

**PLANNING COMMISSION
MEETING MINUTES
June 17, 2015
CITY COUNCIL CHAMBER
7:00 P.M.**

I. CALL TO ORDER

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

II. ROLL CALL

Present: R. Johnson, C. Zuellig, H. Jugenitz, P. Hollifield, S. Straley,
N. Sandberg, A. Bedogne

Staff: Bonnie Wessler, Planner II
Nan Schuette, Executive Secretary

III. APPROVAL OF MINUTES

Commissioner Sandberg moved to approve the minutes of May 20, 2015 as read (Support: c. Zuellig) and the motion carried unanimously.

IV. AUDIENCE PARTICIPATION

None

V. PRESENTATIONS AND PUBLIC HEARING ITEMS

1. Student Presentation (Tony Bedogne)

A GIS Club was formed at Eastern Michigan University and with the assistance of Commissioner Bedogne and Planner Bonnie Wessler. The students were asked to participate on a project for the City. The members in attendance were Emily Fisher, Beth Sample and Marisa Laderach.

Ms. Laderach gave a brief overview to explain the process and distributed a handout of an Assessment Analysis. Both Ms. Fisher and Ms. Sample also provided some additional information. The map shows the collected point data for street infrastructure in Ypsilanti with color points representing "Poor – Fair and Good". There was also the ability to drill down on

each point for further details. An analysis had been completed for each park. All of this information would be very helpful for future purposes using the data to make Ypsilanti more walkable. This information would be available to the public.

Chairman Johnson thanked the students adding that the Commissioners were very impressed by their presentation acknowledging the time involved working on this project.

2. Adaptive Re-use Planned Unit Development: 908 Congress, Little Bird Café

Bonnie Wessler, City Planner, gave a short presentation stating that this is a small commercial building in a residential district with one parking space. It was formerly a party store and the owner is proposing a small café with outdoor seating. The applicant has satisfied most of the requirements but we need more data on paving materials, screening, street trees and two bicycle spaces with one hoop. This is a rezoning that would be recommended to City Council.

Commissioner Bedogne moved to open the public portion of the hearing (Support: N. Sandberg) and the motion carried unanimously.

Beth Kwiatkowski, 4240 Willis Road, Milan – owner of the property, stated that the hours of operation would be between 6:00 a.m. to 4:00 p.m. with some evening hours but not late.

Commissioner Johnson asked about a lighting study, to which, Ms. Wessler responded that a cut sheet would be sufficient. Commissioner Johnson also asked about screening – Ms. Wessler added that they have some flexibility – could use some lattice covering. Commissioner Johnson asked about trees in the margin – Ms. Kwiatkowski agreed on this. She also was asked about paving and indicated it would be a mesh porous material similar to that used in Gallup Park.

Commissioner Zuellig asked about product delivery and was informed it would be handled as most small vendors with no big delivery trucks involved. Ms. Kwiatkowski also stated that the trash would be picked up in front on regular pick-up days. Some discussion was held on fencing – Ms. Wessler recommended opaque fencing on the rear of the property. Further discussion was held on hours of operation and it was agreed that midnight would be acceptable for indoors.

Commissioner Zuellig moved to close the public portion of the hearing (Support: H. Jugenitz) and the motion carried unanimously.

After further discussion and comments by board members, Commissioner Jugenitz moved that the Planning Commission recommend approval to City Council of the Planned Unit Development Plan and Rezoning to Planned Unit Development for Little Bird Café at 908 North Congress Street with the following findings, exceptions, waivers and conditions.

Findings:

The conditions of Sec 122-573 and Sec 122-128(1) are met.

Exceptions:

- 1) Exception from parking requirements due to Planned Unit Development enabling review as a change of use on first floor in “center” (base) district and the overall walkability of the area.
- 2) Exception from requirements of Sec 122-799(2) and (3) due to site constraints.
- 3) Exception from Sec 122-650 due to site constraints.

Waivers:

- 1) City will waive screening on the entire left property line and the portion of the east property line that is adjacent to the building.
- 2) For foundation landscaping required by Sec 122-707, with the finding that seasonal herb planters will provide the public benefit intended to be secured by the requirement.

Conditions:

- 1) Applicant will provide more information on all exterior lighting to determine compliance.
- 2) Applicant will plant a street tree. No-cost permit from the Department of Public Services required.
- 3) Applicant will provide more information about new paving materials at front of building and ensure barrier-free compliance.
- 4) Applicant will provide at least two bicycle parking spaces and consider covered bicycle parking.
- 5) Applicant will provide opaque fence along the north property line around the rear yard and adjacent to the building on the east property line to meet the opacity of the city
- 6) Applicant will limit outdoor hours from 6 am to sundown and indoor hours from 6:00 am to midnight.

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

3. Designation of Special Non-conforming Status (Non-conforming A): Strong House Properties

Ms. Wessler gave the staff presentation stating that the applicant is requesting approval for nonconforming class A use as a duplex for a number of properties. She stated that the conditions for 723 and 729 Maus are identical, thus one review has been performed that can stand for both properties. However, a public hearing must be held on each property with a separate vote as detailed in her staff report dated 11 June, 2015.

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

Gary Francis, 406 Emerick – stated that the buildings are behind his property and he had complaints about the privacy fence that has never been maintained, thereby causing a number

of problems in the area and specifically his property. He is concerned about the new properties. Ms. Wessler explained the plans for the new units adding that the old units are being demolished and replaced. Mr. Francis stated that he felt more confident after Ms. Wessler's explanation that there will be an improvement – old units being demolished and a privacy fence will be replaced and each unit will have parking in front. The property owner will be responsible for maintenance and not the tenant.

Jim Pappas, Fusco, Shaffer and Pappas, inc. 550 East Nine Mile Road, Ferndale – representative for the project was in attendance to respond to any questions.

Commissioner Jugenitz moved to close the public portion of the hearing (Support: P. Hollifield) and the motion carried unanimously.

Commissioner Zuellig moved that the Planning Commission designate 729 Maus as a "Nonconforming A" property with the following findings and conditions:

Findings:

- 1) The applicant substantially complies with the ordinance.

The motion was supported by Commissioner Jugenitz and carried unanimously by voice vote.

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

Since there was no comment, Commissioner Zuellig moved to close the public portion of the hearing (Support: N. Sandberg) and the motion carried unanimously.

Commissioner Zuellig moved that the Planning Commission designate 723 Maus as a "Nonconforming A" property, with the following findings and conditions:

Findings:

- 1) The application substantially complies with the ordinance.

The motion was supported by Commissioner Sandberg and carried unanimously by voice vote.

Commissioner Sandberg moved to open the public portion of the hearing on 610 and 614 First (Support: C. Zuellig) and the motion carried unanimously.

Ms. Wessler referred to her staff report dated 7 June 2015 with recommendation and findings. Commissioner Sandberg moved to close the public portion of the hearing (Support: P. Hollifield) and the motion carried unanimously.

Commissioner Jugenitz moved to recommend that the Planning Commission designate 610 and 614 First Street as "Nonconforming A" properties with the following findings and conditions:

Findings:

- 1) The applicant substantially complies with the ordinance.

The motion was supported by Commissioner Hollifield and carried unanimously by voice vote.

Commissioner Straley moved to open the public portion of the hearing on 881 and 885 Madison (Support: N. Sandberg) and the motion carried unanimously.

Ms. Wessler referred to her staff report dated 7 June 2015 with recommendation and findings. Commissioner Jugenitz moved to close the public portion of the hearing (Support: N. Sandberg) and the motion carried unanimously.

Commissioner Bedogne moved that the Planning Commission designate 881 and 885 Madison as "Nonconforming A" properties with the following findings and conditions:

Findings:

- 1) The applicant substantially complies with the ordinance.

The motion was supported by Commissioner Jugenitz and carried unanimously by voice vote.

Commissioner Sandberg moved to open the public portion of the hearing on 951 and 955 Madison (Support: P. Hollifield) and the motion carried unanimously.

Ms. Wessler referred to her staff report dated 7 June 2015 with recommendation and findings. Commissioner Hollifield moved to close the public portion of the hearing (Support: H. Jugenitz) and the motion carried unanimously.

Commissioner Straley moved that the Planning Commission designate 951 and 955 Madison as "Nonconforming A" properties with the following findings and conditions:

Findings:

- 1) The applicant substantially complies with the ordinance.

The motion was supported by Commissioner Sandberg and carried unanimously by voice vote.

Commissioner Jugenitz moved to open the public portion of the hearing on 1004, 1008, 1012 and 1016 Monroe (Support: A. Bedogne) and the motion carried unanimously.

Ms. Wessler referred to her staff report dated 7 June 2015 with recommendation and findings. Commissioner Sandberg moved to close the public portion of the hearing (Support: P. Hollifield) and the motion carried unanimously.

Commissioner Jugenitz moved that the Planning Commission designate 1004, 1008, 1012 and 1016 Madison as "Nonconforming A" properties with the following findings and conditions:

Findings:

- 1) The applicant substantially complies with the ordinance.

The motion was supported by Commissioner Hollifield and carried unanimously by voice vote.

4. Special Use Permit – 311 S. Grove – Complete Auto Sales & Service

Ms. Wessler stated that the conditional zoning expired when the new ordinance was adopted; therefore, the applicant had to re-apply for a Special Use again. In order to expedite this, she used the existing site plan that was submitted and approved last August. The property is zoned GC which requires a special use. She is asking that the Planning Commission approve this as one site plan but in two phases. The applicant has still not acquired the property to the north; however, if he did not acquire the property, the applicant would still be able to operate for auto sales. The conditional rezoning is off the table.

Further questions were asked by board members regarding landscaping, parking and screening.

Commissioner Zuellig moved to open the public portion of the hearing (Support: N. Sandberg) and the motion carried unanimously.

Ayad Jacksi, Owner of Complete Auto – stated that he is asking for approval since he feels that he has been treated unfairly and has spent considerable sums of money for applications as well as the time involved in resolving all of the issues. It has taken three years with numerous fees; every step meant another fee.

Chairman Johnson informed Mr. Jacksi that the board must look at all the contingencies if he is unable to acquire the property, but even if he does not, we would still permit auto sales.

Commissioner Bedogne moved to close the public portion of the hearing (Support: S. Straley) and the motion carried unanimously.

Commissioner Zuellig moved that the Planning Commission approve the Special Use Permit application for auto sales at 311 S. Grove with the following findings and conditions:

Findings:

- 1) The application is substantially in compliance with Sec 122-165(b).

Conditions:

- 1) Special use approval shall be subject to approval of sketch plan

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

Commissioner Jugenitz moved that the Planning Commission approve the Sketch Plan for auto sales and minor repair, for 311 S. Grove with the following findings, waivers and conditions:

Findings:

- 1) The application substantially complies with Sec 122-127.
- 2) The application contains with two parcels with the south parcel consider Phased I and the north parcel considered Phase 2.

Waivers:

- 1) Grant waiver from foundation landscaping requirements, due to the auto-oriented nature of the existing nonconforming building.
- 2) Grant waiver from screening between land uses, due to the significant grade changes and existing vegetation.
- 3) Grant waiver from 20% of the parking requirement, due to the proximity of a bus stop, the border-to-border trail, and the sidewalk network.

Conditions:

1. Applicant will provide information regarding site lighting.
- 2) Applicant will provide street trees in accordance with adopted Forestry Plan.
- 3) Applicant will provide a bicycle parking space.
- 4) In the event that the Phase 2 parcel is NOT acquired within 1 year and developed within 2 years, applicant shall provide screening **on the North boundary of the Phase 1 parcel**, in compliance with 122-835

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

VI. NEW BUSINESS

1. Elections

Commissioner Zuellig moved to re-elect Rod Johnson as Chairperson (Support: P. Hollifield) and the motion carried unanimously on a voice vote. Commission Jugenitz moved to re-elect Cheryl Zuellig as Vice-Chair (Support: P. Hollifield) and the motion carried unanimously on a voice vote.

VII. OLD BUSINESS

1. Special Use Permit Revocation: 50 Ecorse, Used Car Sales

Ms. Wessler stated that the Old Big Boy has been demolished. This property is under the same ownership as the auto sales who want to use the property for the auto sales. Staff recommended that it be left on the table until the board sees the site plan.

Commissioner Hollifield moved to continue to table for one month with the following findings:

1. An apparent site plan and special use plan has been submitted.

The motion was supported by Commissioner Sandberg and carried unanimously.

VIII. FUTURE BUSINESS DISCUSSION/UPDATES

1. 50 Ecorse
2. Commissioner Sandberg resigned from the board due too personal reasons, adding that she was moving to Seattle, Washington. Chairperson Johnson thanked her for her dedication and input as a Planning Commissioner, wishing her well in her new endeavor.
3. Ms. Wessler stated that Commissioner Jugenitz had put a job description together for an EMU Student and hopes to bring to next meeting. It would be a three-year term. Ms. Wessler stated that the applications will go forward to the Mayor.

IX. COMMITTEE REPORTS

1. Non-Motorized Committee
 - Included in the packet were the minutes of May 7th and June 4th, 2015.
 - Chairman Johnson stated that Martha Cleary would like to be on the Non-Motorized Committee. Commissioner Bedogne added that she has just moved back to town and would like to be actively involved with the city. Commissioner Zuellig moved to recommend Ms. Cleary to the Non-Motorized Committee (Support: N. Sandberg) and the motion carried unanimously.

X. ADJOURNMENT

Since there was no further business, Commissioner Sandberg moved to adjourn the meeting (Support: C. Zuellig). The meeting adjourned at 9:23 p.m.