

**CITY OF ST CLAIR  
PLANNING COMMISSION MEETING  
WEDNESDAY, DECEMBER 14, 2022 – 7:00 P.M.  
547 N. CARNEY DRIVE – COUNCIL CHAMBERS**

**CALL TO ORDER:** Chair Terry Beier called the meeting to order at 7:07 pm

**ROLL CALL:**

Chairman	Terry Beier	Vice-Chair	Dan McCartney
Council Rep	Mike Laporte	Member	Nancy Beaudua Member
Steve Grates	Member	Paul Wade	
Member	Matthew Griffor		

**APPROVAL OF AGENDA:** *Mike Laporte made a motion to approve the agenda as presented, supported by Nancy Beaudua. All in favor, none opposed*

**APPROVAL OF MINUTES:** *Mike Laporte made a motion to approve the October 12, 2022 meeting minutes as presented, supported by Nancy Beaudua. All in favor, none opposed.*

**CORRESPONDENCE:** None

**PUBLIC HEARING:** None

**SITE PLAN REVIEW:** Jordan Creek Senior Apartments  
1003 Brown Street  
74-07-053-0153-001  
Amendment to Site Plan

Terry Beier – We have had this on our agenda a couple of time. As you can recall we originally had it as an assisted living and then changed to apartments. Now they are proposing a modification to the site plan which was approved on July 20,2022. Is the applicant present and can you give us an update of what you have planned?

Eric Tuommy – Common Sail Investment Group. I am here along with Mark Schovers who is with Spire Design Group. Common Sail Investment Group are developers and operators of senior housing across the mid-west. We also own a construction company called O’Bryant Construction; a multi-family contractor dealing with anything from market rate housing, mixed use housing, greenfield housing, etc. I am here representing the investment group that would do this project.

We are under contract to purchase this property currently owned by Phil and Neil who are the Jordan Creek Assisted Living, LLC investors. The piece of property has gone from Assisted Living to multi-tenant housing and now we are proposing a Senior Independent Living in the building.

What you can see by looking at our drawing is a change in the parking spaces. We went from 109 spaces to 90 spaces. We are adding a dog park as well as adding a transit van space within the site. This will accommodate additional transportation services that will be provided to the residents. Today we are here asking for an approval to the site plan with the modifications made. We have the architect here to talk through any technical questions you may have.

Terry Beier – Thank you.

Dan McCartney – Just one question. The owner of the property is not here tonight and you haven't purchased the property yet?

Eric Tuommy – No, we are under contract with them and we submitted to you a letter from the property owners, Jordan Creek Assisted Living, LLC, that we have a right to pursue this.

Dee Boulter – I did a brief review because there wasn't much change. Only two things changed on this plan. I have included the ordinance regarding the square footage. They are looking at 46 2-bedroom units and 14 1-bedroom units. Per the number of beds, they should have 4 acres of land to build this complex on. They only have 3.8 acres so they will have to seek a variance from the ZBA.

Eric Tuommy – This is a density issue. We are wanting to take the building square footage that had been approved with 51 units, maintain the foot print and exterior of the building, but increase the density from 51 units to 60 units by reducing the unit sizes individually. This is part of the zoning board of appeals process and we will pursue pending the approval of this amendment.

Today I am here to discuss the reduction in the parking spaces along with the inclusion of the dog park and the transportation van.

*Discussion continued regarding the parking spaces required for senior housing per the city ordinance.*

Terry Beier – If this is a 55 and over facility does the state have to approve this?

Eric Tuommy – Yes, the state has to approve it if it is considered senior housing whether it is at 55+ or 60+. This structure we are looking at doing 55+ which would be an agreed upon contract through the land use agreement with the state. If someone is not 55 years of age, we would be out of compliance with the state which would be problematic for us.

Terry Beier – Another thing that was brought up is that the units are smaller than what our ordinance calls for. I assume that you are doing this so that you don't have to change the building size and that you can get in as many units as you can.

Eric Tuommy – From a financing perspective getting to the sixty unit is important to us. We don't want to change the building foot print because it has already been approved. For our portfolio for 625-650 sq ft one bedroom and for a 2 bedroom being 800 – 825 square foot is pretty typical.

*Discussion continues regarding the size of the units.*

Eric Tuommy – I just want to let you know that we do not plan to modify the exterior of the building, we aren't going to change the elevation or the composition material of the building.

Terry Beier – I had a conversation with Dave Scurto last week regarding the affordable housing element. Basically, he said that the Planning Commission should not get into that review or that requirement. We stick to the material of the things that affect the site plan. The rest is up to the review of Council and ZBA and their approval process.

Paul Wade – I understand that but I am curious on a few things. Does the City sign anything with the

owners and the state regarding this type of housing or is the City just being informed of the agreement regarding what was involved and what was agree?

Eric Tuommy – I am not a lawyer but the resolution that would be approved to go to Council for the pilot will say that it is also 55+ and is at the medium income that we need to be at for 45 years. The City does not sign, nor is a party, to the agreement that is between the State and the developer. We are a party to each other only on the resolution approved on the payment in lieu of taxes. Notwithstanding, we would be happy, if we are awarded what we want from the state we would be happy to share a copy of this agreement with you. It is a public agreement.

Terry Beier – What I want everyone to understand regarding the 45 years of compliance. If, for any reason, the facility falls out of compliance with the State then the property reverts back to the original zoning.

Eric Tuommy – If we fall out of compliance, I do not believe that the zoning reverts back. What I do believe is there is something called the “recapture risk” which is something that is an obligation and a liability on us. It’s a financial obligation that would fall onto the operator and developers. It does not, from my understanding, have anything to do with land use.

*Dan McCartney made a motion to amend the previous site plan approved on July 20, 2022 to include the following:*

- *Reduction from 109 parking spaces to 90 spaces*
- *Inclusion of appropriate fire access*
- *Relocation of an existing shed*
- *Inclusion of a Transit Van parking space*
- *Addition of a dog run / park on site*
- *Addition of representative / typical floor plans for the revised unit type and size. These of course are subject to modification but represent a typical floor plan for both 1- and 2-BR units. The facility is increasing the number of apartments from 51 unit to 60 units within the same building footprint previously approved.*
  - *14 one-bedroom apartments to be a minimum of 600 square feet each unit*
  - *46 two-bedroom apartments to be a minimum of 800 square feet each unit*

*This site plan approval is contingent on the ZBA approving the lot density variance and also that Council approves the Pilot. Supported by Matthew Griffor. All in favor, none opposed.*

*Dan McCartney made a motion to adjourn, supported by Mike Laporte. All in favor, none opposed.*

Meeting adjourned 7:40 pm.