

1. Agenda

Documents: [01- PLANNING COMMISSION AGENDA_2013-03-20 .PDF](#)

2. Packet

Documents: [PACKET_2013-02-20 .PDF](#)

Agenda
Planning Commission
Council Chambers
Wednesday, 20 March 2013 - 7:00 P.M.

I. Call to Order

II. Roll Call

Roderick Johnson, Chair	P	A
Mark Bullard	P	A
Gary Clark	P	A
Phil Hollifield	P	A
Daniel Lautenbach	P	A
Brett Lenart	P	A
Richard Murphy	P	A
Kelly Weger	P	A
Cheryl Zuellig	P	A

III. Approval of Minutes

- 20 February 2013

IV. Audience Participation

Open for general public comment to Planning Commission on items for which a public hearing is not scheduled.

V. Public Hearing Items

- 75 Catherine – special use and site plan – medical marijuana (BW)
Public hearing and presentation

VI. Old Business

- Water Street update
 - Council public hearing on Family Dollar, 19 March 2013
- Master Plan process update (steering committee member)
- Recreation Master Plan Update

VII. New Business

- 1425 Washtenaw: proposed restaurant (BW)

VIII. Committee Reports

- Nonmotorized committee [Murphy, Johnson]

IX. Future Business Discussion / Updates

X. Adjournment

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Kelly Weger	P	A
Cheryl Zuellig	P	A

III. Approval of Minutes

- 16 January 2013

IV. Audience Participation

Open for general public comment to Planning Commission on items for which a public hearing is not scheduled.

V. Old Business

- 834 Railroad, updated site plan/special use – medical marijuana grow facility (BW)
- Water Street update
 - Council Work session scheduled Tues., Feb. 19 – 6pm
 - Council public hearing (tentative) on Family Dollar March 5, 2013
- Master Plan process update (committee member)
- Recreation Master Plan Update

VI. Committee Reports

- Nonmotorized committee [Murphy, Johnson]

VII. Future Business Discussion / Updates

VIII. Adjournment

**PLANNING COMMISSION
MEETING MINUTES
January 16, 2013
CITY COUNCIL CHAMBER
7:00 P.M.**

I. CALL TO ORDER

The meeting was called to order at 7:06 p.m.

II. ROLL CALL

Present: R Johnson, B. Lenart, G. Clark, M. Bullard, R. Murphy, P. Hollifield,
C. Zuellig

Absent: K. Weger (excused) D. Lautenbach (excused)

Staff: Teresa Gillotti, City Planner
Bonnie Wessler, Planner I
Nan Schuette, Executive Secretary

III. APPROVAL OF MINUTES – December 19, 2012

Commissioner Murphy moved to approve the minutes of December 19, 2012 (Support: P. Hollifield) and the motion carried unanimously.

IV. AUDIENCE PARTICIPATION

None

V. PUBLIC HEARING ITEMS & PRESENTATIONS

517-521 Tyler – Rezoning Request

Ms. Wessler stated that this site is approximately 4.3 acres near S. Grove. The property currently has three different zoning designations, M2, PL and B2. The applicant is requesting rezoning to M2 for the full property to unify the zoning. The Master Plan use for this area is M1 light industrial/high technology and B2 for the area that is adjacent to S. Prospect. She gave some history on the site; in mid-1990, the entire block was rezoned to the current divided

category of zoning from general manufacturing when they re-did the zoning code. It is staff's current belief that the maps that were available to planners at the time were not particularly accurate and although the planners did intend to follow the existing lot lines when they rezoned the area, they were unable to do so and that is why the lot line is split between M2, B2 and PL. Staff is suggesting that the portion of the site that is currently zoned PL be rezoned to M2, the portion that is currently M2 remain M2 and the portion that is currently zoned B2 remain B2.

Commissioner Johnson asked about the use of the property and Ms. Wessler responded that there is no change of use proposed.

Commissioner Bullard moved to open the public portion of the hearing (Support: G. Clark) and the motion carried unanimously.

John George, representative for Pagoda Management Company – was in attendance to respond to any questions on this request. He stated that they would like to have all of this property rezoned to M2. They are trying to refinance and the banks prefer all one zoning.

Commissioner Johnson stated that it is staff's opinion that it would not be appropriate to rezone the B2 property but is suggesting that all of the other property be rezoned to M2, which is consistent with the bulk of the property. The B2 does not fit into a M2 category and he is inclined to accept staff's findings.

Commissioner Murphy asked the width of the driveway section and the applicant responded that it was 50 ft x170 ft and 10 ft grade change down to Prospect.

Commissioner Murphy moved to close the public portion of the hearing (Support: B. Lenart) and the motion carried unanimously.

After a number of comments on past rezoning and questions to staff on conformity with the Master Plan and other concerns, Commissioner Murphy moved that the Planning Commission recommend to City Council approval of the request for rezoning for 519-521 Tyler with the following findings:

1. The proposed zoning of the site is consistent with existing and planned surrounding zoning districts and land uses.
2. Utilities and services as they exist are adequate for the self-storage and accessory uses.
3. The proposed boundary for the rezoning is appropriate, based on the existing character of the site.
4. The rezoning will not result in an unplanned and isolated spot-zone.
5. The adjacent M2 General Manufacturing designation is the most appropriate for this property.
6. This excludes the portion of the property that fronts on S. Prospect the dimensions of which are 50' x 170', east to west
7. The rezoning is consistent with the apparent legislative intent of the 1994 Master Plan zoning of the property.

The motion was supported Commissioner Zuellig. A roll call vote was taken and carried with a vote of 6:1. Commissioner Lenart opposed.

VI. OLD BUSINESS

1. Water Street Update

Ms. Gillotti gave an update on the Water Street property adding that the Family Dollar proposal will likely be coming to City Council for a public hearing March 3rd. We will have a revised concept plan at that time and she explained the changes included.

The Recreation Center is moving along. The Washtenaw County Parks is in dialog with YMCA to set up an agreement to have them operate the facility. Staff expects to move to a development agreement in April/May.

2. Master Plan Process Update

Ms. Gillotti stated that the Master Plan Steering Committee had its first meeting in December with a few members and plans to have a complete group meeting in January. List of committee members were included in package. She asked that the Planning Commission formally approve the membership of the Steering Committee. There are still a few slots left so looking for more members. Commissioner Hollifield has agreed to fill in for Commissioner Lenart who had to drop out.

Commissioner Lenart moved to approve the Steering Committee (Support: G. Clark) and the motion carried unanimously.

Ms. Gillotti reviewed the schedule for the charette workshops requesting that commissioners save the dates on their calendars.

VII. NEW BUSINESS

1. 715 Norris: Bay Logistics

Commissioner Clark moved to remove this item from the table (Support: B. Lenart) and the motion carried unanimously.

Ms. Gillotti stated that she had met with the applicant to review the conditions that were applied at the last meeting. The applicant is asking to approve the entire use of the building for distribution and outdoor storage. She reviewed the changes; where outdoor storage will be located and addition of fire lanes and location of fire hydrant per the Fire Department guidelines. She responded to a previous concern on the height of the racks and pictures were included in the packets. There is an addition on the landscaping page to show percentage of coverage on the site but there is no traditional foundational landscaping. The applicant is planning on some trees on the street in lieu of foundation planting on Norris and Forest Streets, which was indicated on the site plan. There will be no dumpster on the site, the parking has been slightly modified and drainage buffers have been added to the site plan. There is a conservation easement on the west side of the site – 50' from property line. Staff has discussed this with the applicant's attorney and does not foresee any concerns.

Mark Pasco, Stantec representative for the company, was in attendance to respond to questions. He was accompanied by Kurt Cuncannan, Vice President and Officer of the company, and Patrick Dueke, Attorney. Mr. Cuncannan stated that Ms. Gillotti had been very helpful since the last meeting, and that Bay Logistics is very dedicated to making all the changes necessary. He added that the intent of the storage is temporary and they plan to store the racks in the permanent conservation easement. They do not plan any pavement removal.

Commissioner Lenart asked for some information on the racks since he was not in attendance at the last meeting. Specifically, were they impacted in any way with any petroleum products? Mr. Cuncannan responded that this is a part of a changeover with General Motors and that all of the racks will be new. There will no oil involved and also these racks will not come back to Ypsilanti. Commissioner Murphy asked the maximum amount of parking they anticipate at one time and Mr. Cuncannan responded that they anticipate no more than 8 vehicles. He continued by adding that this is proposed to be a long-term venture and they have made several improvements; new overhead doors, painting of inside building, and IT upgrades. Commissioner Johnson was concerned about the barbed wire and Mr. Cuncannan agreed that they are willing to limit it to along N. River and would remove it along Norris and Forest. Several other concerns were raised by board members including the repair of some sidewalks where needed, conservation easement, clean-up of litter along the River Street side of the property. Further discussion was held on off-street parking requirements. Ms. Gillotti stated that outdoor storage does trigger the site plan review and parking requirements as well as full use of the building.

After further discussion, Commissioner Lenart moved to approve the site plan for 715 Norris for warehousing and distribution as well as outdoor storage with the following findings, waivers, and conditions:

Findings:

1. The application substantially complies with Sec 122-127.

Waivers:

1. Waive foundation landscaping requirements and parking lot screening requirements due to existing conditions and the addition of six street trees on Norris and a minimum of four street trees on the Forest Street frontage.
2. Waive 20% reduction in the required parking, due to site dimensional constraints.
3. Waiver for in-ground irrigation.

Conditions:

1. Applicant to remove note on cover sheet that submission is for "housekeeping" replacing it with "coming into compliance."
2. Applicant to not locate any outdoor storage in street side yard.
3. Applicant to note any signage on site, obtains related permits, and removes signage in corner clearance zone.
4. Edit cover sheet indicating interior use as warehousing and distribution.

5. Edit sheet C-102 #5 under storage indicating that interior use will be warehousing and distribution, rather than indoor storage of temporary racks.
6. Repair inoperative hydrant on Forest Avenue frontage.
7. Mow the parking lot.
8. Ensuring all sidewalks adjacent to the plant area is repaired in accordance with city standards.
9. With appropriate direction to staff that a conservation easement along the river be executed that provides long-term benefits both from ecological watershed protection and potential public access to the river.
10. Removal of barbed wire along the Forest, Norris and River Street as previously stated and agreed by the applicant.

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

2. Annual Report

Ms. Gillotti noted that the Planning Commission of the City of Ypsilanti is governed by the Michigan Planning Enabling Act, State of Michigan Public Act 33 of 2008 and by the City of Ypsilanti's Zoning Ordinance. Under this act, the Commission must provide an annual report to City Council. Ms. Gillotti added that the board met monthly during 2012 except for January, April and August. She discussed the various comparisons in the last few years on the number of site plans, etc. that the Planning Commission has been working on and issues that staff would like to pursue, i.e. Capital Improvement. One board member also suggested Re-imagine Washtenaw as another issue to consider. Commissioner Murphy moved to approve the 2013 Annual Report to City Council (Support: G. Clark) and the motion carried unanimously.

VIII. COMMITTEE REPORTS

- Non-motorized (Murphy, Johnson)

Copy of the minutes for January was included in packets. Commissioner Murphy moved to approve the bylaws for the Non-motorized Committee and naming of a Chairperson (Support: C. Zuellig) and the motion carried unanimously.

- Ordinance Committee (none)

IX. FUTURE BUSINESS DISCUSSION/UPDATES

Railroad Street
OHM Presentation

X. ADJOURNMENT

Since there was no further business, Commissioner Clark moved to adjourn the meeting (Support: R. Murphy) and the motion carried unanimously. The meeting adjourned at 8:47 p.m.



City of Ypsilanti
Planning and Development Department

06 December 2012
REVISED 06 February 2013

**Staff Review of Site Plan & Special Use Application
Railroad Cultivation Facility
834 Railroad St**

Applicant: Daryl Mynes II
WGAF Management, Inc
834 Railroad
Ypsilanti, MI 48197

Project: Railroad Cultivation Facility

Application Date: 11/12/12 application | plans received 12/5/2012 | 1/21/2013 revision

Location: North side of Railroad, west of Leforge

Zoning: M2, General Manufacturing

Action Requested: Approval of site plan and special use for medical marijuana cultivation facility and associated office to occupy existing occupied multitenant industrial facility

Staff Recommendation: Approval, with conditions.

PROJECT AND SITE DESCRIPTION

This application first came before Planning Commission in December, where it was tabled due to sidewalk, landscaping, and parking deficiencies, as well as to allow time to pursue a conservation easement at the rear of the property. Since that time, staff has worked with the applicant to revise the site plan and discuss a conservation easement.

The property is zoned **M2 – General Manufacturing**, which allows medical marijuana cultivation as a Special Use, subject to the specific requirements in §122-815. There is minimal history on this parcel prior to approximately 1998. There are minimal site renovations proposed; the applicant proposes only to occupy one “bay” of a three-bay industrial building and the office portion of the building. A pole barn is located on the property to the rear; the applicant is not proposing any operations in that portion of the site. The applicant will be leasing the property. Note that the zoning ordinance requires the site to be reviewed as a whole.

The site is approximately 0.9 acres; it fronts onto Railroad Street and backs on to the Huron River. A portion of the rear of the site is floodplain; no buildings or other alterations to the site are proposed there.

Figure 1: Subject Site Location

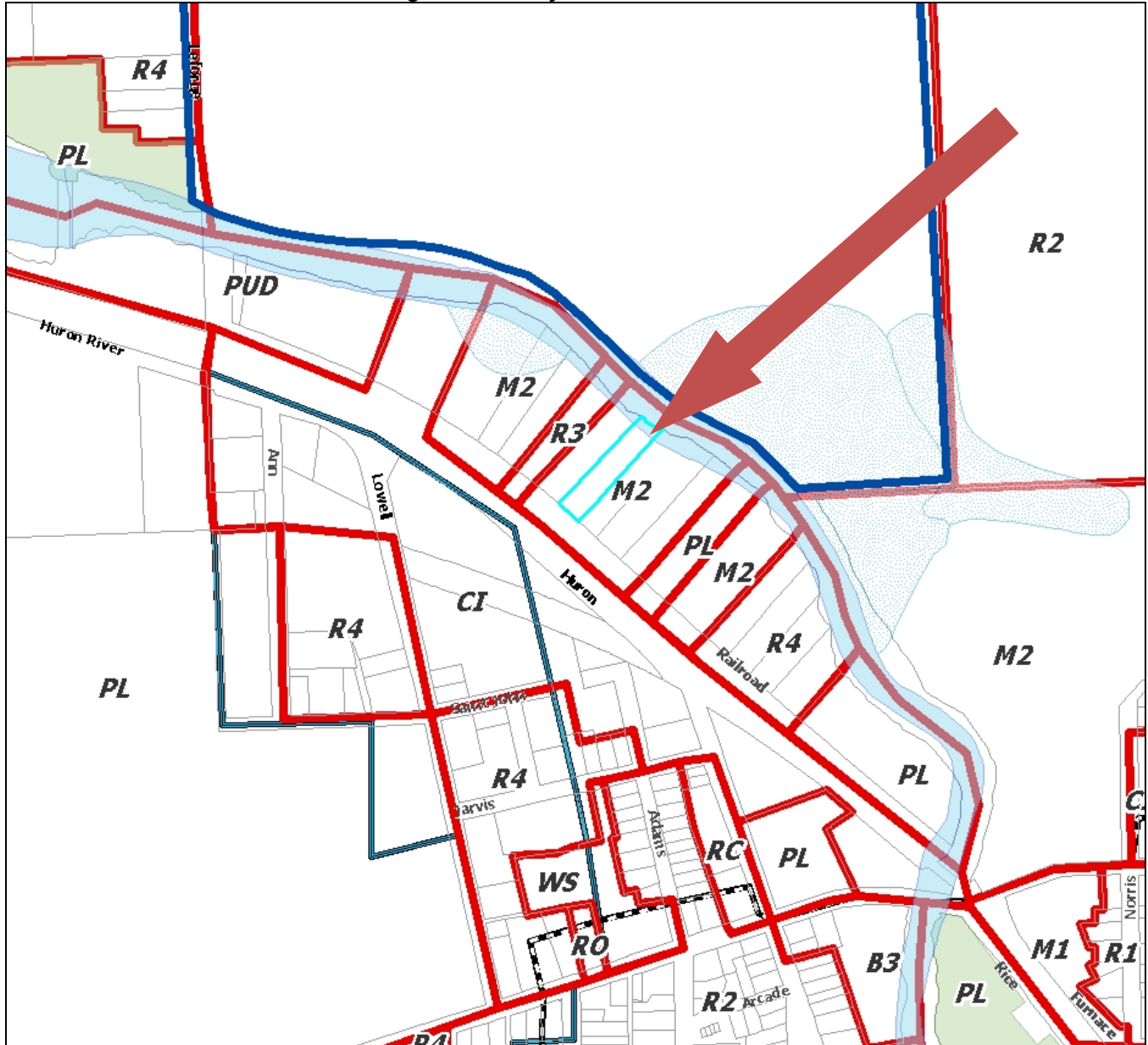


Figure 2: Site Aerial (2010)

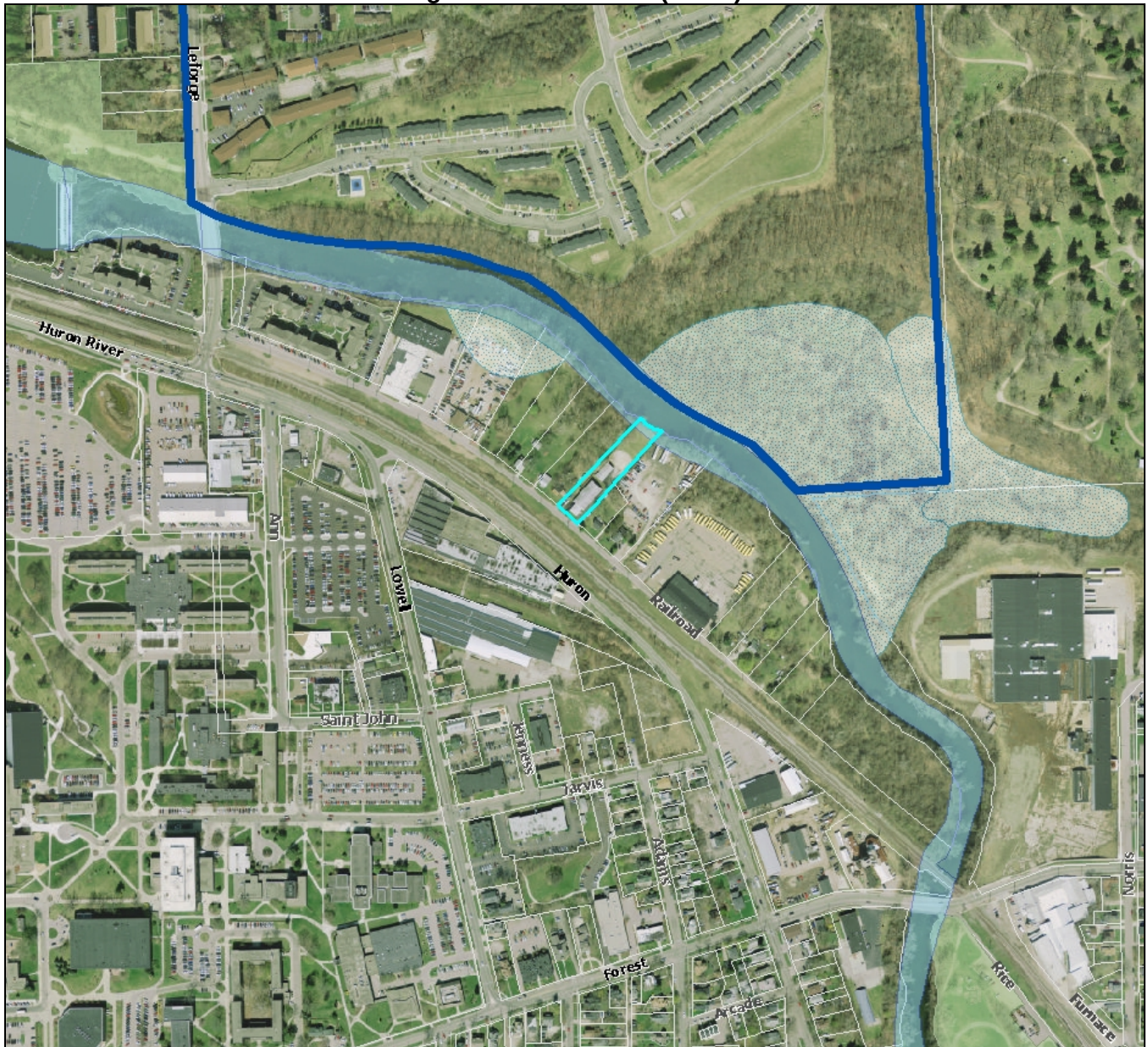


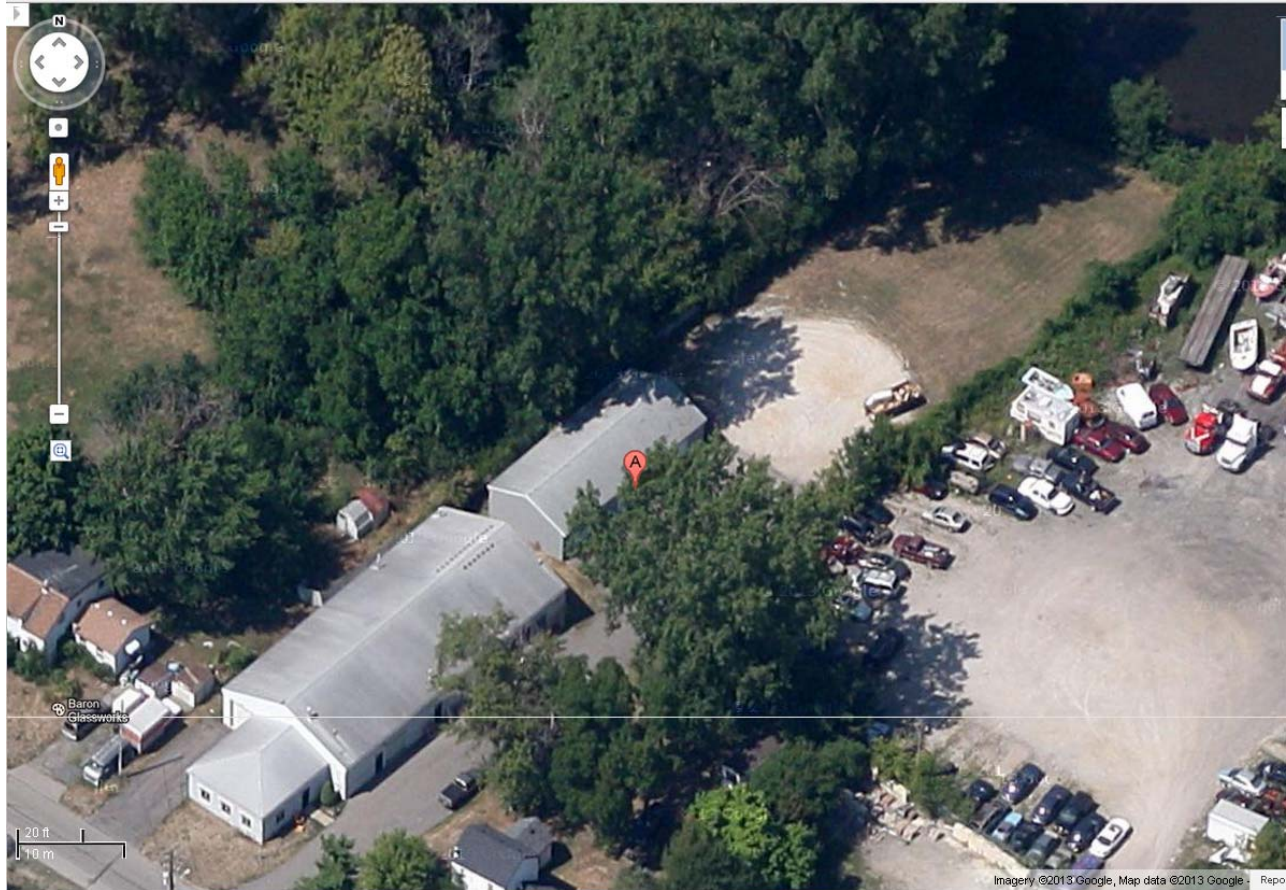
Figure 3: Close-Up of Property (note: parcel boundaries shown are skewed north-west)



Figure 4: Land Use and Zoning of Surrounding Area

	LAND USE	ZONING
NORTH	Huron River, vacant land (twp)	RM-2, Multifamily residential (twp)
EAST	Single-family residential & tow yard	M2, General Manufacturing
SOUTH	Railroad ROW, industrial storage	CI, Commercial Industrial
WEST	Single-family, two-family, tow storage	M2, General manufacturing

Figure 5: 45° Google Map imagery (late 2012)



SPECIAL USE: CRITERIA AND REVIEW

§122-165(b)

- (1) *The location, scale, and intensity of the proposed use shall be compatible with adjacent uses and the zoning of the land.*

COMMENTS: As a small-scale industrial growing and processing facility, the intensity and scale are appropriate and compatible with the zoning and adjacent uses.

- (2) *The proposed use shall promote the use of land in a socially and economically desirable manner and shall not be detrimental, hazardous, or disturbing to existing or future neighboring uses, persons, property, or public welfare.*

COMMENTS: Medical marijuana has been recognized, through the recent State Act, zoning text amendment, and licensing process, as a potentially economically and socially desirable use of land.

- (3) *The proposed special land use shall be designed, constructed, operated, and maintained to assure long-term compatibility with surrounding land uses. Consideration shall be given to the placement, bulk, and height of structures; materials used in construction; location and screening of parking areas, driveways, outdoor storage areas, outdoor activity areas, and mechanical equipment; nature of landscaping and fencing; and hours of operation.*

COMMENTS: The physical design and construction of the use is covered separately below, in the site plan review. No alterations to existing structures or on-site traffic circulation are being proposed.

- (4) *The proposed special land use shall not present unreasonable adverse impacts on traffic circulation. Consideration shall be given to the estimated traffic generated by such use, proximity to major thoroughfares, and proximity to intersections, required vehicular turning movements, and provisions for pedestrian traffic.*

COMMENTS: The use is not anticipated to cause a significant change to existing traffic patterns. The use being proposed is likely to generate significantly less traffic than the previous occupant, Rainbow Rehabilitation, although will be more seasonal in nature due to the growth/harvest cycle.

- (5) *The proposed use shall not create additional requirements at public cost for public facilities and services that will be detrimental to the economic welfare of the community.*

COMMENTS: No additional requirements for public services are anticipated at this time.

- (6) *The location of the proposed use shall not result in a small residential area being substantially surrounded by nonresidential development, nor a small nonresidential area being substantially surrounded by incompatible uses.*

COMMENTS: The proposed land use will not result in isolated or incompatible uses.

Items to be addressed: None.

SITE PLAN: CRITERIA AND REVIEW

§122-127

STANDING

§122-127(1)

The applicant is legally eligible to apply for site plan review.

REQUIREMENTS

§122-127(2)

Figure 6: Requirements

ORDINANCE REFERENCE	REQUIRED	EXISTING CONDITIONS	PROPOSED
M2: LOT AREA & WIDTH §122-474	Determined by setbacks, screening, and parking requirements. No width requirements. No lot coverage reqs.	39,910 sqft ~95' wide	unchanged
SETBACKS			
front	25'	15'	unchanged
side	15' if abut a business district (n/a), otherwise: 0' if fire-retardant; 3' otherwise	North: 10' South: ~45'	unchanged
rear	30' min	~190'	unchanged
M2: HEIGHT §122-475	Not to exceed 100'; if > 30' then add'l foot setback all sides for each foot >30'; exceptions in §122-640	~25'	unchanged

M2: DEVELOPMENT §122-476 STANDARDS	(a) <i>Deleterious operations.</i> No activity, operation, or use shall be permitted on any property in the M2 general manufacturing district which by reason of the emission of odor, fumes, smoke, vibration, radiation, heat, glare, dust, soot, noise, or disposal of waste is deleterious to other permitted activities in the zoning district or is obnoxious or offensive to uses permitted in neighboring districts, or is harmful to the general health, safety, or welfare, of the community. (b) <i>Enclosed buildings.</i> All manufacturing, compounding, assembling, processing, packaging, or other industrial or business activity in the M2 general manufacturing district shall be conducted within a completely enclosed building, except as otherwise specified. (c) <i>Outside storage.</i> Outside storage which is clearly accessory to a permitted use in the M2 general manufacturing district shall allowed be subject to the provisions of section 122-801.		(a) Applicant to ensure that odor is strictly controlled. Note this requirement on site plan. (b) Met. (c) n/a
§122-647 SIDEWALKS	provide a sidewalk or shared-use path	No sidewalk on this or any parcels on Railroad.	Note on plan showing “city sidewalk or funding”
§122-707 LANDSCAPING	10%		~12500 sq ft to remain in lawn & natural state 31%
§122-836 PARKING	Wholesale or warehouse establishments: - o 5 + 1 for every employee in largest shift OR - o 1 per 1700 sq ft gross floor (7048) = 4, + 1 per 300 sq ft office (900 sq ft) = 3 - o 7 required for full site.	None currently marked; parking is in/along driveways.	7 shown, 1 of which barrier-free.
§122-861 et seq SIGNAGE	• Building Mounted: max of 3 sq ft per ft of frontage • Ground: max of 100 sq ft, 35' tall; must be ≥3' from front property line; ≥10' from side or rear.		Master Sign plan to be submitted should any signage be proposed

§122-815	USE-SPECIFIC	1. Not located w/in 1000 feet of a school 2. Not located w/in 500 feet of another medical marijuana dispensary or growing facility 3. Use of medical marijuana on the site shall be prohibited 4. All activity shall be done indoors 5. Premises shall be open for inspection by the City 6. Logbook/database tracking by date and producer the amount of medical marijuana on-site; confidentiality shall be maintained 7. If the facility ceases operation for a period of 60 days, the Special Use Permit shall expire 8. Drive-through facilities are prohibited 9. All medical marijuana shall be contained in the building in a closed, locked facility 10. All necessary building, electrical, plumbing, and mechanical permits shall be obtained 11. Area where chemicals such as herbicides, pesticides, and fertilizers are stored shall be subject to inspection & approval in accordance with the Michigan Fire Protection Code 12. The facility shall not operate without a valid Medical Marijuana Growing/Manufacturing Facility License 13. Dispensing of medical marijuana on-site is prohibited	n/a	The facility shall note these conditions on their site plan and maintain compliance at all times.
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Items to be Addressed:

1. *Applicant to note that odor will be controlled such that neighbors will not find it to be obnoxious or offensive to uses permitted in neighboring districts, nor will it be harmful to the general health, safety, or welfare, of the community.*
2. *Applicant to provide funds in an amount equal to the estimated cost of constructing a sidewalk at this location.*
3. *Master Sign plan to be submitted at time of any sign application for any occupant or use of the site.*
4. *The facility shall note the Medical Marijuana conditions on their site plan and maintain compliance at all times.*

BUILDING LOCATION AND SITE ARRANGEMENT**§122-127(3)**

There are currently two buildings on the site. One is an industrial space containing three separate bays and an office; another is a pole barn to the rear. An access drive and parallel parking are located to the south. There is a small single-space "driveway" to the north providing access to and parking for the office space. No changes are being proposed.

Items to be Addressed: None.

SITE ACCESS, TRAFFIC, AND PARKING**§122-127(4)**

The site is accessed from Railroad. The north driveway is approximately 16' wide and 40' long, used as a parking area for the office. The south driveway is approximately 25' at the entrance, and extends approximately 235'. At the terminus to the drive, behind the pole barn, there is a 70' x 60' graveled turnaround area.

Seven parking spaces are shown on the site plan, one of which is barrier-free, all located in the driveway to the south. The driveway on the north side of the building is not shown as parking on the site plan. The buildings are entered from the south. There are no bicycle parking facilities on the site, nor are there sidewalks on Railroad. The nearest bus stop is approximately 1300 feet away at LeForge and Huron River Drive.

Items to be Addressed:

1. *Applicant to consider adding bicycle parking.*
2. *Should the applicant &/or property owner choose to not pursue construction of a sidewalk at this time, the applicant may choose to provide a fee-in-lieu of construction, per 122-647(b)(2). Additionally, the applicant may wish to consider providing an access easement for a linear shared-use path along the Huron River, per 122-647(b)(3), given the lack of nonmotorized facilities along Railroad Street and the dimensional constraints of building such at this time.*

ENGINEERING & STORMWATER**§122-127(5), §122-127(6)**

There is no proposed construction nor addition of impervious surfaces. Stormwater sheet flows over the pervious lawn surface at the rear of the site into the Huron River.

Items to be Addressed: None.

SCREENING**§122-127(7)****Figure 7: Screening**

ORDINANCE REFERENCE	REQUIRED	EXISTING CONDITIONS	PROPOSED
§122-641 Lighting	• down-directed and shielded • not >0.5 fc @ lot line • not >16'in height • not < 0.3 fc	Building-mounted lighting	unchanged

ORDINANCE REFERENCE	REQUIRED	EXISTING CONDITIONS	PROPOSED
§122-703 Screening Between Land Uses	visual buffer of at least 80% opacity and 6' height along north and south boundary	<i>North:</i> Chainlink fence in place from rear end of front building to rear of site. Building has no openings (windows, doors, etc) on this face. <i>South:</i> No fence adjacent to single-family use; chainlink fence in place along tow yard boundary.	No changes to north boundary. Addition of two trees along south boundary. Inadequate screening provided. <i>Staff recommends installation of a row of screening shrubs, such as ninebark, boxwood, holly, white meadowsweet, black chokeberry, dogwood, or similar.</i> <i>The parcels to the south are currently under the same ownership as 834 Railroad, however, a full boundary survey may be advisable to ensure the screening is on the correct parcel. Planning Commission may request that landscape materials not able to be placed as screening or in the front yard due to boundary or other constraints may be placed in the rear floodplain area.</i>
§122-704 Off-Street Parking Landscaping	1 tree per 8 spaces (7/8 = 1)	One tree on site	Addition of two trees as noted above.
	landscape island per 16 continuous spaces	n/a	n/a
	ends of all aisles and corners protected	--	Aisle definition in place; does not align with parking spaces (see space "5")
	minimum distance of 3' from curb backside to landscaping	--	Parallel parking, n/a.
	must be screened per 122-703 if conflicting land use	Conflicting land use to south.	Inadequate screening provided.

ORDINANCE REFERENCE	REQUIRED	EXISTING CONDITIONS	PROPOSED
	must be screened from public ROW	No screening.	Unchanged; minimal visibility from ROW
	prevent vehicular encroachment into landscaping, structures		No curbs or wheelstops provided.
§122-705 Greenbelt Landscaping	not required	--	--
§122-706 Foundation Landscaping	screen buildings from general public parking areas/ ROWs 1 ornamental tree and 6 shrubs per 30' • South access & parking: no "general public" or drop-in traffic anticipated, no landscaping required • front ROW: 50 - o 10 shrubs - o 2 trees	No landscaping	7 shrubs (3 short) 0 trees (2 short) <i>Planning Commission may request that landscape materials not able to be placed as screening or in the front yard due to boundary or other constraints may be placed in the rear floodplain area.</i>
§122-650, §122-709 Refuse Containers	masonry enclosure 1' taller than dumpster (no less than 6'), in rear yard, 80% opaque swing door, on a concrete pad	No dumpster on site	unchanged
§122-710 Exterior Electrical	when visible from ROW screen	n/a	n/a
§122-712 Maintenance	install underground sprinkler system		None proposed
§122-714 Fencing, hedges, walls, berms	no taller than 10' in side/rear yard	n/a	None proposed.

Items to be Addressed:

1. *Planning Commission waivers requested from:*
 - a. *§122-703, screening between land uses*
 - b. *§122-704, parking aisle protection*
 - c. *§122-704, parking screening. Planning Commission may request that landscape materials not able to be placed as screening or in the front yard due to boundary or other constraints may be placed in the rear floodplain area. Note that tree and shrub species shown as adequate for screening or foundation landscaping may not thrive in the floodplain area; careful attention should be paid to species selection.*
 - d. *§122-706, foundation landscaping. Planning Commission may request that landscape materials not able to be placed as screening or in the front yard due to boundary or other constraints may be placed in the rear floodplain area. Note that tree and shrub species shown as adequate for screening or foundation landscaping may not thrive in the floodplain area; careful attention should be paid to species selection.*
 - e. *§122-712, underground sprinkler system*

MASTER PLAN CONSIDERATIONS

HURON RIVER

The 1998 City of Ypsilanti Master Plan calls out special considerations for properties with river frontage, with intent to “preserve the Huron River frontage for both environmental reasons, and to allow for the future integration with a continuous greenway system along the Huron River” (p 70).

As the parcel in question is intended for continued industrial use and lacks sidewalks along the street frontage, staff recommends a conservation and access easement of no less than 30 feet from the rear property line abutting the Huron River be deeded to the City of Ypsilanti. Funds set aside for construction of a sidewalk on the site may be applied to construction of a shared-use path in said easement.

***Items to be Addressed:** Consider deeding to the City of Ypsilanti a conservation and access easement along the Huron River frontage. Note that access by the public to said easement from the unburdened portion of the parcel could be restricted by the landowner.*

STAFF RECOMMENDATIONS: SPECIAL USE

Staff recommends the Planning Commission **approve** the Special Use Permit for the Railroad Cultivation Facility at 834 Railroad Street with the following findings and conditions:

Findings: The application is substantially in compliance with §122-165(b).

Conditions:

1. Special use approval shall be subject to approval of site plan.
2. Special use permit shall expire and be of no effect if the use ceases operations for a period of 60 days or more, per §122-815(9).

STAFF RECOMMENDATIONS: SITE PLAN

Staff recommends the Planning Commission **approve** the Site Plan for the Railroad Cultivation Facility at 834 Railroad Street with the following findings, waivers, and conditions:

Findings

1. The application substantially complies with §122-127.

Waivers

1. To accept proposed screening between land uses, with the finding that the benefit to be secured by §122-703, Screening Between Land Uses, will exist with less than the required screening; and significant benefits shall be accrued by locating plant material in an amount equal to the deficiency to the rear of the site.
2. To omit parking aisle protection, with the finding that the benefit to be secured by §122-704(b)(2), will exist without them.
3. To accept proposed foundation landscaping, with the finding that the benefit to be secured by §122-706, Foundation Landscaping, will exist with less than the required amount of plant material, and significant benefits shall be accrued by locating plant material in an amount equal to the deficiency to the rear of the site.
4. To omit in-ground irrigation, with the finding that the benefit to be secured by §122-712(e) shall exist without it.

Conditions

1. Applicant to provide funds in an amount equal to the estimated cost of constructing a sidewalk along Railroad Street at this location, per §122-647(b)(2), given the lack of nonmotorized facilities along Railroad Street and the dimensional constraints of building such at this time. Such funds may be used at the discretion of the City of Ypsilanti for the construction of a sidewalk or shared use path at this or other locations.
2. Applicant to plant a row of screening shrubs along the south property line; the site plan shall be updated accordingly.
3. A number of trees and shrubs equal to the deficiencies in screening, foundation, and off-street parking landscaping shall be planted in the rear of the site, and that species suited for a riparian buffer be selected. The site plan shall be updated accordingly.
4. Update site lighting in conformance with §122-641.
5. A Master Sign plan shall be submitted, should any change in signage on the site be proposed.
6. Note the Medical Marijuana conditions as outlined in §122-815 on the site plan and maintain compliance at all times.
7. Provide bicycle parking, in accordance with the goals outlined in the City's Nonmotorized Transportation Plan.
8. Provide to the City of *Ypsilanti* a conservation and access easement along the Huron River frontage, in accordance with the goals outlined in the City's Master Plan.

Bonnie Wessler
Planner I, Community Development Division

CC File
 Applicant