1. Planning Commission Regular Meeting Agenda

   Documents:

   01-DECEMBER 21, 2016 AGENDA.PDF

2. Planning Commission Regular Meeting Packet

   Documents:

   12-21-2016 PC MEETING PACKET.PDF

Agenda
Planning Commission
Council Chambers
Wednesday, December 21, 2016 – 7:00 P.M.

I. Call to Order

II. Roll Call

Heidi Jugenitz, Chair	P	A
Cheryl Zuellig, Vice Chair	P	A
Anthony Bedogne	P	A
Liz Dahl MacGregor	P	A
Toi Dennis	P	A
Matt Dunwoodie	P	A
Phil Hollifield	P	A
Jared Talaga	P	A

III. Approval of Minutes

- November 16, 2016

IV. Audience Participation

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

V. Presentations and Public Hearing Items

- Special Nonconforming Status: 928 Frederick
- Special Nonconforming Status: 914 N Congress
- Special Nonconforming Status: 953 Sheridan
- Zoning Text Amendment: PMD-Production, Manufacturing and Distribution
- Zoning Text Amendments: Citywide

VI. New Business

- None

VII. Old Business

- None

VIII. Future Business Discussion / Updates

IX. Committee Reports

- Non-motorized Advisory Committee: December Minutes

X. Adjournment

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PLANNING COMMISSION
MEETING MINUTES
November 16, 2016
CITY COUNCIL CHAMBER
7:00 P.M.

I. CALL TO ORDER

The meeting was called to order at 7:01 p.m.

II. ROLL CALL

Present: H. Jugenitz, C. Zuellig, A. Bedogne, J. Talaga, M. Dunwoodie, T. Dennis, L. MacGregor

Absent: P. Hollifield (excused)

Staff: Bonnie Wessler, City Planner
Cynthia Kochanek, Associate Planner
Nan Schuette, Executive Secretary

III. APPROVAL OF MINUTES

Commissioner MacGregor moved to approve the minutes of October 19, 2016 (Support: T. Dennis) and the motion carried unanimously.

IV. AUDIENCE PARTICIPATION

None

V. PRESENTATION AND PUBLIC HEARING ITEMS

1. Special Nonconforming Status: 304 Elm

Ms. Kochanek, Planner, Associate Planner, gave her staff report stating that this is a request for approval of special nonconforming status at 304 Elm Street, between Sheridan and Sherman Streets in the Normal Park area of the city. The structure has frontage on the east side of Elm Street. It is two units with a porch running the length of the house and a small upper deck on the west end of the structure, deck and stoop on the east side and 400 ft garage at the northeast corner of the parcel.

DRAFT

The property is currently zoned R-1 Single Family Residential and the two units are nonconforming under the current zoning ordinance. The house was built as a duplex around 1930, with zoning which allowed for dwellings for one or more families. After 1975 the zoning was changed to $-1 single family residential. No special use permits or variances have previously been approved for this property. The property has a Certificate of Compliance and Occupancy from the Building Department and is valid through August 1, 2017. There are no proposed changes to the site, the applicant is only pursuing the special nonconforming status in order to rebuild as a duplex in the event of a casualty.

Ms. Kochanek reviewed the criteria and conditions of approval.

Commissioner Zuellig moved to open the public portion of the hearing (Support: L. MacGregor) and the motion carried unanimously. Since there was no public comments, Commissioner Bedogne moved to close the public portion of the hearing (Support: M. Dunwoodie) and the motion carried unanimously.

Since there was no further comments by staff or the commissioners, Commissioner MacGregor moved that the Planning Commission approve the special nonconforming use permit for the duplex at 304 Elm Street with the following finding and conditions:

Finding

1. the application substantially complied with Sec 122-206.

Conditions

1. If the structure needs to be rebuilt, the yard setbacks cannot be more non-conforming than what currently exists on site.
2. The rental Certificate of Compliance & Occupancy must be successfully renewed as prescribed by law and maintained as long as the structure is utilized as a rental/duplex

The motion was supported by Commissioner Dennis. A roll call vote was taken and carried unanimously – 7:0.

VI. NEW BUSINESS

None

VII. OLD BUSINESS

1. Alley Vacation: 211 Woodward

Commissioner Dennis moved to table this item (Support: J. Talaga) and the motion carried unanimously.

VIII. FUTURE BUSINESS DISCUSSION/UPDATES

Ms. Kochanek noted that there will be a meeting in December with two items on the agenda. They are both non-conforming items – 914 N. Congress and 928 Frederick.

DRAFT

IX. COMMITTEE REPORTS

1. Non-motorized Advisory committee: October Minutes

2. Non-motorized Advisory committee: November Minutes

Commissioner Bedogne stated that he had attended a Transportation Meeting on Tuesday, November 15th which was attended by some council members, DPS Director Kirton, Economic Director Ernat, Marcus McNamara, OHM and a number of other committee members. A copy of a matrix was distributed, and the committee members are being asked to rank all of the transportation related projects from the Capital Improvement Plan and also asking the team to score all 40+ projects in a few different categories, i.e. including safety improvements, jurisdiction, asset management, etc. and also if it is a master plan objective or not. First round of scoring is due on Monday.

Commissioner Zuellig asked if cost enters into the determination and it was agreed that it would be a concern and Ms. Wessler responded that it would be her opinion that it would be a consideration.

Commissioner Bedogne asked that the Planning Commission members do the same. He will send out a copy of the matrix prior to the meeting. A meeting was scheduled for Sunday, November 20th at City Hall at 2:00 p.m. He also asked that for those members who could not attend, to score their copy and return to him by Monday.

X. ADJOURNMENT

Since there was no further business, Commissioner Dunwoodie moved to adjourn the meeting (Support: A. Bedogne) and the motion carried unanimously. The meeting adjourned at 7:25 p.m.

DRAFT

City of Ypsilanti

Community & Economic Development Department

November 28, 2016

Staff Review of Special Nonconforming Use Application
928 Frederick St. Duplex-Nonconforming A
928 Frederick St.

GENERAL INFORMATION

Applicant:	Marilyn Horace-Moore 4065 Tess Lane Ypsilanti, MI 48197
Project:	928 Frederick St. Duplex-Nonconforming A
Application Date:	October 25, 2016
Location:	North side of Frederick St between First Ave and Orchard St.
Zoning:	R-1, Single-Family Residential
Action Requested:	Approval of Special Nonconforming Status
Staff Recommendation:	Approval

PROJECT AND SITE DESCRIPTION

Parcel 11-11-39-433-006 is 0.15 acres on Frederick St between 1st Ave and Orchard St. one block north of Parkridge Park. The structure has frontage on the north side of Frederick St. The structure is two units in 1,083 square feet with a front porch running the length of the house and a shed to the northwest of the house.

Currently zoned R-1, Single-Family Residential, the two units are nonconforming under the current zoning ordinance. The house was built in 1926, at that time the property was Class “B” zoning which allowed for dwellings for one or more families. The property was zoned R-2, for one and two family residential, until 2015, when the most recent zoning ordinance went into effect. Research into property records indicate that there have been two units since at least 1984 and that a Certificate of Compliance & Occupancy was issued to the property as far back as 1999. The property has a Certificate of Compliance & Occupancy from the building department that is valid through January 1, 2017 and is currently scheduled for a rental re-inspection on January 5, 2017. No special use permits or variances have previously been approved for this property.

There are no proposed changes to the site, the applicant is only pursuing the special nonconforming status in order to rebuild as a duplex in the event of a casualty.

Figure 1: Subject Site Location

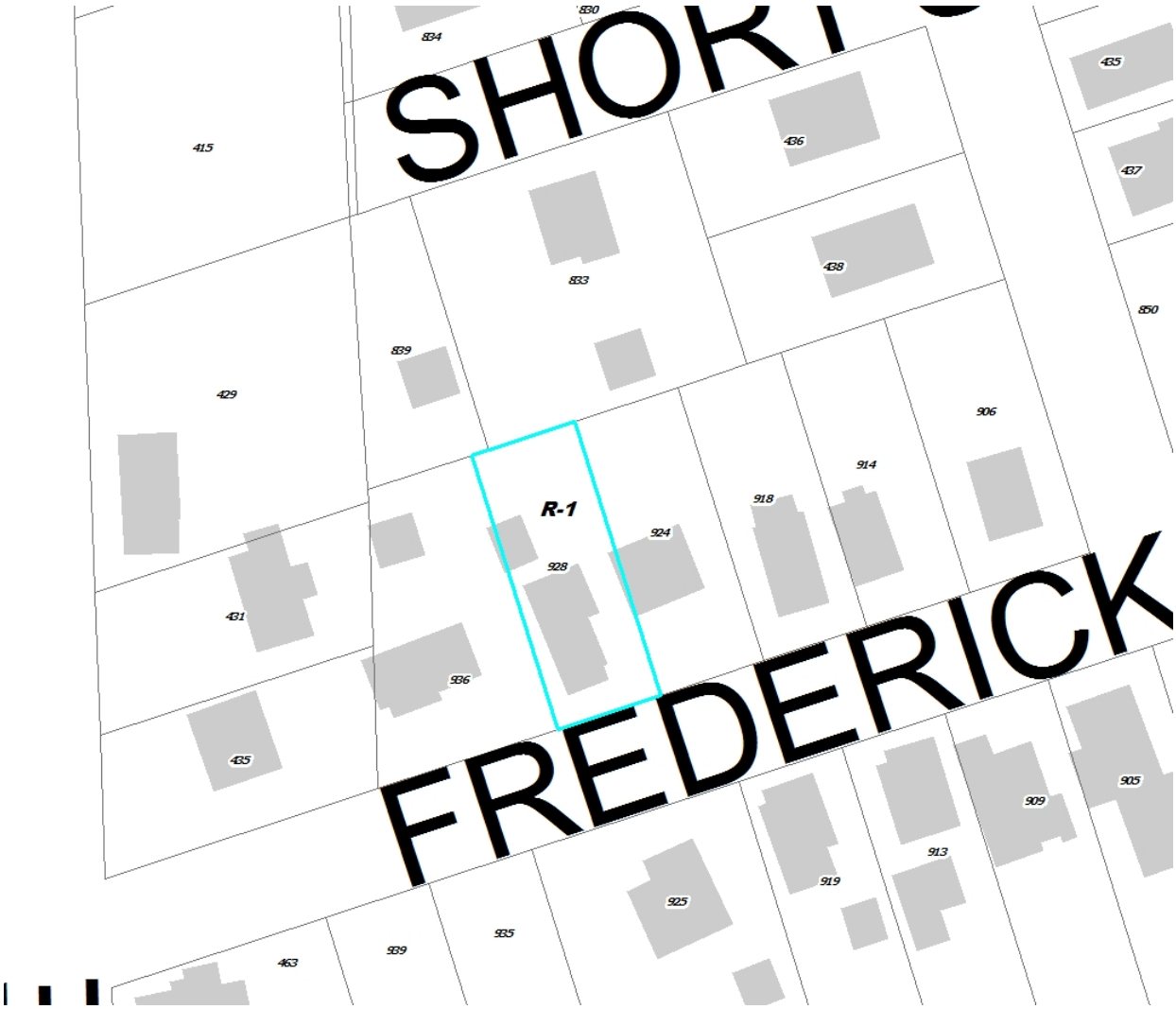
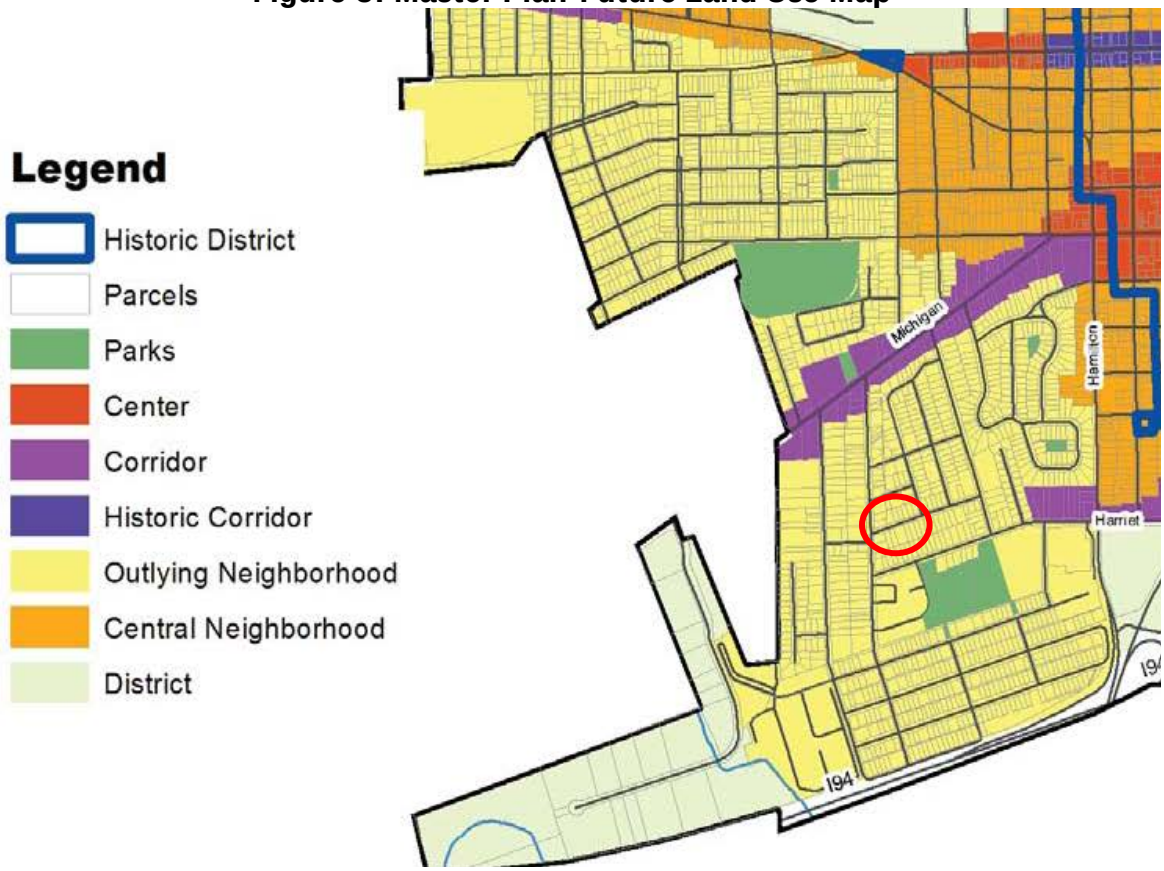


Figure 2: Site Aerial (2015)

Figure 3: Master Plan-Future Land Use Map



The master plan calls for the following goal:

> ***Anyone, no matter what age or income, can find a place to call home in Ypsilanti***
> *Housing options should match the needs of the people. Those needs will change as residents age and move. The need for safe, quality, affordable homes for all should be factored into decisions.*

This property is in Outlying Neighborhood and as such the master plan calls for the following:

> *Limit uses to predominantly single-family residential uses in areas with small houses, suited for only single-family.*
>
> *These neighborhoods will have uses limited to the type of residential for which they were built. In some areas, like the Heritage Park neighborhood in the southwest part of the City, zoning would be changed so that duplexes and group homes would no longer be allowed by right. As many of these areas have aging populations, the City needs to be concerned about the stability of these neighborhoods as demographics shift.*

Figure 4: photograph of front/south side

Figure 5: photograph of east side

Figure 6: photograph of west side

Figure 7: close-up of west side

Figure 8: photograph of rear/north side

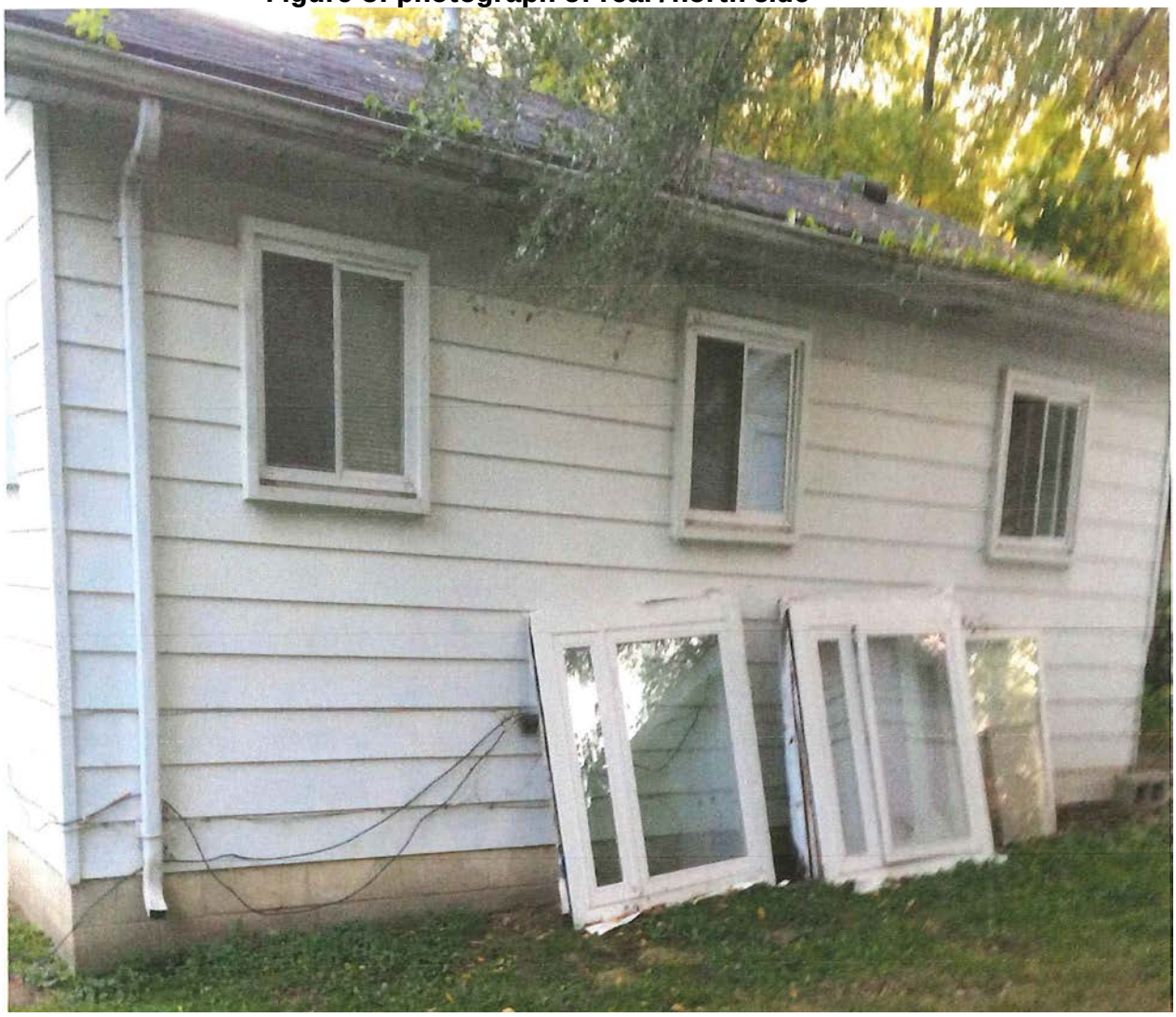


Figure 9: Land Use and Zoning of Surrounding Area

	LAND USE	ZONING
NORTH	Single-family homes & daycare	R-1, Single-Family Residential
EAST	Single-family homes	R-1, Single-Family Residential
SOUTH	Single-family homes	R-1, Single-Family Residential
WEST	Single-family & multi-family homes	R-1, Single-Family Residential

CRITERIA AND REVIEW APPLYING TO CLASS A NONCONFORMING USES §122-206

"Nonconforming uses of buildings shall be designated class A provided that the Planning Commission finds all of the following exists with respect to the use or structure:

(1) The use of structure was lawful at its inception.

COMMENTS: The zoning for this property at the time that it was built in 1926 allowed for one or more families and up until 2015 the property was zoned R-2 for one and two family residential. Research into property records indicate that the property was utilized as a rental as far back as the 1980s when the property was zoned R-2, thus it was lawful at its inception.

(2) The decision to continue the nonconforming use, if granted, will not alter the essential character of the area or neighborhood.

COMMENTS: As there are several other multi-family uses within blocks of the property, including a duplex on Short St and two structures that contain three units each to the west on First Ave, the essential character of the neighborhood will not be altered.

(3) Continuance of the use or structure would not be contrary to the public health, safety, or welfare or the spirit of the chapter.

COMMENTS: The rental Certificate of Compliance & Occupancy for this property is valid until January 1, 2017. The rental Certificate of Compliance & Occupancy verifies that the units comply with the International Property Maintenance Code (IPMC). The IPMC is a maintenance document intended to establish minimum maintenance standards for basic equipment, light, ventilation, heating, sanitation and fire safety. As long as the property gets re-certified for rental it is expected that there will not be any affect to public health, safety or welfare.

(4) No useful purpose would be served by strict application of the provisions of this chapter with which the use or structure does not conform.

COMMENTS: There is no enforcement issues on record in recent history for the property, thus the records do not indicate any essential defects that would be remedied by reducing occupancy to single-family residential.

CONDITIONS OF APPROVAL §122-207(2)

The Planning Commission may condition its approval on the following:

(a) Screening and landscaping in keeping with community standards to ensure compatibility with adjacent uses.

COMMENTS: Site screening and landscaping appears to be compatible with adjacent uses. The property needs to be maintained in accordance with the Ypsilanti Property Maintenance Code in regards to vegetation at the foundation on the east side of the structure and in the gutters at the rear of the property.

(b) Restrictions on lighting, noise, odor, or visual impact.

COMMENTS: There is existing exterior lighting on both sides of the structure that does not appear to be dark sky compliant. If/when the exterior lights at the sides are replaced or upgraded, they need to be dark sky compliant and conform with §122-641. The lighting at the front is shielded by the porch roof.

(c) Signage must comply with current zoning district requirements. Existing nonconforming signs may be required to be eliminated or reduced in size and number.

COMMENTS: No signage exists on site.

(d) Replacement of a building must not create a more nonconforming yard setback condition which would impact on conforming properties in the immediate vicinity.

COMMENTS: In the event of casualty, such as a fire, the structure needs to be rebuilt so that the yard setbacks are not anymore non-conforming than they are presently.

(e) Other reasonable safeguards and improvements may be imposed by the Planning Commission to protect conforming uses in the surrounding area.

COMMENTS: Photos submitted by the applicant indicate that there are windows sitting at the rear of the property that need to be properly secured/ stored. The trash receptacles appear to be stored at the side of the property but should have a dedicated, enclosed storage area. The rental Certificate of Compliance & Occupancy must be successfully renewed as prescribed by law and maintained as long as the structure is utilized as a rental/duplex.

Items to be addressed:

1. Maintain the property in accordance with the Ypsilanti Property Maintenance Code in regards to vegetation/weeds at the foundation and in the gutters.
2. When the exterior lights at the sides of the structure are replaced or upgraded, they need to be dark sky compliant and conform with §122-641.
3. If the structure needs to be rebuilt, the yard setbacks cannot be more non-conforming than what is currently on the site.
4. Secure/store the windows that are at the rear of the property.
5. Create a dedicated, enclosed storage area for the garbage receptacles.
6. The rental Certificate of Compliance & Occupancy must be successfully renewed within 3 months of this approval and maintained as prescribed by law as long as the structure is utilized as a rental/duplex.

STAFF RECOMMENDATION

Staff recommends the Planning Commission ***approve*** the Special Nonconforming Use permit for the duplex at 928 Frederick St. with the following finding and conditions:

Finding

1. The application substantially complies with §122-206.

Conditions

1. Applicant to maintain the property in accordance with the Ypsilanti Property Maintenance Code in regards to vegetation/weeds at the foundation and in the gutters.
2. When the exterior lights at the sides of the structure are replaced or upgraded, they need to be dark sky compliant and conform with §122-641.
3. If the structure needs to be rebuilt, the yard setbacks cannot be more non-conforming than what is currently on the site.
4. Secure/store the windows that are at the rear of the property.
5. Applicant to create a dedicated, enclosed storage area for the garbage receptacles.
6. The rental Certificate of Compliance & Occupancy must be successfully renewed within 3 months of this approval and maintained as prescribed by law as long as the structure is utilized as a rental/duplex.

Cynthia Kochanek
Associate Planner, Community & Economic Development Division

CC File
Applicant

City of Ypsilanti

Building Department

One South Huron St.
Ypsilanti, MI 48197
Ph: (734) 482-1025 Fax: (734) 483-7444

Certificate of Compliance & Occupancy

Property Address

928 FREDERICK

Owner	Agent
JIMAR ENTERPRISES, LLC	JIMAR ENTERPRISES, LLC
PO BOX 980664	PO BOX 980664
YPSILANTI MI 48198	YPSILANTI MI 48198

The above listed structure substantially complies with the minimum requirements of the City of Ypsilanti Existing Structures Code and may be used for the number of apartments and rooms as indicated.

This certificate only applies to the structure's use under the Building Codes and in no way does it approve the use under the city's Zoning Ordinance. Zoning approval can only be issued by the City Planner. All zoning questions should be referred to the Planning & Development Department at (734) 483-9646.

Reminder: All battery powered smoke detectors shall be equipped with a minimum 5 year battery

Certificate #: C862-14-0246 **Apartments/Rooms:** 2

Issued: 03/09/15 **Certification Period** 01/01/15 - 01/01/17

Certificate expires at the end of certification period.

3/9/15 - Received copy of 2/27/15 approved furnace service check performed by Pat Walters & Sons per PM-603.7 HVAC Certification Requirement - which certification of inspection shall be provided minimally every 4 years.

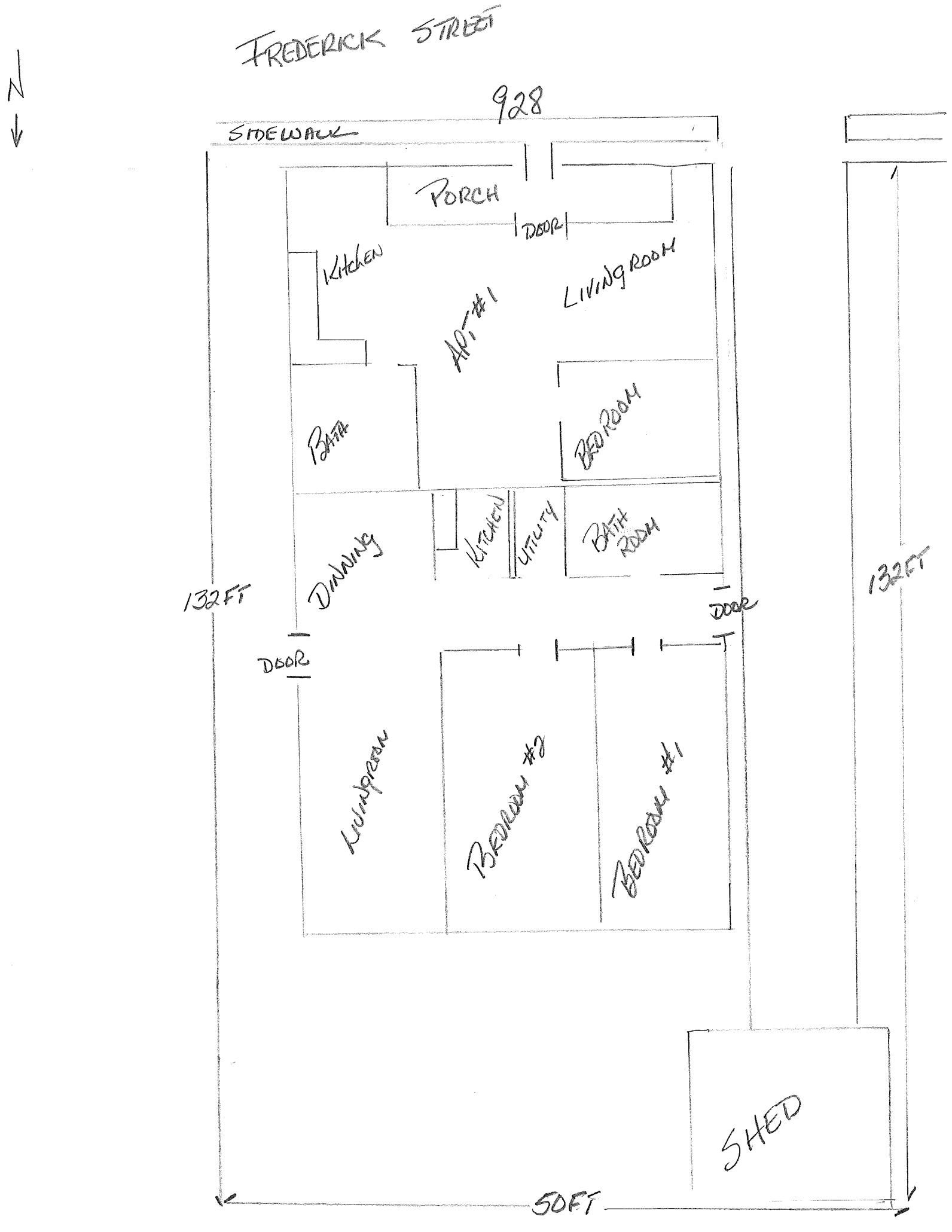
Unit #1
Make: Lennox Model: ML180DF070P36A-1 Ser. #5802L39488
Unit #2
Make: Lennox Model: 650DF-36A-070-03 Ser. #5802L39488
Mechanical Lic. #:7100199 Lic. Expiration: 8/31/16

Next HVAC service check required: February 2019

This Certificate Does Not Represent Compliance With The Americans With Disabilities Act Of 1991

[redacted]

Frank Daniels
Building Department Manager


FREDERICK STREET
N
928
SIDEWALK
PORCH
DOOR
KITCHEN
APT #1
LIVING ROOM
BATH
BEDROOM
DINNING
KITCHEN
UTILITY
BATH ROOM
132FT
DOOR
DOOR
LIVINGROOM
BEDROOM #2
BEDROOM #1
132FT
SHED
50FT

Cynthia Kochanek

From: Marilyn Horace-Moore [redacted]
Sent: Thursday, December 15, 2016 9:17 PM
To: Cynthia Kochanek
Subject: Fwd: 928 Frederick

---------- Forwarded message ----------
From: **Cynthia Kochanek** <CKochanek@cityofypsilanti.com>
Date: Wed, Dec 14, 2016 at 11:12 AM
Subject: 928 Frederick
To: Marilyn Horace-Moore [redacted]
Cc: Bonnie Wessler <bwessler@cityofypsilanti.com>

Hi,

I checked in with the City Planner to confirm and she thinks the drawing is good but we just need those last few setback measurements.

So here is what we are looking for:

The front, rear and both side setbacks.

-front setback: from the sidewalk to the front porch ---------- appxx. 10 Ft.

-rear setback: from the north edge of the house to the rear lot line ..... 84 Ft. FROM HOUSE TO REAR LOT AND 48 FT. FROM REAR OF HOUSE TO FRONT OF HOUSE

-side setback: from the east and west sides of the house to the lot lines on each side (the fence to the west may or may not be on the property line) WEST SIDE 13 FT; EAST SIDE 18 FT

Since you mentioned that there is a vacant lot on the one side, a mortgage survey may be a good solution. NO VACANT LOT ;

APPX. 34'.6". FROM LOT LINE TO SHED AND APPX. 11 FT. FROM SHED TO HOUSE

Please try to get the measurements to me as soon as possible. This Friday is when the reviews have to be sent to the Planning Commission.

Thanks,

Cynthia Kochanek

Associate Planner

Community Development Division, City of Ypsilanti

734-483-9646

ckochanek@cityofypsilanti.com

IF YOU HAVE QUESTIONS OR NEED FURTHER INFORMATION, PLEASE CALL ME AT [redacted]

City of Ypsilanti

Community & Economic Development Department

December 7, 2016

Staff Review of Special Nonconforming Use Application
914 Congress St. Multi-family-Nonconforming A
914 Congress St.

GENERAL INFORMATION

Applicant:	Christine Gelletly P.O. Box 980615 Ypsilanti, MI 48198
Project:	914 Congress St. Multi-family-Nonconforming A
Application Date:	October 26, 2016
Location:	North side of Congress St between Elm St. and Summit St.
Zoning:	R-1, Single-Family Residential
Action Requested:	Approval of Special Nonconforming Status
Staff Recommendation:	Approval

PROJECT AND SITE DESCRIPTION

Parcel 11-11-40-432-020 is 0.19 acres on Congress St between Elm and Summit Streets in the Normal Park area of the city. The structure has frontage on the north side of Congress St. The structure contains five units in 2,845 square feet with a wrap-around porch at the southeast corner of the house. There is a ~457 square foot, two car garage at the northwest corner of the parcel.

Currently zoned R-1, Single-Family Residential, the five units are nonconforming under the current zoning ordinance. The house was built in the late 1800s, at that time there was no zoning ordinance in effect for the City. When the first zoning ordinance went into effect for the City in 1925, the property was zoned Class A, which allows for one and two family residences. Research into the property history indicates that by 1922 there were at least two different last names listed in directories for this property. The property was already divided into five apartments by 1945 with permits granted from the building department in 1954 for work on a rental unit. In 1988, the planning department sent a letter to the owner of the property that recognized it “as a non-conforming use of six apartments.” A file note from the building department states that there are currently 5 units, the basement unit was abandoned in 2000. No special use permits or variances have previously been approved for this property. The property has a Certificate of Compliance & Occupancy from the building department that is valid through March 1, 2018.

There are no proposed changes to the site, the applicant is only pursuing the special nonconforming status in order to rebuild as 5 units in the event of a casualty.

Figure 1: Subject Site Location

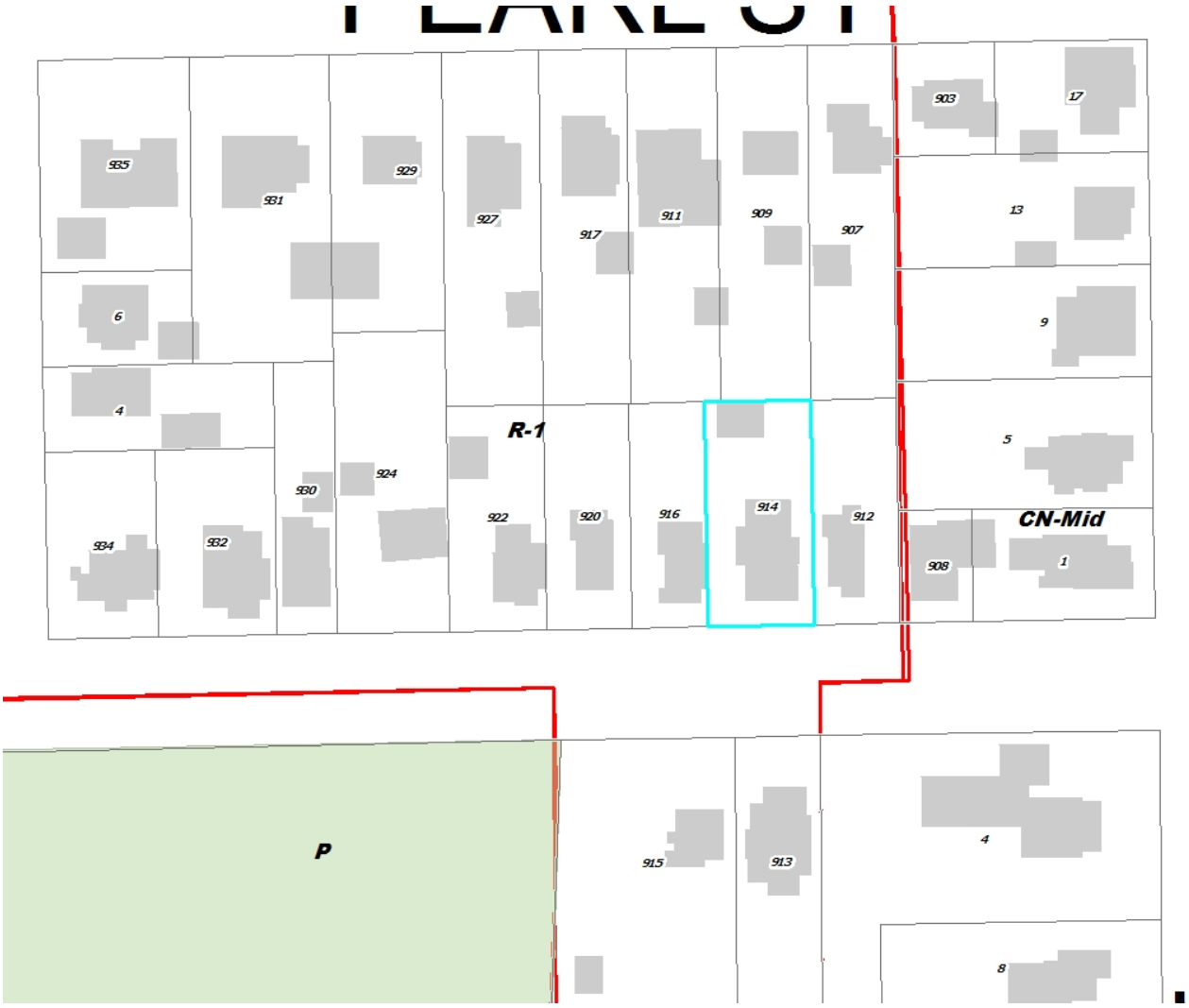


Figure 2: Site Aerial (2015)

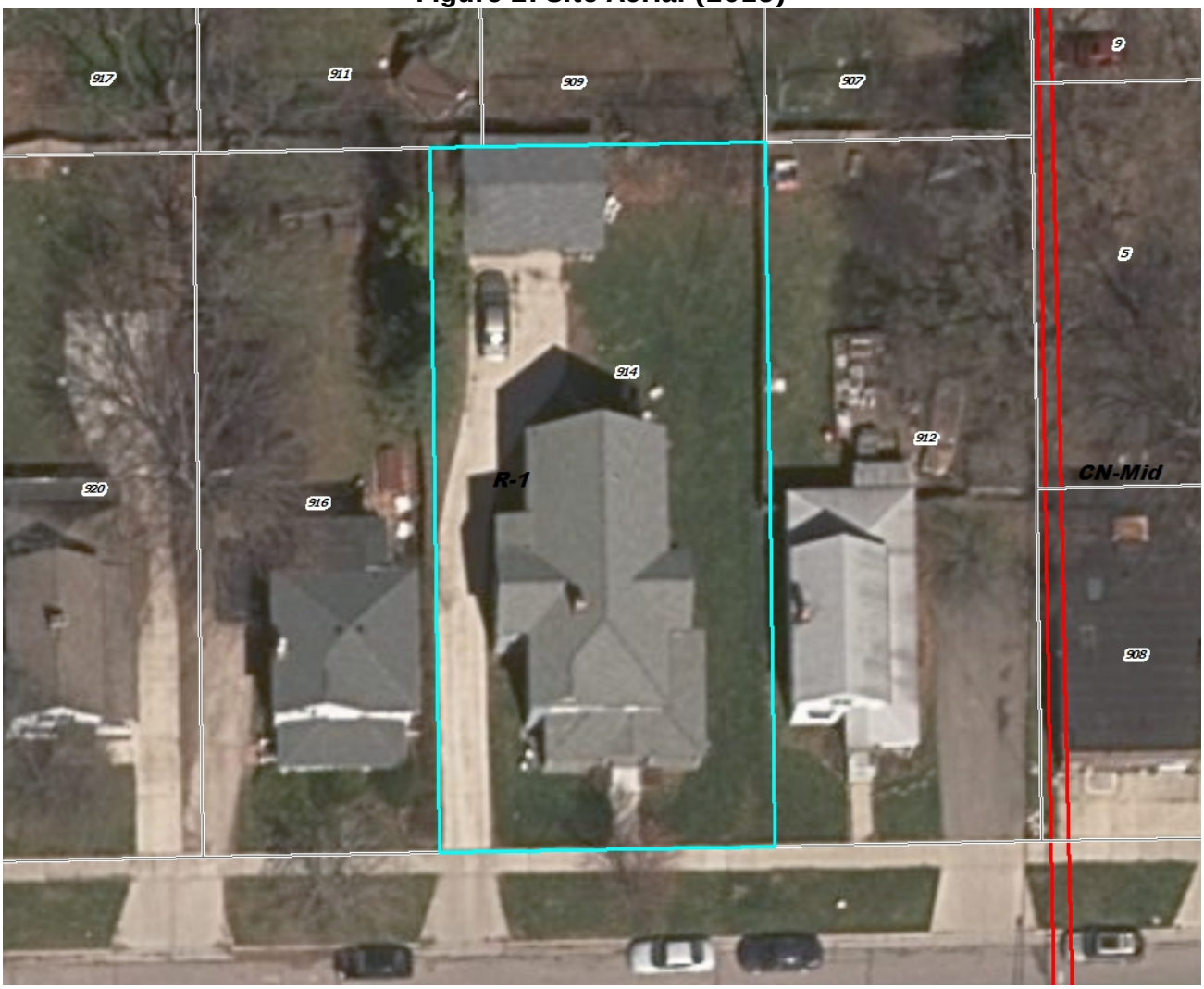
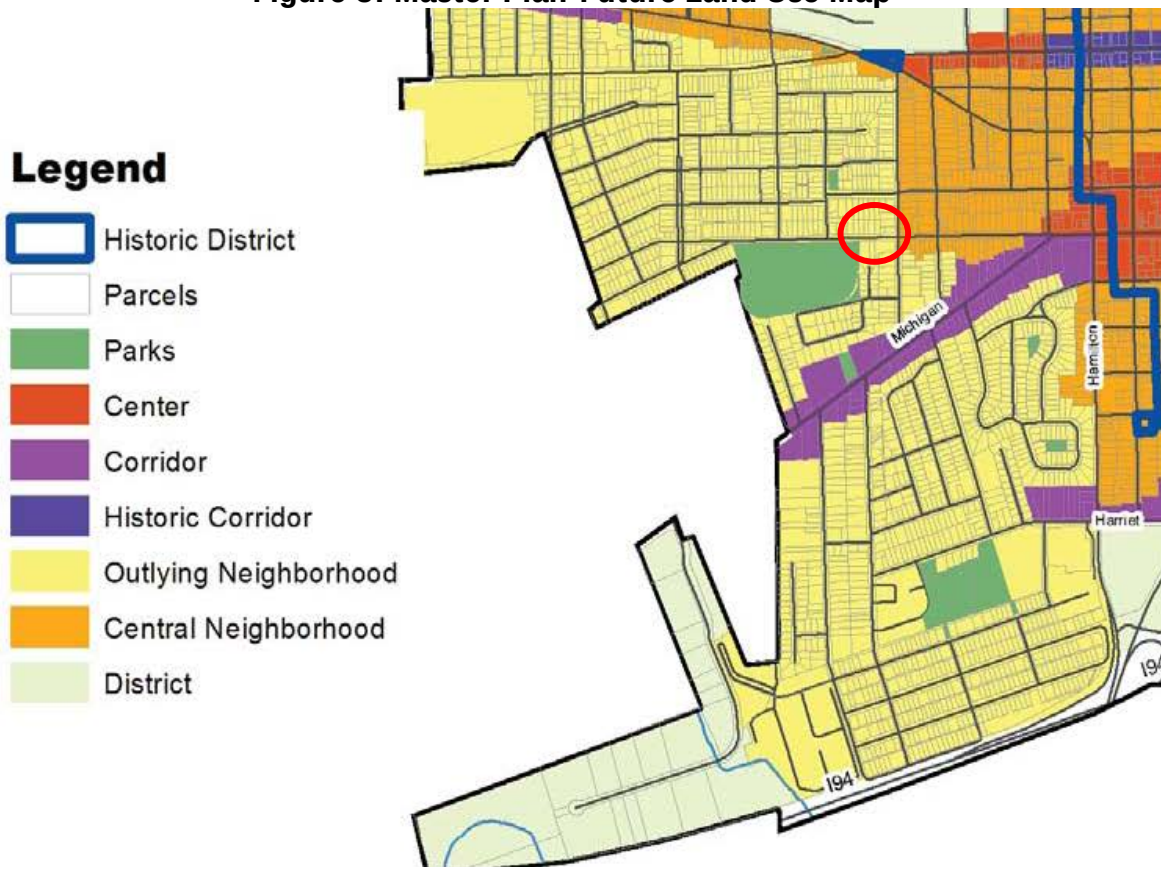


Figure 3: Master Plan-Future Land Use Map



The master plan calls for the following goal:

> ***Anyone, no matter what age or income, can find a place to call home in Ypsilanti***
> *Housing options should match the needs of the people. Those needs will change as residents age and move. The need for safe, quality, affordable homes for all should be factored into decisions.*

This property is in Outlying Neighborhood and as such the master plan calls for the following:

> *Limit uses to predominantly single-family residential uses in areas with small houses, suited for only single-family.*
>
> *These neighborhoods will have uses limited to the type of residential for which they were built. In some areas, like the Heritage Park neighborhood in the southwest part of the City, zoning would be changed so that duplexes and group homes would no longer be allowed by right. As many of these areas have aging populations, the City needs to be concerned about the stability of these neighborhoods as demographics shift.*

Figure 4: photograph of front/south side

Figure 5: photograph of east side

Figure 6: photograph of west side

Figure 7: photograph of rear/north side

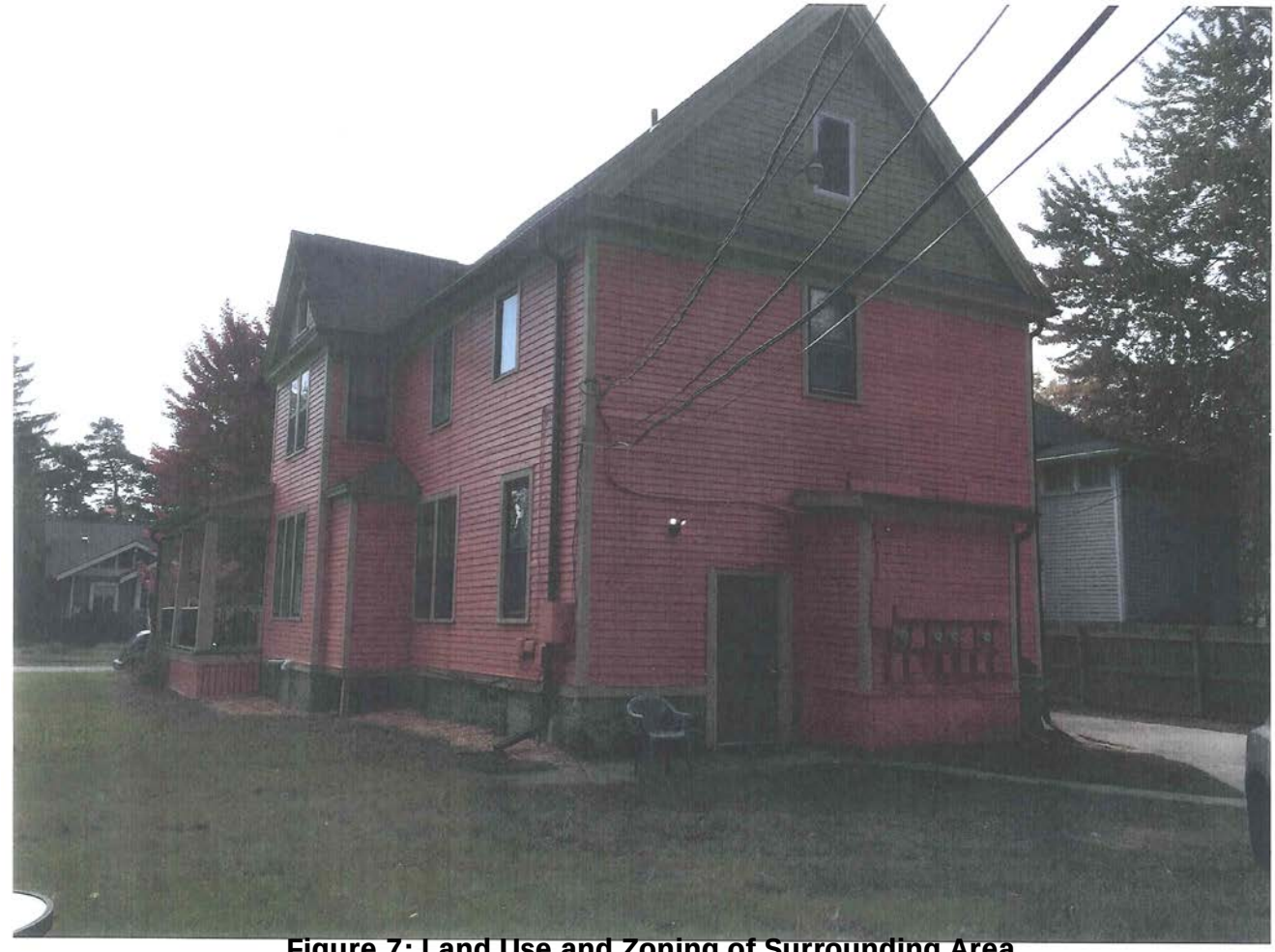


Figure 7: Land Use and Zoning of Surrounding Area

	LAND USE	ZONING
NORTH	Single-family homes	R-1, Single-Family Residential
EAST	Single-family & multi-family homes	CN-Mid, Core Neighborhood Mid
SOUTH	Single-family & multi-family homes Single-family & multi-family homes Park	R-1, Single-Family Residential CN-Mid, Core Neighborhood Mid Park
WEST	Single-family & multi-family homes	R-1, Single-Family Residential

Figure 8: Current Building/Unit Layout

Unit	Level	Description
1	First	3 bedrooms; living room, full bathroom, kitchen/dining
2	Second	1 bedroom; living room, full bathroom, kitchen/dining
3	Second	1 bedroom; kitchen/living room/dining, bathroom w/shower
4	Second	Efficiency; living room/bedroom, kitchen, half bathroom
5	First	1 bedroom; kitchen/dining/living room, bathroom w/shower

CRITERIA AND REVIEW APPLYING TO CLASS A NONCONFORMING USES §122-206

"Nonconforming uses of buildings shall be designated class A provided that the Planning Commission finds all of the following exists with respect to the use or structure:

(1) The use of structure was lawful at its inception.

COMMENTS: The structure was built prior to the existence of a zoning ordinance in the City. The structure was split into 5 units by at least 1945 however the exact date of when the use changed to multi-family is unclear. When the first zoning ordinance went into effect in 1925, the structure was zoned for one and two family. It is unclear as to whether the use of the structure was lawful at its inception however the planning department recognized the structure as a legal non-conforming use of six apartments in 1988, thus implying legality.

(2) The decision to continue the nonconforming use, if granted, will not alter the essential character of the area or neighborhood.

COMMENTS: There are several other multi-family uses within blocks of the property, including multiple 4-unit properties to the east on Summit, duplexes to the south and west on Congress and at 932 Congress a dwelling with 3-units and 2 rooms. This property has been a multi-family for at least 70 years. Much of the area surrounding this property has been multi-family uses for years due to its proximity to EMU thus the essential character of the area will not be altered if approved.

(3) Continuance of the use or structure would not be contrary to the public health, safety, or welfare or the spirit of the chapter.

COMMENTS: The rental Certificate of Compliance & Occupancy for this property is valid until March 1, 2018. The rental Certificate of Compliance & Occupancy verifies that the units comply with the International Property Maintenance Code (IPMC). The IPMC is a maintenance document intended to establish minimum maintenance standards for basic equipment, light, ventilation, heating, sanitation and fire safety. As long as the property gets re-certified for rental it is expected that there will not be any affect to public health, safety or welfare.

(4) No useful purpose would be served by strict application of the provisions of this chapter with which the use or structure does not conform.

COMMENTS: Strict application of this provision may result in underutilization of a structure this size. There has been one enforcement issue on record since the current owner took possession of the property which has since been resolved, thus the records do not indicate any essential defects that would be remedied by reducing occupancy to single-family residential.

CONDITIONS OF APPROVAL §122-207(2)

The Planning Commission may condition its approval on the following:

(a) Screening and landscaping in keeping with community standards to ensure compatibility with adjacent uses.

COMMENTS: There is existing foundation landscaping and a street tree on site. All of the site landscaping appears to be well-maintained and compatible with the adjacent uses.

(b) Restrictions on lighting, noise, odor, or visual impact.

COMMENTS: There is existing exterior lighting at the front and the back of the structure. The lighting at the front is fully shielded by the porch roof. It is unclear as to whether the lights at the rear are fully shielded however they appear to be down directed. If/when the exterior lights at the rear are replaced or upgraded, they need to be dark sky compliant and conform with §122-641. The garbage receptacles are stored to the west of the front porch and the owner has recently placed a low fence to the west of the receptacle area to make a partial enclosure as well as a concrete pad below. The planning commission could request that the fence be moved south of the receptacles to block them from view on Congress St.

(c) Signage must comply with current zoning district requirements. Existing nonconforming signs may be required to be eliminated or reduced in size and number.

COMMENTS: No signage exists on site.

(d) Replacement of a building must not create a more nonconforming yard setback condition which would impact on conforming properties in the immediate vicinity.

COMMENTS: In the event of casualty, the structure needs to be rebuilt so that the yard setbacks are not anymore non-conforming than they are presently.

(e) Other reasonable safeguards and improvements may be imposed by the Planning Commission to protect conforming uses in the surrounding area.

COMMENTS: Photos submitted by the applicant indicate that the property appears to be in good repair. The rental Certificate of Compliance & Occupancy must be successfully renewed as prescribed by law and maintained as long as the structure is utilized as a rental property.

Items to be addressed:

1. When the exterior lights at the rear are replaced or upgraded, they need to be replaced with fixtures that are dark sky compliant and conform with §122-641.
2. The fence needs to be moved to the front of the garbage receptacle area to block the receptacles from view on Congress St.
3. If the structure needs to be rebuilt, it cannot be more non-conforming in regards to the yard setbacks.
4. The rental Certificate of Compliance & Occupancy must be successfully renewed as prescribed by law and maintained as long as the structure is utilized as a rental property.

STAFF RECOMMENDATION

Staff recommends the Planning Commission ***approve*** the Special Nonconforming Use permit for the five unit multi-family use at 914 N Congress St. with the following finding and conditions:

Finding

1. The application substantially complies with §122-206.

Conditions

1. When the exterior lights at the rear are replaced or upgraded, they need to be replaced with fixtures that are dark sky compliant and conform with §122-641.
2. The fence needs to be moved to the front of the garbage receptacle area to block the receptacles from view on Congress St.
3. If the structure needs to be rebuilt, it cannot be more non-conforming in regards to the yard setbacks.
4. The rental Certificate of Compliance & Occupancy must be successfully renewed as prescribed by law and maintained as long as the structure is utilized as a rental property.

Cynthia Kochanek
Associate Planner, Community & Economic Development Division

CC File
Applicant

City of Ypsilanti

Building Department

One South Huron St.
Ypsilanti, MI 48197
Ph: (734) 482-1025 Fax: (734) 483-7444

Certificate of Compliance & Occupancy

Property Address

914 CONGRESS

Owner	Agent
GELLETLY, CHRISTINE	GELLETLY, CHRISTINE
926 SHERIDAN	926 SHERIDAN
YPSILANTI MI 48197	YPSILANTI MI 48197

The above listed structure substantially complies with the minimum requirements of the City of Ypsilanti Existing Structures Code and may be used for the number of apartments and rooms as indicated.

This certificate only applies to the structure's use under the Building Codes and in no way does it approve the use under the city's Zoning Ordinance. Zoning approval can only be issued by the City Planner. All zoning questions should be referred to the Planning & Development Department at (734) 483-9646.

Reminder: All battery powered smoke detectors shall be equipped with a minimum 5 year battery

Certificate #: C624-16-0026 **Apartments/Rooms:** 5

Issued: 04/01/16 **Certification Period** 03/01/16 - 03/01/18

Certificate expires at the end of certification period.

Due to Lennox (ML195UH135P60D) furnace replacement under permit #PMECH-15-0215 next HVAC Certification required October 2019

This Certificate Does Not Represent Compliance With The Americans With Disabilities Act Of 1991

[redacted]

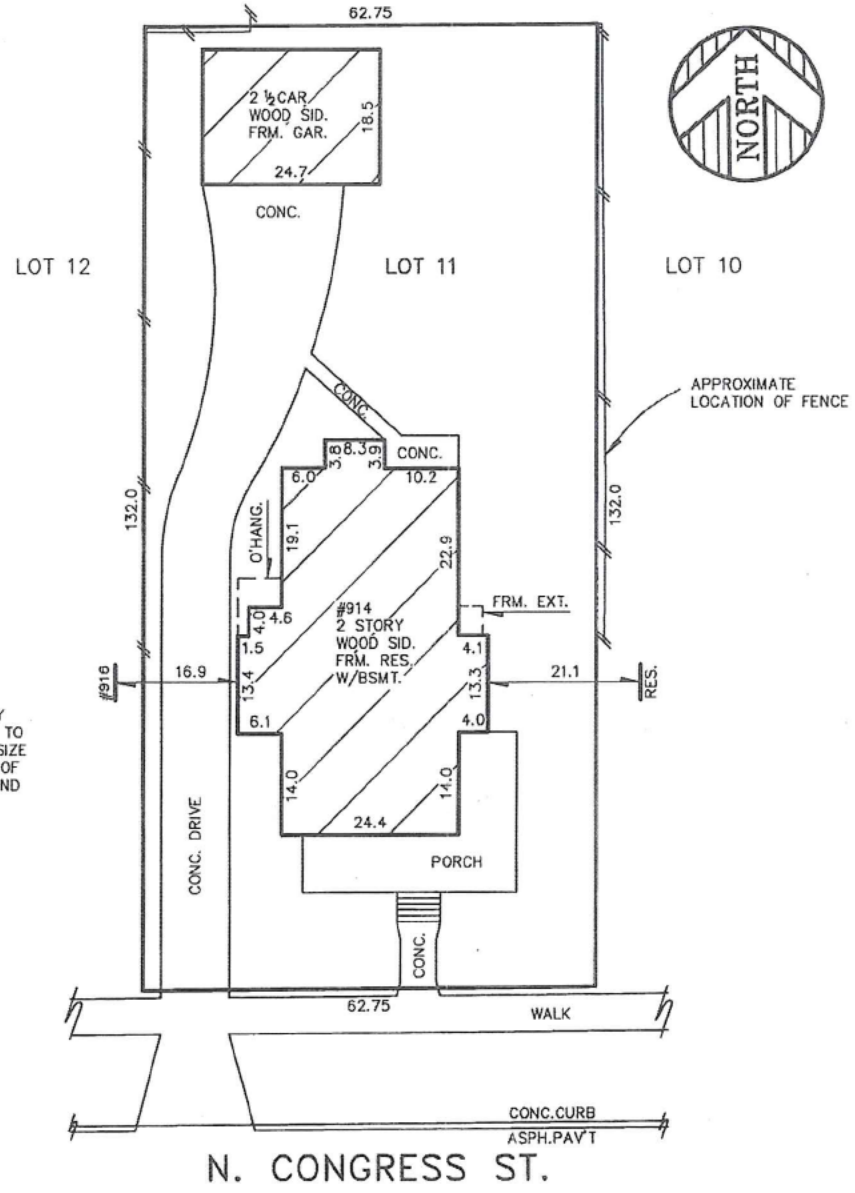
Frank Daniels
Building Department Manager

MORTGAGE SURVEY

Certified to: SUMMIT PROPERTY GROUP, LLC

Property Description:
Lot 11; ASSESSOR'S PLAT NO. 2, a part of French Claim No. 690, City of Ypsilanti, Washtenaw County, Michigan, as recorded in Liber 9 of Plats, Page 30 of Washtenaw County Records.

NOTE: A COMPLETE CURRENT TITLE POLICY HAS NOT BEEN FURNISHED, THEREFORE EASEMENTS OR OTHER ENCUMBRANCES MAY NOT BE SHOWN AT THIS TIME.



NOTE: A BOUNDARY SURVEY IS NEEDED TO DETERMINE EXACT SIZE AND/OR LOCATION OF PROPERTY LINES, AND FENCE LOCATIONS.

CERTIFICATE: We hereby certify that we have surveyed the above-described property in accordance with the description furnished for the purpose of a mortgage loan to be made by the forementioned applicants, mortgagor, and that the buildings located thereon do not encroach on the adjoining property, nor do the buildings on the adjoining property encroach upon the property heretofore described, except as shown. This survey is not to be used for the purpose of establishing property lines, nor for construction purposes, no stakes having been set at any of the boundary corners.

THIS SURVEY DRAWING IS VOID IF THE PROFESSIONAL SEAL IS NOT IN BLUE INK.

[redacted]

JOB NO: 16-03429 SCALE: 1"=20'
DATE: 09/13/16 DR BY: MH

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Bonnie Wessler

From: Cheryl Zuellig [redacted]
Sent: Tuesday, November 29, 2016 1:09 PM
To: Bonnie Wessler; Heidi Jugenitz
Subject: RE: Congress Public Hearing

HI Bonnie

Thank you for the background. And Heidi, thank you for your input as well. Seems like this one isn't as clear cut as some of the others that have been of much lower density within R-1 neighborhood.

I look forward to seeing staff report on this.

From: Bonnie Wessler [mailto:bwessler@cityofypsilanti.com]
Sent: Tuesday, November 29, 2016 12:03 PM
To: Heidi Jugenitz [redacted]
Cc: Cheryl Zuellig [redacted]
Subject: RE: Congress Public Hearing

914 Congress. On streetview, it's the orange house. At first, I was worried the interested party was confusing this property with 932 Congress- it's legal nonconforming three apartments, two rooms.

We've approved four units, but not greater than four units; review attached from the four-unit. This property has the largest number of units we identified as a potential candidate in R1, and taking a quick glance at the list, the only five-unit. So yes, likely the biggest one you'll see in R1.

--
Bonnie Wessler
City Planner
Community Development Division, City of Ypsilanti
734/483.9646 (office)
bwessler@cityofypsilanti.com
--

From: Heidi Jugenitz [redacted]
Sent: Tuesday, November 29, 2016 11:20 AM
To: Bonnie Wessler
Cc: Cheryl Zuellig
Subject: Re: Congress Public Hearing

Thanks for the information, Bonnie. I believe I received the public hearing notice for this item but don't recall what the street address was. Can you confirm the house number?

One more question: has PC approved any applications for special non-conforming status in R1 for a property with >4 units since the new zoning ordinance went into effect?

Best,
Heidi

Sent from my iPhone

On Nov 29, 2016, at 11:10 AM, Bonnie Wessler <bwessler@cityofypsilanti.com> wrote:

> Hi Cheryl-
>
> We haven't yet completed our review; I would encourage the interested party to sign up to be alerted when that is posted. :) Click this link: http://cityofypsilanti.com/list.aspx , then under "agenda center" (all the way at the bottom) select "planning commission."
>
> To a couple of the easier questions- the property is currently used as a five-unit (one 3-bedroom, three 1-bedrooms, and an efficiency); its most recent rental inspection was in 3/2016, and it's certified through 3/2018. The home was built in 1884- prior to the adoption of the zoning ordinance in 1925, and before we have reliable building records, so I can't speak to what it was initially constructed as, nor when/if it was converted to apartments. There is a letter in our files from 1988 confirming the nonconforming status of the existing **six** units; the sixth was apparently in the basement, and appears not to have been used since 1/2000 (and because that unit is abandoned- it cannot go back to being six units). It appears also that this property was sold in May 2015- the previous owner had owned it, it appears, since 1988.
>
> I hope this is helpful, and I hope that the neighbor can attend the meeting!
>
> Thanks,
> Bonnie
>
> --
> Bonnie Wessler
> City Planner
> Community Development Division, City of Ypsilanti
> 734/483.9646 (office)
> bwessler@cityofypsilanti.com
> --

From: Cheryl Zuellig [redacted]
Sent: Tuesday, November 29, 2016 8:02 AM
To: Bonnie Wessler
Cc: Heidi Jugenitz
Subject: Congress Public Hearing

Good Morning Bonnie

I understand that there will be a public hearing on a house on Congress for special non-conforming status. I have received an email regarding this property and would appreciate getting some feedback from you.

Am I correct in assuming that it was built as a single family house and then it was spilt in multiple units at a later time? Is it currently approved for 5 separate units? I have heard that for many years this property has had a variety of number of people in it and that it was more like a rooming house than 5 unit apartment. Could you confirm what is there now? In addition, are there enough parking spaces for 5 units?

This end of Congress is struggling to stay stable. I believe that the intent of a R-1 zoning here is to encourage these houses to be transitioned back to single family.

Thank you for your help

Cheryl Zuellig, PLA

[redacted]

City of Ypsilanti

Community & Economic Development Department

December 15, 2016

Staff Review of Special Nonconforming Use Application
953 Sheridan St. Duplex-Nonconforming A
953 Sheridan St.

GENERAL INFORMATION

Applicant:	Michael & Irmgard Gelletly 921 Sheridan St Ypsilanti, MI 48197
Project:	953 Sheridan St. Duplex-Nonconforming A
Application Date:	November 21, 2016
Location:	South side of Sheridan St between Oakwood St. and Elm St.
Zoning:	R-1, Single-Family Residential
Action Requested:	Approval of Special Nonconforming Status
Staff Recommendation:	Approval

PROJECT AND SITE DESCRIPTION

Parcel 11-11-40-137-004 is 0.16 acres on Sheridan St between Oakwood and Elm Streets in the Normal Park area of the city. The structure has frontage on the south side of Sheridan St. The structure contains two units in 1,512 square feet with an enclosed porch running the length of the front of the house. There are two accessory structures on the site. The one just to the southwest of the house is a 225 square foot, 1 ½ car garage and the other at the rear of the property is a 2 ½ car garage in 452 square feet that is accessed by the public alley at the rear of the property.

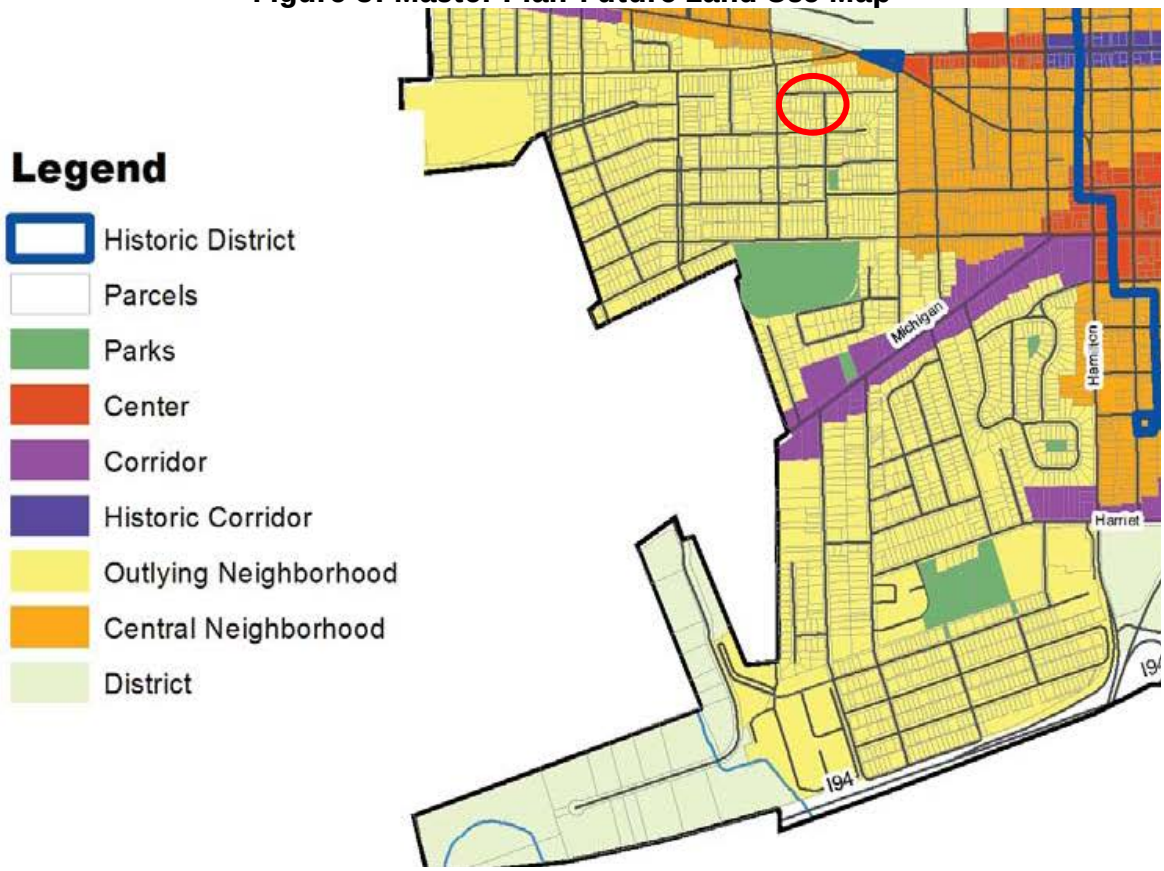
Currently zoned R-1, Single-Family Residential, the two units are nonconforming under the current zoning ordinance. The house was built in 1932, at that time the property was Class “B” zoning which allowed for dwellings for one or more families. In 1975, the zoning for the property changed to R-1, Single Family Residential. It is unclear as to exactly when the property was converted to a duplex however it became part of the rental certification program for one and two-family units when the program started in 1997. No special use permits or variances have previously been approved for the property. The property has a Certificate of Compliance & Occupancy from the building department that is valid through September 1, 2017.

There are no proposed changes to the site, the applicant is only pursuing the special nonconforming status in order to rebuild as a duplex in the event of a casualty.

Figure 1: Subject Site Location

Figure 2: Site Aerial (2015)

Figure 3: Master Plan-Future Land Use Map



The master plan calls for the following goal:

> ***Anyone, no matter what age or income, can find a place to call home in Ypsilanti***
> *Housing options should match the needs of the people. Those needs will change as residents age and move. The need for safe, quality, affordable homes for all should be factored into decisions.*

This property is in Outlying Neighborhood and as such the master plan calls for the following:

> *Limit uses to predominantly single-family residential uses in areas with small houses, suited for only single-family.*
>
> *These neighborhoods will have uses limited to the type of residential for which they were built. In some areas, like the Heritage Park neighborhood in the southwest part of the City, zoning would be changed so that duplexes and group homes would no longer be allowed by right. As many of these areas have aging populations, the City needs to be concerned about the stability of these neighborhoods as demographics shift.*

Figure 4: photograph of front / north side

Figure 5: photograph of east side

Figure 6: photograph of west side

Figure 7: photograph of rear/south side

Figure 7: Land Use and Zoning of Surrounding Area

	LAND USE	ZONING
NORTH	Single & two-family homes	R-1, Single-Family Residential
EAST	Single-family homes	R-1, Single-Family Residential
SOUTH	Single & two-family homes	R-1, Single-Family Residential
WEST	Single-family & multi-family homes	R-1, Single-Family Residential

CRITERIA AND REVIEW APPLYING TO CLASS A NONCONFORMING USES §122-206

"Nonconforming uses of buildings shall be designated class A provided that the Planning Commission finds all of the following exists with respect to the use or structure:

(1) The use of structure was lawful at its inception.

COMMENTS: When the house was built in 1932 the property was zoned to allow for dwellings for one or more families, it was rezoned to R-1 in 1975. A search of city records does not provide a clear date as to when the use changed from single family to two-family. While it is unknown as to whether it was lawful at its inception, this structure has been utilized as a duplex prior to the start of the one and two family residential certification program that began almost 20 years ago.

(2) The decision to continue the nonconforming use, if granted, will not alter the essential character of the area or neighborhood.

COMMENTS: There are several other multi-family uses within blocks of the property, including a 7 unit to the west on Sheridan and several duplexes in the area. Much of the area surrounding this property has been multi-family uses for years due to its proximity to EMU thus the essential character of the area will not be altered if approved.

(3) Continuance of the use or structure would not be contrary to the public health, safety, or welfare or the spirit of the chapter.

COMMENTS: The rental Certificate of Compliance & Occupancy for this property is valid until September 1, 2017. The rental Certificate of Compliance & Occupancy verifies that the units comply with the International Property Maintenance Code (IPMC). The IPMC is a maintenance document intended to establish minimum maintenance standards for basic equipment, light, ventilation, heating, sanitation and fire safety. As long as the property gets re-certified for rental it is expected that there will not be any affect to public health, safety or welfare.

(4) No useful purpose would be served by strict application of the provisions of this chapter with which the use or structure does not conform.

COMMENTS: There are no enforcement issues on record in recent history for the property, thus the records do not indicate any essential defects that would be remedied by reducing occupancy to single-family residential.

CONDITIONS OF APPROVAL §122-207(2)

The Planning Commission may condition its approval on the following:

(a) Screening and landscaping in keeping with community standards to ensure compatibility with adjacent uses.

COMMENTS: There is existing vegetation on site including a street tree. All of the site landscaping appears to be well-maintained and compatible with the adjacent uses.

(b) Restrictions on lighting, noise, odor, or visual impact.

COMMENTS: There is existing exterior lighting on the front, back and sides of the house. Some of the lighting is under the roof eaves on the structure; however the lighting at the rear and the west side is low enough to not be shielded by the eaves. If/when the exterior lights on the property are replaced or upgraded, they need to be dark sky compliant and conform with §122-641.

(c) Signage must comply with current zoning district requirements. Existing nonconforming signs may be required to be eliminated or reduced in size and number.

COMMENTS: No signage exists on site.

(d) Replacement of a building must not create a more nonconforming yard setback condition which would impact on conforming properties in the immediate vicinity.

COMMENTS: In the event of casualty, the structure needs to be rebuilt so that the yard setbacks are not anymore non-conforming than they are presently.

(e) Other reasonable safeguards and improvements may be imposed by the Planning Commission to protect conforming uses in the surrounding area.

COMMENTS: Photos submitted by the applicant indicate that the property appears to be in good repair. A garbage receptacle is visible in photos at the east side of the house but should have a dedicated, enclosed storage area. The rental Certificate of Compliance & Occupancy must be successfully renewed as prescribed by law and maintained as long as the structure is utilized as a rental/duplex.

Items to be addressed:

1. When the exterior lights on the structure are replaced or upgraded, they need to be dark sky compliant and conform with §122-641.
2. If the structure needs to be rebuilt, the yard setbacks cannot be more non-conforming than what is currently on the site.
3. Create a dedicated, enclosed storage area for the garbage receptacles or store in one of the accessory structures on site.

4. The rental Certificate of Compliance & Occupancy must be successfully renewed as prescribed by law and maintained as long as the structure is utilized as a rental/duplex.

STAFF RECOMMENDATION

Staff recommends the Planning Commission ***approve*** the Special Nonconforming Use permit for the duplex at 953 Sheridan St. with the following finding and conditions:

Finding

1. The application substantially complies with §122-206.

Conditions

1. When the exterior lights on the structure are replaced or upgraded, they need to be dark sky compliant and conform with §122-641.
2. If the structure needs to be rebuilt, the yard setbacks cannot be more non-conforming than what is currently on the site.
3. Applicant to create a dedicated, enclosed storage area for the garbage receptacles or store them in either accessory structure on site.
4. The rental Certificate of Compliance & Occupancy must be successfully renewed as prescribed by law and maintained as long as the structure is utilized as a rental/duplex.

Cynthia Kochanek
Associate Planner, Community & Economic Development Division

CC File
Applicant

City of Ypsilanti

Building Department

One South Huron St.
Ypsilanti, MI 48197
Ph: (734) 482-1025 Fax: (734) 483-7444

Certificate of Compliance & Occupancy

Property Address
953 SHERIDAN

Owner	Agent
GELLETLY MICHAEL & IRMGARD	GELLETLY MICHAEL & IRMGARD
921 SHERIDAN	921 SHERIDAN
YPSILANTI MI 48197	YPSILANTI MI 48197

The above listed structure substantially complies with the minimum requirements of the City of Ypsilanti Existing Structures Code and may be used for the number of apartments and rooms as indicated.

This certificate only applies to the structure's use under the Building Codes and in no way does it approve the use under the city's Zoning Ordinance. Zoning approval can only be issued by the City Planner. All zoning questions should be referred to the Planning & Development Department at (734) 483-9646.

Reminder: All battery powered smoke detectors shall be equipped with a minimum 5 year battery

Certificate #: C862-15-0030 **Apartments/Rooms:** 2

Issued: 10/07/15 **Certification Period** 09/01/15 - 09/01/17

Certificate expires at the end of certification period.

5/1/15 - Received copy of 4/30/15 approved furnace service check performed by Al Walters Heating & Coolingper PM-603.7 HVAC Certification Requirement - which certification of inspection shall be provided minimally every 4 years.

Make: LENNOX Model: G61 MPV-36B-071-10 Ser. #5909J05946
Mechanical Lic. #: 7109454 Lic. Expiration: 8/31/16

Next HVAC service check required: April 2019

[redacted]

Frank Daniels
Building Department Manager

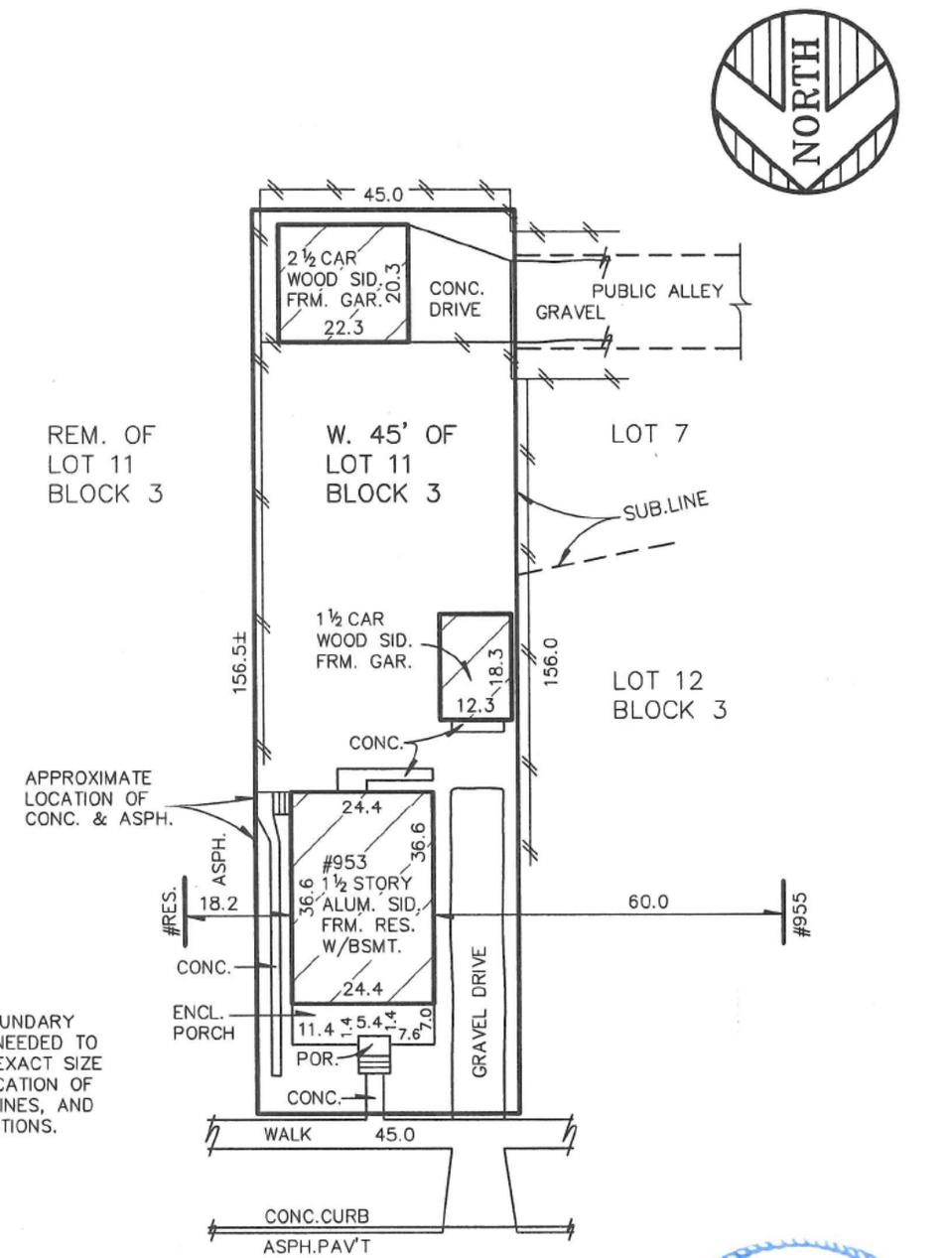
MORTGAGE SURVEY

Certified to: MICHAEL AND IRMGARD GELLETLY

Applicant: MICHIAEL AND IRMGARD GELLETLY

Property Description:

The West 45 feet of Lot 11, Block 3; WESTLAWN ADDITION, to the City of Ypsilanti, Washtenaw County, Michigan, as recorded in Liber 1 of Plats, Page 39 of Washtenaw County Records.



NOTE: A BOUNDARY SURVEY IS NEEDED TO DETERMINE EXACT SIZE AND/OR LOCATION OF PROPERTY LINES, AND FENCE LOCATIONS.

CERTIFICATE: We hereby certify that we have surveyed the above-described property in accordance with the description furnished for the purpose of a mortgage loan to be made by the forementioned applicants, mortgagor, and that the buildings located thereon do not encroach on the adjoining property, nor do the buildings on the adjoining property encroach upon the property heretofore described, except as shown. This survey is not to be used for the purpose of establishing property lines, nor for construction purposes, no stakes having been set at any of the boundary corners.

THIS SURVEY DRAWING IS VOID IF THE PROFESSIONAL SEAL IS NOT IN BLUE INK.

[redacted]

JOB NO: 16-04074 SCALE: 1"=30'

DATE: 11/01/16 DR BY: LAO

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City of Ypsilanti
Community & Economic Development Department

Memo

To: Planning Commission

From: Bonnie Wessler, City Planner
Cynthia Kochanek, Associate Planner

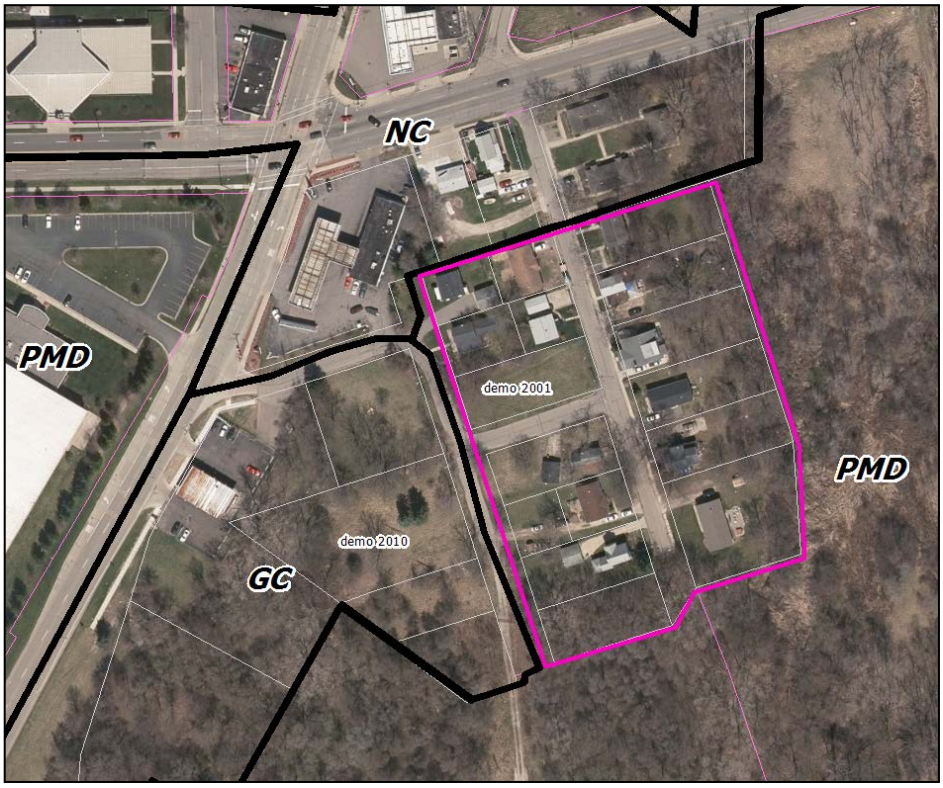
Date: 15 December 2016

Subject: Zoning Text Amendment: PMD Nonconforming A

Background

In 2014, in response to new information about potential environmental contamination in the area of the former City landfill, the Bell-Kramer neighborhood was rezoned industrial as part of the comprehensive, City-wide rezoning. This halted new residential construction and made existing residences nonconforming. The nonconformity has presented significant roadblocks to property sales, as loans on such properties generally cannot be underwritten. Residents have expressed a desire to return to residential zoning; Council has also expressed a desire to remove the nonconformity issue and thus lighten the economic burden on residents/property owners.

At the November 14th City Council meeting, Council approved a resolution that directed staff to proceed with an application to rezone the residential Bell-Kramer properties to be more compatible with the current use and character of the neighborhood.



Discussion

The most recent zoning classification prior to PMD for the area was R2, One- and Two-Family Residential, and had been R2 since at least

1967. The most similar modern zoning classification is CN-Mid, which is not a good fit for the character of the neighborhood.

A concern with zoning the properties as residential is that environmental site analyses (ESAs) are not required for the construction of single-family residences. With the current site conditions being unknown, allowing new single-family construction by-right would mislead potential builders, and possibly expose the City to liability.

After discussions with Council, rezoning the area to Neighborhood Corridor was rejected in favor of rezoning all the residences in the PMD district to a special nonconforming (nonconforming A) status which would allow for the residences to be rebuilt as they were prior to a casualty.

It should be noted that the Bell-Kramer neighborhood will not be the only properties affected. This rezoning will also apply to a single family home at 311 Babbitt, just west of Marsh Plating.

Rezoning Considerations

The following are generally accepted criteria for evaluating a rezoning request and staff responses to each:

1) *Is the rezoning consistent with the policies, guiding values and Future Land Use Map in the Master Plan, including any subarea or corridor studies?*
   Yes. The Master Plan recommends that the future use of this parcel be a "district" that is dedicated to a single type of activity. While this rezoning will permit a different activity (residential that already exists in PMD), it will not allow the residential to expand. This rezoning meets the Shape Ypsilanti master plan goal of "anyone, no matter what age or income, can find a place to call home in Ypsilanti" (p 6). This rezoning preserves an existing neighborhood.

2) *Does the rezoning sustain the site's physical, geological, hydrological and other environmental features with the potential uses allowed in the proposed zoning district?*
   Yes. This rezoning allows for the existing structures to remain but does not allow for expansion or any other new uses.

3) *Can the property that is proposed to be re-zoned accommodate the requirements of the proposed zoning district?*
   Yes. These structures already exist on site.

4) *Are all of the potential uses and building types allowed in the proposed zoning district compatible with surrounding uses, buildings, and zoning in terms of land suitability, impacts on the environment, impacts on the transportation network, density, nature of use, aesthetics, infrastructure and potential influence on property values?*
   Yes. This allows the current nonconforming structures to remain and/or be rebuilt.

5) *Is the capacity of City infrastructure and services sufficient to accommodate the uses permitted in the requested district without compromising the health, safety, sustainability and welfare of the City?*
   Yes. As this preserves existing residences, current services and infrastructure will not be affected.

6) *Will the rezoning be detrimental to the financial stability and economic welfare of the City?*
   No.

7) *Would the rezoning negatively impact the condition of any nearby parcels considering existing vacancy rates, current per-square-foot lease or sale rates, and other impacts?*
No. This rezoning should not have any impact on the existing vacancy rates and may positively impact the sale rates.

8) *Is the rezoning consistent with the trend of development in the neighborhood or surrounding area?*
Yes. The neighborhood and surrounding area has not seen any new construction since 2004, so development trends will not be affected.

9) *Was the property in question improperly zoned or classified when this Chapter was adopted or amended?*
No. The current zoning was in response to new information about potential environmental contamination in the area of the former City landfill. The Bell-Kramer neighborhood was rezoned industrial as part of the comprehensive, City-wide rezoning. This halted new residential construction.

10) *Where a rezoning is reasonable given the above criteria, is the map amendment or rezoning to the proposed zoning district more appropriate than another district or than amending the list of permitted or special land uses within a district?*
Yes. For reasons listed in the discussion area above this rezoning is the best possible solution.

Conclusion
Staff recommends that the Planning Commission recommend ***approval*** of a rezoning that grants a Special Nonconforming Use status for all residences in PMD- Production, Manufacturing, Distribution to City Council with the following findings:

1. This rezoning is consistent with the policies and guiding values in the Master Plan.
2. The properties that are proposed to be re-zoned can accommodate the requirements of the proposed zoning.
3. The rezoning is consistent with the trend of development in the neighborhood and surrounding area.
4. This rezoning is more appropriate than rezoning to another district as it allows for control of new development while permitting the single and two-family homes to be rebuilt or repaired in cases of casualty.

City of Ypsilanti

Community & Economic Development Department

Memo

To: Planning Commission

From: Bonnie Wessler, City Planner

Date: 16 December 2016

Subject: Zoning Ordinance: further revisions

Following the approval of the previous draft of the zoning ordinance, it was submitted for review by Giffels-Webster, a planning firm retained by the MEDC on our behalf, due to our standing as a Redevelopment Ready Community.

This review (attached) noted several areas of improvement. Many proposed changes were either stylistic or easily resolved; others, such as RLUIPA issues, require feedback. Our practice, more or less, has been to tie-bar religious uses with schools and private assembly. GW noted that oftentimes, they are tied to schools and/or theaters &/or catering.

Currently, religious uses break down like so:

Park: none permitted.

R1:

- Special Use: Primary & Secondary schools, Post-secondary educational institutions, religious institutions.

MD:

- Special Use: Primary & Secondary schools, Post-secondary educational institutions, religious institutions

PMD: none permitted.

CN-SF, CN-Mid, CN:

- Special Use: Primary & Secondary schools, Post-secondary educational institutions, religious institutions. (all districts)
- Private assembly (including banquet hall): Special use, CN only.

Center:

- Permitted: Post-secondary educational institutions, performance venues/theaters. *RECOMMEND: change both to Special Uses when on the ground level; permitted when on upper levels.*

HC, GC, NC:

- Museums & libraries, less than 15,000 square feet: permitted in HC & GC

- Museums & libraries 15,000 square feet or more: special in HC & GC
- Both types of schools: Special in HC & GC
- Religious Institutions: Special in HC & GC
- Private assembly: special in HC & GC
  RECOMMEND: add theaters as special in HC & GC

Bonnie Wessler

From: Jill Bahm <jbahm@giffelswebster.com>
Sent: Friday, October 21, 2016 10:02 AM
To: Bonnie Wessler
Cc: Karen Wieber (MEDC); Rodney Arroyo; Mark Lloyd; Joe Tangari
Subject: Zoning audit
Attachments: Ypsi Zoning Ordinance Review 10 21 16.pdf; May 2015 Extra - Wireless Rules Update.pdf

Hi Bonnie,
Attached please find our review of the Ypsilanti Zoning ordinance. Overall, it's a good ordinance, and while we have suggestions on how to refine it further, there are only a handful of items you might want to tackle as priority items. Primarily, they relate to wireless communications, RLUIPA (Religious Land Use and Institutionalized Persons Act), and state licensed residential facilities. There is also a conflict over use variances that should be addressed before adoption of the ordinance. We think you will find that some of the other issues could be tackled over time. We're happy to have a call with you to discuss our findings further.

Also – I see that you and Joe are attending the MAP conference next week. Giffels Webster is hosting a reception on Thursday from 6:30-8 p.m. at The Union, which is within walking distance of the conference hotel. We'd love to catch up with you there! Stop by our booth when you get in and we can give you additional directions.

Jill Bahm
Principal Planner
Giffels Webster
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Birmingham, MI 48009
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This report summarizes our findings from a review of the Zoning Ordinance for the City of Ypsilanti. Our findings will follow the order of the ordinance. Priority items will be highlighted for easier identification.

General Organization of the Ordinance:

We find the ordinance to be reasonably organized. The tone of ordinance could be improved by reducing jargon and using practical terms and phrasing. This is primarily due to the inclusion of policy-based statements typically found in long-range planning documents and studies. The hierarchy of the Table of Contents and document as a whole is complex and not easy to reference. If the existing hierarchy is preferred, consider changing the font size or feature of the font, i.e., bold, to bring the user's attention quickly to the Article or primary topic more easily. There are also some inconsistencies with how the same language is used in certain tables citing the same information. Specific examples are included in this review.

Tables should be clearly labeled and numbered for easy reference. There are tables where the title and heading are not included on following pages making it difficult to reference.

Consider reorganizing TOC as follows:

Article I Purpose and How to Use

Article II Definitions and Language

Article VII Development Procedures and Administration

Article III Districts

Article IV Site Regulations

Article V Use Regulations

Article VI Supplementary Regulations

Some fonts and headings are different. See Article I and Article II for example.

Where available, specific page or line numbers will be referenced in this review.

Article I

Purpose and How to Use

Discussion: The purpose section incorporates certain policy statements derived from the City's Master Plan. This reiteration of Master Plan policies provides some degree of perspective to the user but results in language that is not so user friendly.

Findings:

- Page 4; The table illustrating the steps for an application are helpful except that it might be useful to follow the order of this table and place the permit section at the end of the code.

Article II

Development Procedures and Administration

Discussion: This section provides useful information on permits for zoning compliance, special land uses, temporary use permits and building permits. Also contained in this section is information on addressing nonconformities, amendment to the code and map, variances and appeals, a listing of violations and associated penalties and the authority to cite said penalties.

Findings: (Page numbers refer to page of the Word file we were provided)

- Section 122-110 includes a strong statement establishing the City's requirements to do business. It might be useful to include this same statement on or in conjunction with certain application materials.
- Page 7: The table is labeled (c) which follows the prior subcategories, i.e., a & b found between lines 211-221. There is no need to label the table "c".
- The information found in the tables is helpful; consider consolidation of wording, and making the first column "activities or use" larger to make for easier reading.
- Page 7: In the 1st column, 5th row of the table, require a site plan for all Special Land Use requests. The Michigan Zoning Enabling Act (MZEA) requires a site plan with any Special Land Use application. Consider the term "limited site plan," rather than a "sketch plan."
- Page 7: The language in the 1st column in the last row is confusing and should be changed. Clarify the review process when the conditions of that box are exceeded.
- The highlighted reference to section 122-127 on page 11 is incorrect. Check all such references for accuracy.
- Page 13, Section 122-129: consider moving away from requiring paper copies of plans, particularly for as-built drawings, for easier reference and to save on storage space. At a minimum, we suggest that you require pdf files of the final approved site plan sheets.
- Line 491: Allowance of a sketch plan may be beneficial to an applicant when adding certain Special Land Uses. The MZEA requires submittal of a site plan for

all Special Land Uses, so consider changing the term "Sketch Plan" to "Limited Site Plan."

- Line 566: Special Use Permit expires in 2 years. Line 338 has site plan expire in 1 year. These should be consistent.
- Line 572: Temporary uses should not be considered as special land uses.
- Line 598: States "The Building department may issue...." Should be consistent with table (Section 122-122 (c)(3) which references City Planner.
- Page 18: Temporary mobile food establishments section (Sec 122-160(e)) is improved over the original language. Note that there are two subsection (9)'s. In the second subsection (9), add parking areas for the mobile food establishment and any other use on site to the sketch plan requirements.
- Page 20: Note two Section 122-160(e)'s. For the second (e), parking areas, are there specific activities that would be permitted to use an unimproved parking area? Clarify the types of uses permitted. In subsection (g), consider what type of signage is permitted for a temporary business in a vacant storefront.
- Line 910: Consider standards for what is "appropriate" such as reduced parking needs, traffic, noise, hours of operation, etc. Relate it to the impact of the use on roads, utilities, neighboring property, sensitive uses, natural features, etc.
- Page 28: Consider moving "Amendments" (Division 4) to end of ordinance as this is not used often.
- Line 1176: Numbers 2, 3 and 4 should be relabeled a, b and c. As a result, 5, 6 and 7 should be renumbered to 2, 3 and 4.
- Line 1252: add (11) Would not result in "spot zoning".
- Line 1276: at end of sentence, add "of two streets".
- Page 30, section 122-202 (d), consolidate this section with (c) above, with the addition of item (12) to read:" Conditions, when offered by the applicant…." Clarify that conditions may be added by the applicant at a public hearing, but they cannot be removed without a new hearing.
- Line 1398: Rewrite to read, "Appeals may be commenced by a person aggrieved ~~or~~ by the decision of any officer,…" We recommend discussing this change with the City Attorney.
- Page 37: Check to be sure this does not conflict with the City Charter or other provision of the City's Code of Ordinances.
- ZBA: The provisions for public hearing notices are cumbersome (here and previously); consider refining and make one section for all public hearings to consolidate text. Line 1650 says the ZBA "shall not have the authority to grant

use variances." This conflicts with line 1678 that provides for the number of votes for a variance "from the uses of the land permitted in this chapter."

Article III

Definitions

Discussion: This section provides a comprehensive listing of definitions for terms and activities used throughout the ordinance. The inclusion of numerous graphics is useful and effective for accommodating the needs of user to understand meaning.

Findings:

- Page 42: Definitions should be placed near the beginning of the document.
- Consider consolidating this section by removing terms that may be unnecessary or are commonly defined, such as auction house, bedroom, carport, correctional facility (not used in the ordinance), shrub, state equalized value, tree
- Add definition for "alternative energy" as it is a listed use. Consider a definition for "day care" that includes adult day care as well as child day care.
- Line 1850: Include alterations to signs as part of this definition.
- Lines: 1923, 1924 & 1926: Use of metric conversion should be consistent throughout (use or don't use).
- "Group residence" includes roominghouses, but both are listed in the ordinance together, so the term is redundant.
- Page 50: Communication facilities and all related items should be updated and consistent State and Federal laws (see attached newsletter).
- Line 2803: change "Sunday school" to "religious" as it references classrooms.
- Page 64: Is outdoor seating permitted with a carryout restaurant?
- Page 65: sign, abandoned – is there a timeline for considering a sign abandoned?
- Page 67: add graphic to illustrate Sign, Sidewalk. For sign area, consider using the rectangular box as the enclosure for a circle sign, as it is more consistent with the other sign examples of odd shapes.
- Page 68: the definitions for mezzanine and basement are listed separately and with story. Remove one definition to ensure consistency.
- Page 71: Consider keeping the definition of use-related terms together. Line 3279: if recreational vehicle includes the term "motor home," then the separate definition for motor home is not needed.
- Page 72: update graphic

Article IV

Districts

Discussion: Districts are broken down into Use Based and Walkable Urban Districts. It is agreed that communities create their own unique character through land use planning and zoning. The use of tables may help with finding information; consider refining language and moving redundant language to their own sections. Make sure that table headings are repeated when tables split onto additional pages.

Findings:

- Page 74: Are Sections 122-404 and 405 needed? These terms are defined.
- Page 75: Consider adding language that suggests the incorporation of connectivity to the extent possible at the end of the paragraph.
- Page 76: Performance venues and outdoor and indoor education area are designated as places of public assembly. Per the Religious Land Use and Institutionalized Persons (RLUIPA) Act, religious uses should be treated in a similar fashion as other places of assembly.
- Page 78: The heading is not included on the table. The information contained in the 3rd column under (d) height should be established as its own section called, "Exceptions to Height". If it is in its own section, this language can be removed from other sections and referenced (which reduces the number of words as well as minimizing ordinance clutter and improving efficiency). Additionally, defining opacity of fences in these tables adds clutter.
- Page 79: same as above.
- Page 81: no need to define care homes by number of people – this is already defined elsewhere.
- Page 83: same as above.
- Page 84: how do the provisions for accessory dwellings align with other accessory structures? Why are accessory dwellings listed under "non-residential uses"?
- Page 86: 3rd row down, are there time limits for temporary signs here?
- Page 87: 3rd column of 2nd and 3rd rows references housing types (senior housing, student housing, and co-housing) not defined elsewhere.

- Page 88: It is unclear why certain uses are listed as "accessory." For example, to what principal use would personal service establishments be accessory and how would that be defined?
- Page 94: Review the uses that are special land uses for consistency with other permitted uses in the production, manufacturing and distribution district. This district is "designed to create and sustain producing, manufacturing, storing and distributing goods," yet many of those uses are "special."
- Page 95: The 1st line under Services in this table requires business and professional services to be 15,000 sf or more. Is this intended? Why? Adding businesses and professional offices and showrooms as accessory uses is confusing.
- Page 96: Delete central dry cleaning plants since it is included further down list as dry cleaning plants or laundries or define central dry cleaning plants and regulate them differently.
- Page 99: 3rd column of first row in table. This language, and as may appear elsewhere should be listed separately as exceptions to the height limit.
- Page 105: Table on page 105 should contain heading from table on page 104. Also, see page 106.
- Page 107: Bullets in 3rd column of table should be consistent with bullets on page 112.
- Page 109: Move text from 4th column of next to last row in table to the Notes column. Same on page 110 and 111.
- Page 112: 2nd column, 4th row up from bottom add space between 6 and sf.
- Again, in the uses table, there are what appear to be notes in the specific regulations column. Consider moving under notes column.
- Page 121: Again, label each table and note section number
- Page 125: Same reference as before. Use same text layout for consistency. (page 107 and 112)
- Line 3670 through 3673: list what "- -" stands for in text similar to P and L.

Article V

Use Regulations

Discussion: The inclusion of such a comprehensive listing of use regulations should serve residents, developers, staff and other users of the document well.

Findings:

- Line 3934: references Article V of Chapter 10. Chapter 10 does not exist.
- Page 155: Listing prohibited uses is tricky as it is never possible to list everything that could be prohibited. A more comprehensive approach is to list permitted uses and then a provision that the PC could consider "uses similar to permitted uses."
- Line 4720: We agree with the comment that the 50 ft setback for outdoor cafes may be limiting in certain areas; consider waiver by PC if there are defined screening provisions to mitigate light and noise.
- Page 168: Update provisions for Wireless Communication per state and federal laws, particularly related to required timelines for review of applications.

Article VI

Site Regulations

Discussions: This section includes provisions for regulating all lots and parcels of land as well as buildings, structures and uses. The graphics included in this section serve the user well.

Fonts and features of fonts should be made consistent. See Division 5 (Signs)

Findings:

- This entire section is well written and conveys important information to users. It will be important to reference this section in application materials to ensure user is aware of additional these specific requirements.
- Page 187: A graphic depicting the locational standards for accessory structures would prove useful.
- Page 191: Electronically illuminated signs are prohibited; yet digital billboards are permitted. (3) digital billboards should include specific regulations on the brightness and under what circumstances. Consider restricting or prohibiting flashing, scrolling and animated messages. Also require the sign to go dark in the event of a malfunction.
- The use of line numbering stops on page 192.
- Page 192: Provisions for window signs allows 25% of each window, with no maximum total area. Does the City really want a sign in every window? Consider a maximum area limit per façade. Also consider whether window signs are allowed on upper floors.
- Ensure temporary sign standards comply with recent case law (refer to legal counsel).

- Page 200: Parking and landscaping: b.2.(a) enlarge required tree planting area from 160 sf to 240 sf or more for greater viability of trees (avoiding "tree coffins").
- Page 204: Parking requirements: Consider making standards for religious institutions, places of assembly, and theaters consistent. Review stacking for drive-thru uses. In many communities eight is not adequate for coffee houses and fast food restaurants.
- Page 208: The Parking Requirement Reduction section is good. The inclusion of a fee in-lieu parking is a very good example of finding alternative approaches to a sometimes challenging matter.

Article VII

Supplementary Regulations

Discussion: This section contains regulations for PUD, Site Condominiums and Flood Damage Prevention. The information contained in this section is comprehensive and useful.

Findings: No edits necessary.

Other

Building typologies and dimensional requirements:

- Page 99: The units should be provided in the table for easier understanding. For example, does "M" refer to the number of stories? Consider a maximum number of feet for height as well.
- For the housing types: Consider stating that the one primary entrance is generally facing the street.

clearzoning

May 2015

PLANNING BRIEF

Extra:

Wireless Communications

New Federal Rules—May Require Action

The ability of local governments to regulate wireless communications facilities is limited by layers of pre-emptive federal and state legislation. In April, new FCC rules went into effect that further govern the local approval process for these facilities. This brief updates two of our past briefs outlining the ways in which federal and state rules and legislation affect local approval of wireless facilities. We strongly encourage local governments to review their current wireless zoning provisions with planning and legal experts to ensure compliance with new federal and state requirements.
Federal rules are reviewed below; state legislation is reviewed on the reverse.

When HR 3630, referred to as the "Middle Class Tax Relief and Job Creation Act of 2012," was approved in February 2012, it contained a little-known provision, Section 6409(a), that impacts the local approval of certain Wireless Communications Facilities. The Act amends the federal telecommunications laws to limit the ability of local units of government to deny certain requests to modify existing wireless communications facilities or replace existing equipment on existing towers.

Specifically, the bill states: "...a state or local government may not deny, and shall approve any eligible facilities request for a modification of an existing wireless tower or base station that does not substantially change the physical dimensions of such tower or base station."

The law defines "eligible facilities request" as "...any request for the modification of an existing wireless tower or base station that involves: (A) collocation of new transmission equipment; (B) removal of transmission equipment; or (C) replacement of transmission equipment."

Recently adopted rules interpreting and implementing this statute have the following effect:

1) An eligible facilities request not approved within 60 days of a complete application is deemed approved.
   ⇒ If your community's ordinance and review processes are built around a longer review timeframe, the process will need to change to accommodate this requirement. Many Michigan communities already comply with this timeframe, as it is required under state law (see next page for details).
2) Any review of an installation of wireless equipment on an existing tower or base station (a non-tower structure with attached wireless equipment, such as a water tower) should begin by treating the application as an "eligible facilities request" subject to the 60-day limit. If this turns out not to be the case, the review can then switch gears, but it is best to act with urgency at the beginning of the process.
3) The 60-day clock can be suspended if information is missing from the application, provided that the applicant is informed of the missing information. Any notice that information is missing should be comprehensive and in writing.

At Clearzoning, Inc., our staff has experience in working with local officials to develop effective and defensible general law and zoning ordinance regulations to address your community's needs. Contact us for additional information.

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State Legislation

Michigan P.A. 143 of 2012 amended the state's Zoning Enabling Act (Act 110 of 2006) to place the following restrictions on local regulation of wireless communications equipment:

1. **Classification as a Permitted Use** - Wireless Communications Equipment (WCE) - which does not include towers - is a permitted use and shall not be subject to special land use approval or other approval under the Michigan Zoning Enabling Act (MZEA) if 4 requirements are met:

   a) Collocation on an existing support structure or in an existing equipment compound
   b) Existing wireless communications support structure or existing equipment compound is in compliance with the local unit of government's zoning ordinance or was approved by the appropriate body or official
   c) The proposed collocation will not do any of the following:
      i. increase the overall height of the wireless communications support structure by more than 20 feet or 10% of its original height, whichever is greater,
      ii. Increase the width of the wireless communications support structure by more than the minimum necessary to permit collocation
      iii. increase the area of the existing equipment compound to greater than 2,500 square feet
   d) The proposed collocation complies with the terms and conditions of any previous final approval of the wireless communications support structure or equipment compound by the appropriate zoning body or official.

FCC Definition of Substantial Change

Any of the following:

- Towers outside public right-of-way:
  - Height increase of 20 feet or 10%, whichever is greater
  - Protrudes from tower's edge more than 20 feet or width of tower
- Towers in public right-of-way & base stations:
  - Height increase of 10 feet or 10%, whichever is greater
  - Protrudes from structure's edge more than 6 feet
- Installation of more than standard number of new cabinets for the technology involved
- Excavation or deployment outside existing tower or base station site
- Defeats existing concealments of tower or base station site
- Noncompliant with conditions of prior approval of the tower or base station (does not apply if changes are within the thresholds in the first two bullets above)

2. **Approval Time Limits** - WCE that meets a) and b) above but does not meet c) or d) above is a permitted use if it receives special land use approval under the following terms:

   a) An application, site plan, and relevant information is submitted
   b) After submittal for a special land use, the approving body or official has 14 business days to notify the applicant of any missing data or information not provided in the application; otherwise the application shall be deemed to be complete. If notification of deficiencies is made, it stops the 14-day clock rather than resetting it. Thus, a quick review is advantageous so a local government has time to determine the sufficiency of any resubmitted application. Review fees charged by the local government must reflect actual, reasonable costs and may not exceed $1,000.
   c) The approving body or official shall approve or deny the application not more than 60 days from the date it is considered complete. If no action is taken within 60 days, the application is deemed approved.
   d) When a new tower is proposed, an additional 30 days for review and action is permitted (90 days total).

3. **Limits on Conditions** - Approval of WCE that is a special land use because it meets a) and b) but not c) or d) under paragraph 1 may be made expressly conditional only on the WCE meeting other local ordinances (non-zoning) and federal and state laws. Approval of new towers does not have this limitation, meaning that conditions related to zoning and non-zoning laws can be part of a special land use approval.

What Action Should Be Taken?

It would be useful to review your ordinance to ensure that it is consistent with federal and state standards; this helps to avoid confusion and will aide local staff in establishing review procedures that comply with applicable laws. Developing a specific Eligible Facilities Request Application form for these types of changes to existing facilities could help your community's Building Department identify and prioritize reviews of these applications to ensure that if information is missing, this is quickly brought to the attention of the applicant and corrected with adequate time for further staff review.

Ypsilanti Non-Motorized Advisory Committee Meeting Minutes
Thursday, December 1st, 2016

1. Call to order - The meeting was brought to order at 7:33pm, December 1, 2016 at the Ypsilanti District Library, 229 West Michigan Avenue. Committee members attending were Martha Cleary, Cathie Kinzel, Sarah Walsh and Bob Krzewinski. Also attending was City Planning Commission Chair Heidi Jugenitz.

2. Introductions
    a. Audience participation/public input – None.

3. General business
    a. Agenda approval - A motion was made by Sarah, seconded by Martha, to accept the agenda, passing unanimously.
    b. Approval of November meeting minutes - A motion was made by Martha, seconded by Cathie, to approve the November minutes, passing unanimously
    c. Officer reports – Bob reported that Tony Bedogne created an 8 ½" x 11" downloadable (at www.bbwypsi.org) PDF Ypsilanti bicycle map using the map in the County bicycle map. At the first major snowstorm, Bob will also post on area Facebook/Nextdoor pages an alert to residents about the City snow ordinance and also how to report problems using ClickFix on the City website, as well as information about the Sheriff Departments sidewalk snow removal help for disabled residents.
    d. Committee members/By-laws review - Sarah and Bob's terms expire on 1/31/2017 and both are willing to serve again. Also in January the Planning Commission needs to appoint a Committee Chair (using a recommendation of the Committee) with Bob willing to serve again. Both items will appear on the January meeting agenda.

4. Old business
    a. 2016 Committee priorities
        - Sidewalks – MDOT letter follow-up on Ferris/Hamilton improvements – Bob will formulate a resolution urging MDOT to take action for Ferris/Hamilton curb cuts, as well as pedestrian safety signage on MDOT controlled City streets, for approval by the Planning Commission & City Council and then forwarded to MDOT.
        - Bike lane additions – Forest Avenue bike lane – No update.
        - Border To Border Trail completion progress – Water Street Michigan Avenue HAWK, Frog Island/Grove Road Master Plan – The Michigan Avenue HAWK signal should be operational by the end of December. Bob will talk with Washtenaw County Parks & Recreation Commission staff about a B2B Trail master plan for Ypsilanti.
        - Walk Friendly & Bike Friendly Community applications – Deadlines: Walk Friendly 12/15/2016 – Bike Friendly 2/9/2017 – Sarah will try and have the Walk Friendly application out by the December 15th deadline. Bob will work with Tony Bedogne on the Bike Friendly application.
        - Pedestrian safety signage – MDOT letter follow-up – Discussed in first bullet point ("Sidewalks") of this section.
        - Committee event participation & education – Bob will give a cold weather cycling talk on Saturday, December 3, 2pm at the downtown Library. A Water Street B2B walk will be postponed until the spring pending the completion of soil contamination remediation work.
        - Bike Friendly Business program – Paula's Barber Shop in Depot Town signed up.
        - Traffic calming – Depot Town, Congress Street – No new updates.
    b. I-94/Huron – Huron/Hamilton non-motorized improvements – No new updates.
    c. Non-motorized plan – No new updates.
    d. Capitol Improvements Plan (CIP) inclusion of non-motorized projects – Bob represented the Committee at the November 15th City Transportation CIP Committee meeting where representatives were asked to rank potential projects for the City. Representatives were also asked to rank the top three picks and Bob, for the Non-Motorized Committee had the Huron/I-94 non-motorized improvements first, Border To Border Trail completion second and Washtenaw Avenue sidewalk completion third. The next meeting of the Committee will be December 14th. On another note, in reviewing the present City CIP there were a small number of non-motorized projects either not listed or needing clarification. Bob will formulate a suggested list of CIP additions/revisions to be forwarded to the Planning Commission for potential action. Also discussed were possible amendments to the City master plan supporting non-motorized projects.

e. 2017 Committee priorities & City budget non-motorized project recommendations
For 2017 Committee priorities, these are…
- Bike lanes – Complete bike lane on Forest and extend the West Cross bike lane to the western City limit
- I-94/Huron non-motorized improvements
- Border To Border Trail – Trail re-route through Riverside Park & Water Street, Ypsilanti Trail completion master plan
- Walk Friendly & Bike Friendly Community applications submitted
- Pedestrian safety signage (including radar speed readout signs)
- Sidewalks - Washtenaw Avenue – Fill gaps and bring up to standards sidewalks on both sides of the road from Oakwood Street to Hewitt Road
- Accessibility in City parks

For 2017 non-motorized funding priorities for City Council funding, these are…
- Bike Lanes – Complete bike lane on Forest Avenue between Norris Street and Prospect Road (Currently approved but not funded)
- Huron Street – I-94 Non-motorized user access
- Border To Border Trail – Complete moving the Trail off-road through Ypsilanti.
  - Trail completion master plan needed
  - Project split into two segments (Grove Road to I-94 and Frog Island Park to Eastern Michigan University)
  - Move non-motorized traffic through Riverside/Water Street areas
- Sidewalks - Washtenaw Avenue: Fill gaps and bring up to standards sidewalks on both sides of the road from Oakwood Street to Hewitt Road
- Pedestrian safety signage (including radar speed readout signs)

f. Bike repair stations – Bob attended a meeting on November 21st with the Ypsilanti District Library willing to be the lead organization for stations at the downtown Library Plaza Park and the Parkridge Center. The initial goal will be to obtain $1500 in major donations towards a $3000 goal with the remaining funds raised by a www.patronicity.com drive. The next meeting will be in late December and Bob will advise Committee members of details.

g. Other

5. New Business
   a. Planning Department update - Bob talked with City Planner Bonnie Wessler and comments included in the agenda items
   b. AAATA Transit Center bike racks – The large bicycle rack that was on the southeast corner of College Place and West Cross Street was moved to the Transit Center.
   c. Other – A discussion was held on the need for safety improvements on West Cross Street in Ypsilanti west to Packard Avenue in Ann Arbor. Bob will discuss this with the Washtenaw Bicycling & Walking Coalition at its next meeting.

6. Other Items – Announcements – None.

7. Adjournment - A motion was made by Sarah, seconded by Martha, to adjourn the meeting, passing unanimously. The meeting was adjourned at 8:27pm with the next meeting being held Thursday, January 5, 7:00pm at the downtown Library main floor meeting room.