

**PLANNING COMMISSION  
MEETING MINUTES  
October 17, 2018  
CITY COUNCIL CHAMBERS  
7:00 P.M.**

**I. CALL TO ORDER**

The meeting was called to order at 7:00 p.m.

**II. ROLL CALL**

**Present:** M. Dunwoodie, J. Donnelly, J. Talaga, P. Hollifield, M. Simmons  
H. Jugenitz

**Absent:** T. Dennis (Excused) J. McGadney (excused)

**Staff:** Bonnie Wessler, City Planner  
Nan Schuette, Executive Secretary

**III. APPROVAL OF MINUTES**

Commissioner P. Hollifield moved to approve the minutes of September 19, 2018 with correction as noted (Support: J. Talaga) and the motion carried unanimously.

**IV. AUDIENCE PARTICIPATION**

None

**V. PRESENTATION AND PUBLIC HEARING ITEMS**

**1. 937 Monroe St – Group Child Care Home**

Staff presentation was made by City Planner Wessler, who stated that this is a request for a change from a childcare center to a group home for child care. This is an existing childcare center, with licensed capacity of up to 30 children. The applicant is requesting to decrease the intensity by switching from a commercial childcare center to a group day care home serving up to 12 families. 937 Monroe is zoned R-1; group childcare homes serving 6-12 children are a permitted special land use within this district.

Staff is recommending approval without any conditions above and beyond the standard which states they must be registered by the State or Social Services or applicable department. Must comply with minimum state standard for such facilities. Also requires 600 ft of outdoor recreation area as required by the state. Must comply with Sec 122-521 for group daycare homes and child care centers.

Commissioner Hollifield moved to open the public hearing (Support: J. Talaga) and the motion carried.

Since there was no public comments and the applicant was not in attendance – a motion was made by Commissioner Hollifield to close the public portion of the hearing (Support: J. Talaga) and the motion carried.

**Sasha Eddins, 937 Monroe St** – Both she and her mother have had the center for 18 years. Her mom has now passed and the ratio required to have 30 kids would be more than she could handle to run the business by herself.

None of the board members had any problems with this request.

Commissioner Talaga moved that the Planning Commission approve the Special Use for the group child care home at 937 Monroe with the following findings, and conditions:

Findings: The application substantially complies with Sec 122-310.

Conditions:

1. Child care centers and group day care homes must be registered by the state department of social services and must comply with the minimum state standard for such facilities.
2. The square footage of outdoor recreation must comply with Sec. 122-521.

The motion was supported by P. Hollifield. A roll call vote was taken and carried unanimously.

Commissioner Jugenitz moved that the Planning Commission approve the Special Use Permit for the group child care home at 937 Monroe with the following findings and conditions:

Findings: The application is substantially in compliance with Sec122-324(b).

Conditions: Special use approval shall be subject to approval of site plan.

The motion was supported by Commissioner Simmons. A roll call vote was taken and carried unanimously.

## **2. Accessory Building Height Increase**

City Planner Wessler stated that an application had been received to amend the zoning ordinance to increase the allowable height of accessory structures to 25' or the height of the primary structure, whichever is less, in the mansion, estate, house and cottage building types in all form based districts. Staff is recommending approval. The applicant, when researching some improvements to their property, came across the restriction that we have currently in our zoning ordinance that limits the height of detached accessory buildings to 15'. This would preclude the placement of any second story or any livable second story space on any detached building. As the square footage of detached accessory structures is capped, in this particular district, at 800 sq. ft, the applicant is interested in putting an accessory dwelling unit on the

second story of a garage, and further believes that this is something that is important to have as an option for accessory dwelling units. The applicant worked with staff to develop the proposed language change. A couple of our zoning districts HC, CN and CN-mid permit accessory dwelling units so this precludes ACU's on garages. If you wanted to have one, you would have to choose between a garage or an ADCU which is the problem this applicant ran into.

We received some feedback from a former city planner, Richard Murphy, who stated that there was an overlay historic district that was in place from the mid-90's to 2013 which allowed 25' tall detached structures which was then the Historic Overlay District which is now the Historic District so there is definitely a precedent for allowing taller structures locally. They would also have to go to the Historic District Commission for their approval. Staff recommends approval with some modification to wording, explaining more in detail about the peak of the structure.

Some questions regarding highest point were discussed by board members. Ms. Wessler stated that we are not changing the definition.

Commissioner Hollifield moved to open the public portion of the hearing (Support: J. Talaga) and the motion carried unanimously.

Since there were no public comments, Commissioner Hollifield moved to close the public portion of the hearing (Support: M. Simmons) and the motion carried unanimously.

Commissioner Jugenitz moved that the Planning Commission recommended to City Council approval of amending the text of the Zoning Ordinance in the following manner:

- Updating Sec122-466 (mansion), Sec122-467 (estate), Sec122-468 (house), Sec 122-469 (cottage), subsection N to read "the lesser of 25' or such that the highest point of the accessory structure is equal to or lesser than the height of the primary structure"
- And appending "except where otherwise noted" to Sec122-651(b)(2)

With the following findings:

1. The amendment is consistent with the guiding values of the Master Plan.
2. The amendment is consistent with the description and purpose of the district.
3. The proposed amendment is consistent with the intent of the zoning ordinance.
4. The proposed amendment will enhance the functionality and character of the future development in the City.
5. The proposed amendment will help preserve the historic nature of the City.
6. The proposed amendment will enhance the overall sustainability of the City.
7. The proposed amendment will protect the health, safety, and general welfare of the public.
8. The proposed amendment will address a community need.
9. The proposed amendment will not result in the creation of significant conformities.

The motion was support by Commissioner Simmons. A roll call vote was taken and carried 5:1. Commissioner Hollifield opposed.

**VI. OLD BUSINESS**

**1. 307 N River – Site Plan Review.**

No action – will continue to table.

**2. Medical Marijuana Provisioning Centers: Increase in buffer**

No action – will continue to table

**VII. AUDIENCE PARTICIPATION**

Commissioner moved to re-open the audience participation (Support: J. Donnelly) and the motion carried unanimously.

**Nathan Phillips, 509 N. Washington, #2, Ypsilanti** – asked to speak on medical marijuana. Lived here for 12 years – his wife had cancer and passed away two years ago. At the time what kept them going was the use of medical marijuana. He is sober for 30+ years then started smoking marijuana and took it as a sacrament but because of Section 8, he cannot have the medical marijuana. He has treaty rights and has rights to health – he is a Viet Nam veteran – that's why he was Section 8 and could get medical marijuana but his wife could not. He would like the City to provide a spiritual center to take medical marijuana or a church where he can give it away to help people. He wants to find a place for him and indigenous community. He wondered if there is an empty building in the city that could be used for people that are in need.

Commissioner Dunwoodie thanked the applicant for sharing his feelings. City Planner added that the city does not have a location that could be used for this purpose.

**VIII. NEW BUSINESS**

None

**IX. FUTURE BUSINESS DISCUSSION/UPDATES**

Application for 534 N. Huron – they have amended their plans and are re-applying. They will be appearing at the next Zoning Board of Appeals meeting.

**X. COMMITTEE REPORTS**

**1. Non-motorized Committee Report**

Commissioner Talaga stated that he is working on the report and hopes to get it finished this weekend. Copies of the September minutes were included in the packet.

## **2. Master Plan – Housing Affordability/Access subcommittee report**

Commissioner Jugenitz stated that they are moving into a new phase. They have completed their first run at quantifying the situation with respect to housing affordability and acceptability. They have formed some new sub groups in order to move forward with public engagement and also some strategy for addressing the issues that we see. One of the things they will be doing soon is a survey – paper based format –that will be put in library and other local places that get lots of foot traffic as well as on-line. It will just supplement the data review that they have already done – instead of asking people questions we already have from the data but more how affordability, etc. impacts their daily life or what kind of housing preferences they see in the next few years that the city is not set up to accommodate – different kinds of housing stocks, etc. We are also looking at supplemental activities, one of which is a series of phone interviews with local landlords to get their perspective on affordability, etc. They also look forward to holding some input sessions.

## **XI. ADJOURNMENT**

Since there was no further business, Commissioner Hollifield moved to adjourn the meeting (Support: H. Jugenitz) and the motion carried unanimously. The meeting adjourned at 7:45 pm.