

MEETING MINUTES - APPROVED
Planning Commission
Wednesday, April 20, 2022 – 6:00 P.M.
City Hall- Council Chambers
1 S Huron St, Ypsilanti, MI 48197

I. Call to Order

II. Roll Call

Matt Dunwoodie, Chair	P
Michael Simmons, Vice-Chair	P
Marc Arthur	P
Eric Bettis	P
Mike Davis Jr.	P
Jessica Donnelly	P
Phil Hollifield	P
Carl Schier	P

Motion to approve the agenda as presented.

Offered By: Hollifield; Seconded By: Donnelly

Approved: Yes – 8; No – 0

III. Approval of Minutes

- March 2022 Meeting Minutes
 - Motion to approve the March 2022 meeting minutes.
 - Offered By: Hollifield; Seconded By: Donnelly**
 - Approved: Yes – 8; No – 0**

IV. Audience Participation

*Open for general public comment to Planning Commission on items for which a public hearing is not scheduled.
Please limit to three minutes.*

Motion to open audience participation.

Offered By: Donnelly; Seconded By: Hollifield

Approved: Yes – 8; No – 0

None.

Motion to close audience participation.

Offered By: Hollifield; Seconded By: Donnelly

Approved: Yes – 8; No – 0

V. Committee Reports

- Non-motorized Advisory Committee
 - April Meeting Minutes
 - The Committee discussed bylaws and zero traffic fatality goals.
 - Commissioner Arthur said Jenny Rose Ryan is a great nominee for the committee.
 - Motion to appoint Jenny Rose Ryan as Non-motorized Advisory Committee member.
 - Offered By: Donnelly; Seconded By: Hollifield**
 - Approved: Yes – 8; No – 0**

VI. Presentations and Public Hearing Items

- Planned Unit Development: Site Condominium for Housing Development at 220 N Park St Staff Presentation. Staff recommends approval with conditions.
The Commission discussed the closures of Grove and Park Street. MDOT is not interested in reopening street railroad crossings.
Joe Meyers- Economic Development Director for the City of Ypsilanti answered questions from the Commission.
Applicants- Shannon Morgan with Renovare (Developer) and Kate Bond from Midwestern Consulting were present and answered questions. They discussed the storm water plan and topographic challenges with the site.
 - *Public Hearing*

Motion to open public hearing.

Offered By: Hollifield; Seconded By: Davis Jr
Approved: Yes – 8; No – 0

Five members of the public spoke.

Rod Johnson- 310 N. Grove – Expressed concerns with closed streets, differences in densities, increase in traffic, and storm water. Does not see how this site addresses any of the issues. Density is not higher quality. Concerns over lot and building size. Wants more information about the pocket parks and does not agree this is a moderate density development. He wants to see artist rendering, there needs to be buffering, there are not enough street trees, and is concerned about backyards facing the front of residences. Will there be traffic study? How the roads will work? What kind of parking can we expect? What are the benefits?

Mary Seelhorst 310 E. Cross - Success on this project depends on people wanting to live in it and who is responsible if the development fails? Looking at it from the eyes of the buyer, the noise from tracks and Marsh Plating is bad. Dead ends would be a hard sell. The Planning Commission is not considering noise reduction like the PUD asks. Close quarters are a drawback. No pedestrian crossings. Environmental issues. There are hazards of living so close to Marsh Plating and herbicides are sprayed along the tracks. Homeowner association dues are undesirable. Will these homes be desirable and affordable?

Mary Ellen Hagenauer- N. Grove - Concerns for the density being out of character of the neighborhood. Adopting departures would degrade master plan compatibility with the rest of the neighborhood. The developer does not address the springs and does not address traffic. There is no safe way to cross the tracks. There is no mention of brownfield remediation in the proposal. Police, Fire and DPS have not reviewed the proposal. Where would a homeowner house anything to maintain their own lawn?

George Hagenauer- Resident – He surveyed all the homes in the neighborhood had 80 signatures opposing the design. Impact on people who will live there will be great. We raised the issue of water management. Who will be buying this? He does not see median income Ypsilantians able to buy these houses. The site is based on a 20 foot wide road, meaning there is no parking. No home health aid or plumber can park. There's more draining than from just the Gilbert Mansion.

Tom Tiplady – E. Cross St - We need housing for lower income people. What about Water Street? We are bending over backwards for the developers. Seems like such a disaster to me. So many houses getting crammed in there. It just seems another one of those bad ideas and everyone has good intentions. I hope you consider the long-term results. Crowding, parking, having a party, it's already difficult on Cross Street.

Motion to close public hearing.

Offered By: Donnelly; Seconded By: Hollifield
Approved: Yes – 8; No – 0

Commissioner Dunwoodie addressed the speakers.

Commissioners clarified questions with the City Planner

The applicant answered that they do not have fencing plans for the tracks but have examples of successful buffers at tracks at other developments.

The applicant discussed types of trees. They are mostly sticking with native species.

They discussed the pocket parks. They will have seating areas, have looked into the idea of a dog park, and small play structures and benches.

Contamination concerns were addressed. The applicant has done phase 1 and phase 2 testing. A small area in the southern portion of the site has found contamination of selenium and arsenic. They are determining whether or not to remove material off the site based on many factors.

In response to affordability concerns, City Council will have final decisions on affordability.

Their goal is to provide accessible housing at attainable pricing.

The applicant is in ongoing conversations about providing sheds to units. They will work with the city for the master deeds.

The applicant addressed the water that collects on the site.

Commissioner Davis Jr suggested a new condition - Addition of fencing along railroad along Park and Grove. The fencing style determined by the HDC. Pedestrian access needs to be to Michigan Ave. He thinks this is compatible with the Master Plan and he reminded the commission that the PUD process is something we created.

Commissioner Arthur does not believe this is a safe development for the site. We don't have a traffic study. Without a traffic study this needs to be tabled.

Commissioner Hollifield echoed Commissioner Arthurs concerns. If we approve, there would need to be some sort of fencing along the tracks. He included concerns about a bus stop and the parking layout.

The applicant stated that the applicant is moving forward without traffic study as it is not required at this time. We have to engage with OHM. We will do one if required.

Commissioner Davis Jr asked what the city would learn that we do not already know.

Commissioner Schier added that traffic studies address where cars go where they come from. Not safety. He doesn't want to stop or delay for a study that will not produce information about safety.

Motion to postpone the Planned Unit Development application to the May Planning Commission meeting with the finding the applicant submit a traffic impact statement prior to that meeting.

*Friendly amendment offered by Commissioner Arthur that the motion be amended to postpone the Planned Unit Development application to the May or June Planning Commission meeting with the finding the applicant submit a traffic impact statement prior to that meeting. **Friendly amendment accepted by Commissioner Davis Jr.**

Offered By: Davis Jr; Seconded By: Arthur

Approved: Yes – 5; No – 3 (Donnelly, Dunwoodie, Schier)

Motion carried.

Note: Commissioner Arthur left the meeting.

- Special Use Permit and Limited Site Plan Review: HVAC Skilled Trade Office Use at 340 Ecorse Rd
 - *Public Hearing*
Presentation by staff. Staff recommends approval.
Applicant stated that he just wants to do HVAC work.

Motion to open public hearing.

Offered By: Hollifield; Seconded By: Donnelly

Approved: Yes – 7; No – 0; Absent – 1 (Arthur)

None.

Motion to close public hearing.

Offered By: Hollifield; Seconded By: Donnelly

Approved: Yes – 7; No – 0; Absent – 1 (Arthur)

Motion to approve the Special Use Permit at 340 Ecorse Rd with the following findings and conditions:

Finding: The application is substantially in compliance with §122-324(b). This specific use also requires compliance with §122-539(a)-(d).

Conditions:

1. Special use approval shall be subject to approval of site plan.
2. Any fabrication, repair, cleaning, or other processing of goods must conform to fire and building code.
3. Those areas of the ground floor that face upon or are visible from adjacent streets must be used only for entrances, offices, sales, or display.
4. There must be no outside storage of materials or goods of any kind.
5. Storage of commercial vehicles inside the building is permitted pursuant to building and fire code.

Offered By: Davis Jr; Seconded By: Hollifield

Approved: Yes – 7; No – 0; Absent – 1 (Arthur)

Motion to approve the Limited Site Plan at 340 Ecorse Rd with the following findings and conditions:

Finding: The application substantially complies with §122-311.

Conditions:

1. Four parking space proposed in front of building will need review and approval by the Department of Public Services.
2. Applicant shall ensure all parking spaces are at least 9' by 18', except for the ADA parking space. Applicant shall make at least one parking space ADA compliant.
3. Applicant shall install planters, fencing, curbing, or a similar barrier where the south parking lot meets the sidewalk along the front of the building so that vehicles cannot cross the front sidewalk.
4. Applicant shall submit a lighting plan conforming with the provisions of 122-609 if business is to be operated during night hours and such lighting fixtures shall be dark sky compliant.
5. Applicant shall screen trash storage area with an enclosure conforming with §122-608f.
6. Applicant shall screen the west property line from the adjoining residential property.
7. Applicant shall repair all existing sidewalks where needed, and repair the crosswalk ramp.

Offered By: Davis Jr; Seconded By: Donnelly

Approved: Yes – 7; No – 0; Absent – 1 (Arthur)

The Commissioners are happy to see a reuse of a vacant site.

Note: 5 minute recess at 8:26pm

- Special Use Permit and Site Plan Review: Marijuana Retailer Use at 1420 Washtenaw Ave
Staff Presentation. Staff recommends approval.
They need to divide the lot to fall within the buffer.
The gas station will cease to exist.
 - *Public Hearing*

Motion to open public hearing.

Offered By: Hollifield; Seconded By: Donnelly
Approved: Yes – 7; No – 0; Absent – 1 (Arthur)

None.

Motion to close public hearing.

Offered By: Hollifield; Seconded By: Donnelly
Approved: Yes – 7; No – 0; Absent – 1 (Arthur)

Applicant - Ari Goldstein, Attorney

Todd Ballou – Architect

Commissioner Davis Jr. had questions about lighting fixtures.

Commissioner Dunwoodie questions on tree requirements for the site.

Motion to approve the Special Use Permit for marijuana retailer use at 1420 Washtenaw Ave with the following findings and conditions:

Findings:

1. The application is substantially in compliance with §122-324(b).
2. Per the proposed parcel split and site plan Sheet S1, the Special Use Permit is granted to the resultant eastern lot and new building. A special use permit is not granted to the western lot and existing 1420 Washtenaw Ave convenience store building.

Conditions:

1. The Special Use Permit approval shall be subject to approval of site plan.
2. Gas station use shall cease to exist in order to accommodate marijuana retailer use, and the gas pumps and tanks shall be capped or removed in accordance with State regulations.

Offered By: Hollifield; Seconded By: Donnelly
Approved: Yes – 7; No – 0; Absent – 1 (Arthur)

Motion to approve the Site Plan for 1420 Washtenaw Ave with the following findings and conditions:

Findings:

1. The site plans substantially comply with §122-311 and the zoning ordinance.
2. Planning Commission determines lack of formal loading space on eastern lot to be sufficient, in accordance with §122-694, with the finding that there will not be large semi-trucks conducting loading/unloading with this use.

Conditions:

1. Applicant shall fully execute the parcel split prior to any construction and certificates of occupancy.
2. Site plans shall undergo detailed engineering review.
3. Glazing shall be clear glass that is transparent inside and outside. Interior floor plan design and interior barriers should be provided to accommodate State of Michigan MRA's rules.
4. Applicant shall repave or repair alley, and such work shall be reviewed by the City Engineer.
5. Joint access easement between the two parcels should be recorded.
6. Dumpster access easement between the two parcels should be recorded.
7. Applicant shall confirm plantings within traffic visibility triangles will be less than 30" tall.
8. Applicant shall confirm landscaping plantings on the east side of parking lot will account for at least 80% opacity and 3'-4' height.
9. Applicant shall designate the four northern-most parking spaces near the alley for employees only.
10. Applicant shall provide tree protection plan for trees being preserved.
11. Landscape plan's species list shall be approved administratively to ensure no plantings are invasive species and are hardy to Washtenaw County.

Offered By: Simmons; Seconded By: Hollifield
Approved: Yes – 7; No – 0; Absent – 1 (Arthur)

- Zoning Ordinance Text Amendment: Child Care Center as Permissible Use in CN-SF, CN-Mid, and CN Zoning Districts

Staff presentation. Staff recommends approval.
Small scale, neighborhood oriented childcare centers.
The applicant spoke about the need for the text amendment.

- *Public Hearing*

Motion to open public hearing.

Offered By: Hollifield; Seconded By: Donnelly
Approved: Yes – 7; No – 0; Absent – 1 (Arthur)

President of High Scope expressed support.

Motion to close public hearing.

Offered By: Donnelly; Seconded By: Hollifield
Approved: Yes – 7; No – 0; Absent – 1 (Arthur)

Motion to recommend approval of the proposed text amendment to Chapter 122: Section 122-441 to City Council, with the following condition and findings:

Condition: The Specific Regulations column shall reference Section 122-521.

Findings:

1. The proposed amendment is consistent with the guiding values of the Master Plan;
2. The rezoning is consistent with description and purpose of the proposed district;
3. The proposed amendment is consistent with the intent of this Zoning Ordinance;
4. The proposed amendment will enhance the character of the future development in the City;
5. The proposed amendment will enhance the natural features and environmental sustainability of the City;
6. The proposed amendment will address a community need in physical or economic conditions or development practices.

Offered By: Davis Jr; Seconded By: Donnelly
Approved: Yes – 7; No – 0; Absent – 1 (Arthur)

- Zoning Ordinance Text Amendment: Research & Development and Similar Uses as Permissible Uses in Center Zoning District

Staff presentation. Staff recommends approval.

- *Public Hearing*

Motion to open public hearing.

Offered By: Donnelly; Seconded By: Hollifield
Approved: Yes – 7; No – 0; Absent – 1 (Arthur)

None.

Motion to close public hearing.

Offered By: Donnelly; Seconded By: Hollifield
Approved: Yes – 7; No – 0; Absent – 1 (Arthur)

Mark Smith, applicant, spoke to the commission.

The commission discussed mobility.

They discussed the prohibition of multi axle vehicles.

Commissioner Dunwoodie does not want to include a condition barring multi axle vehicles if the City hasn't conditioned it in other uses in the same zone.
Discussion about definition of rideshare.
Commissioner Schier stated that this text amendment is too specific to one applicant.

Motion to recommend approval of the proposed text amendment to Sections 122-203, 122-446, and Article V Division 1, to City Council, with the following condition and findings:

Conditions:

1. The text amendment recommended to City Council is to be revised based on Scenario 2 of the staff report.
2. Text amendment be revised to strike line-item #4 of the proposed specific standards for certain uses.
3. Text amendment be revised to add autonomous vehicles under the Research & Development definition.

Findings:

1. The proposed amendment is consistent with the guiding values of the Master Plan;
2. The proposed amendment is consistent with the intent of the Zoning Ordinance;
3. The proposed amendment will enhance the character of the future development in the City;
4. The proposed amendment will enhance the natural features and environmental sustainability of the City;
5. The proposed amendment will address a community need in physical or economic conditions or development practices.

Offered By: Donnelly; Seconded By: Hollifield

Approved: Yes – 6; No – 1 (Schier); Absent – 1 (Arthur)

Motion carried.

Reason for opposition from Commissioner Schier - For an individual to come and change legislation to deal with a specific and narrow use when a more general description is possible is bad policy.

VII. Old Business – none.

VIII. New Business –

Lessons on PUDs. The Commission requested a special meeting ahead of 220 N. Park coming back to PC.

IX. Future Business Discussion / Updates – none.

X. Adjournment

Motion to adjourn at 10:16pm.

Offered By: Hollifield; Seconded By: Bettis

Approved: Yes – 7; No – 0; Absent – 1 (Arthur)