retention area.

An additional path connection was not proposed in this location due to the extensive internal sidewalk network throughout the site and the required landscaping. We have attempted to provide various pedestrian options for connectivity through the evaluation of pedestrian patterns. Adding a sidewalk in this location adds impervious surface and provide little value in connectivity for users within the site.

Area Plan / Preliminary Site Plan

1. Planning Commission consideration of requirements of PUD intent.

Grandview Commons has been designed and presented based the goals and objectives of the City of Dexter's long range planning documents, a Market Analysis, and site constraints. The variety of housing types and prices creates a unique development that cannot otherwise be completed through conventional zoning. With a parcel of over 8 acres a homogenous development with a singular unit type would oversaturate the City and lead to a very dense, repetitive project. Grandview Commons provides the redevelopment of a challenging Brownfield site, creates a unique residential community with central open space and pedestrian connectivity throughout, public park access, improved pedestrian crossing, improved storm water treatment/management and on-street public parking. Please see the attached list of additional public benefit submitted with our May submission.

2. City Engineer review of soil suitability.

See OHM review and reference to final site plan requirement.

3. City Engineer review of Traffic Study.

See OHM review and acceptance of Traffic Study Report.

4. City Engineer review of existing/proposed essential facilities and services.

See OHM review and reference to available essential service capacity.

5. Provide location and dimensions of all proposed existing, and/or modified utility lines.

See OHM review. We will provide all information required per Article 21 of the City of Dexter's Zoning Ordinance and Engineering Standards.

6. Provide a list of the dimensional deviations sought through PUD approval.

SITE DATA

GROSS LOT AREA		8.57 AC		
EXISTING LAND USE		INDUSTRIAL		
PROPOSED LAND USE		MULTI-FAMILY RESIDENTIAL		
SITE DEVELOPMENT DATA		REQUIRED	REQUIRED	PROPOSED
ZONING		R-3	VR	PUD
BUILDING SETBACKS	FRONT	50' (MIN)	15' (MIN)	53' - 141'
	SIDE	25' (MIN)	10' (MIN)	15' - 26'
	REAR	80' (MIN)	25' (MIN)	25' - 26'
BUILDING / UNIT INFORMATION	HEIGHT	35' (MAX)	35' (MAX)	35' (MAX)
	STORIES	2.5 (MAX)	2.5 (MAX)	2.5 (MAX)
	UNITS	N/A	N/A	76
	BUILDINGS	N/A	N/A	17
LOT COVERAGE	BEDROOMS / UNIT	N/A	N/A	2 - 3
	BUILDING	30% (MAX)	30%-60% (MAX)	22.9%
	IMPERVIOUS	N/A	N/A	5.10 AC
PARKING	OPEN SPACE	N/A	N/A	3.47 AC
	TOTAL SPACES	173 (MIN)	173 (MIN)	285
	ON-STREET SPACES			16
PARKING	LENGTH	23' (MIN)	23' (MIN)	23'
	WIDTH	8' (MIN)	8' (MIN)	8'
	ON-SITE SPACES (INCLUDING GARAGE SPACES)			269
	LENGTH	18' (MIN)	18' (MIN)	18'
	WIDTH	9' (MIN)	9' (MIN)	9'
aisle	22' (MIN)	22' (MIN)	26'	

Deviations are not required except for the front yard setback following the City's request to dedicate additional ROW along Grand Street. The table above details the setbacks as they exist today with the property line extending to the centerline of both Baker Road and Grand Street. It should also be noted that the site only includes 17 buildings. The revised Parallel Plan would permit 19 buildings.

7. Verify height of townhouse, duplex and 4-unit structures.

Unit Type	Height
Townhouses	30' 5 ¼"
8-unit	29' 5 ¼"
4-unit	29' 5 ¼"
Duplexes	17' 6 ½"

8. Verify all garages will accommodate 2 cars.

Unit Type	Garage spaces	Driveway Spaces
Townhouses	2	2
8-unit	1	1
4-unit	1	1
Duplexes	2	2

9. Reduce amount of guest parking or demonstrate the need for additional parking to Planning Commission.

On-site guest parking spaces have been reduced to 13. The development has been revised to include 76 units. We feel as though 13 spaces are necessary for guests, mail delivery, and maintenance vehicle parking. We hope the Planning Commission will consider permitting at least 13 guest parking spaces.

10. Demonstrate barrier-free guest parking spaces in accordance with ADA requirements.

2 barrier-free guest parking spaces have been added to the site plan.

11. Provide elevations and floor plan for 4-unit structure.

Floor plan and elevation have been provided.

12. Township staff, engineer, and attorney to review all legal documents related to the Grandview Commons development.

The Development Agreement and Master Deed were provided. Upon receipt of feedback we are prepared to address any concerns.

The remaining comments were related to the Final Site Plan. We are prepared to meet the City's Final Site Plan requirements with our Final Site Plan submission.

OHM Review dated May 19, 2016.

Many of the review comments provided by the City Engineer are detailed site plan and utility comments. At this time we are requesting that the Planning Commission approve the Area Plan contingent upon MMB Equities, LLC addressing all the engineering review items. MMB Equities understands that the review comments are City requirements and fully intend to address them, however prior to completing site engineering we would like to be confident that we have an Area Plan that the City will approve.

Dexter Area Fire Department Review dated May 11, 2016.

1. DAFD Comments.

The proposed internal drives will be constructed to the City of Dexter Engineering Standards and in accordance with the IFC requirements for 26 foot wide road widths. The maintenance of the roads is intended to be completed by the Grandview Commons Condominium Association.

2. Village of Dexter Engineering Standards.

Fire Hydrant details will be provided upon resubmission and in accordance with the City of Dexter Engineering Standards.

3. Fire Protection Ordinance.

Fire Protection Ordinance details, including Knox boxes, signage, fire suppression, roadway names and addressing will be provided upon resubmission and in accordance with the City of Dexter and Building Code requirements.

Please feel free to contact us in advance if there are any questions.

Please consider approval of the Grandview Commons Area.

Thank you.

Sincerely,



Steve Brouwer, MMB Equities LLC

GRANDVIEW COMMONS

Proposed PUD at the corner of Grand Street and Baker Road City of Dexter, Michigan

PLAN REVISIONS

1. Removed the 12 units buildings
2. Water main along Grand Street frontage
3. Duplex units re-aligned
4. Aligned greenspaces
5. Added centralized mini-park
6. Added benches (6 total)
7. Installing a Rapid Flashing Beacon (RFB) at Baker Road pedestrian crossing
8. Grand Street entrance drive placed between buildings, more central to site as requested by Planning Commission and permitted by the Dexter Area Fire Department
9. Increased the green space
10. Added a 4 unit buildings
11. Provided 26 foot wide road widths

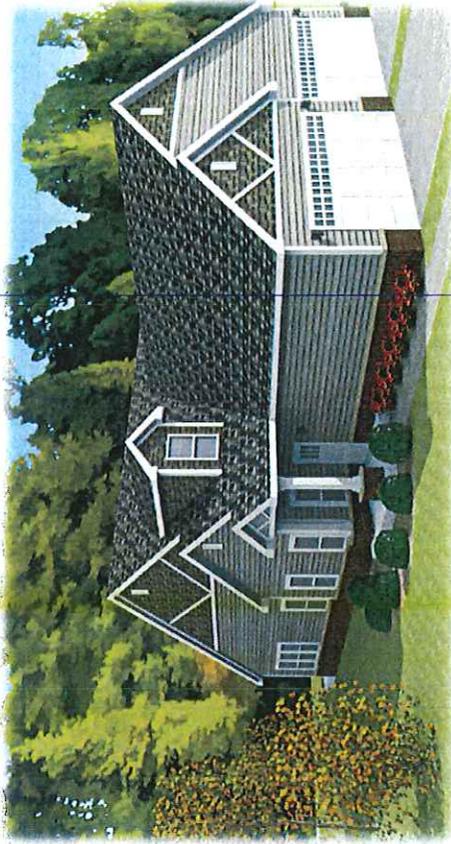
PUBLIC BENEFITS

1. Public non-motorized easement to Mill Creek Park along western property line
2. Added centralized mini-park
3. Improved storm water management and treatment
4. Benches at the end of the non-motorized path and in mini-park
5. Improved pedestrian crossing on Baker Road with RFB
6. New public sidewalks and pedestrian connections to Mill Creek Park and Downtown Dexter
7. New on-street public parking
8. Demolition of a functionally obsolete building
9. Environmental clean-up and remediation of a Brownfield site
10. Improved surrounding property values
11. Increased tax base
12. Improved public infrastructure
13. Achievement of long range planning goals and objectives
14. Variety in design not prescribed with traditional zoning
15. Variety in unit type not prescribed in traditional zoning
16. Public Art pad
17. Desired residential housing densities as detailed in the Master Plan and DDA Development Plan
18. Impetus for additional redevelopment, enhancing economic stability in downtown
19. Improved streetscape along Baker Road and Grand Street
20. Promotes variety in housing options and price points
21. Elimination of industrial users and industrial traffic in downtown
22. Promotes river front development
23. Improved vitality of downtown
24. Consolidates curb cuts along Grand Street

GRANDVIEW COMMONS BUILDING TYPES



8 UNIT BUILDINGS – 4 Available (32 units total)



DUPLEXES – 4 Available (8 units total)



4 UNIT BUILDINGS – 4 Available (16 units total)



TOWNHOMES – 5 Available (20 units total)