

APPROVED MEETING MINUTES
Planning Commission - Virtual Meeting
Wednesday, December 15, 2021 – 7:00 P.M.

Please be advised that due to COVID-19, City Hall will not be open to the public. This meeting will be held virtually on Zoom. The access code is posted in the Public Notice on www.cityofypsilanti.com and attached in the packet. The public may choose to participate during Audience Participation or the Public Hearing in the Zoom application, or may submit e-mailed comments to aaamodt@cityofypsilanti.com by 4 pm, December 15.

I. Call to Order

II. Roll Call

Matt Dunwoodie, Chair	P	(City of Ypsilanti, Washtenaw Cty.)
Michael Simmons, Vice-Chair	P	(City of Ypsilanti, Washtenaw Cty.)
Marc Arthur	P	(City of Ypsilanti, Washtenaw Cty.)
Eric Bettis	P	(City of Ypsilanti, Washtenaw Cty.)
Mike Davis Jr.	P	(City of Ypsilanti, Washtenaw Cty.)
Jessica Donnelly	A	
Phil Hollifield	P	(City of Ypsilanti, Washtenaw Cty.)
Carl Schier	P	(City of Ypsilanti, Washtenaw Cty.)

III. Approval of Minutes

- November 17, 2021 Meeting
Motion to approve the minutes.

Offered By: Commissioner Simmons; Seconded By: Commissioner Davis Jr.

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

IV. Audience Participation

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

Motion to open the audience participation.

Offered By: Commissioner Simmons; Seconded By: Commissioner Bettis

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

None.

Motion to close the audience participation

Offered By: Commissioner Hollifield; Seconded By: Commissioner Simmons

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

V. Committee Reports

- Non-motorized Advisory Committee
Commissioner Davis Jr. was unable to attend this month and the group did not have a full quorum.

VI. Presentations and Public Hearing Items

- Special Use Permit and Site Plan Review: Marijuana Retailer at 2-4 W Forest Ave*

City Planner Andy Aamodt presented the case. Staff recommends approval with conditions. There are plans for multiple uses on one lot. There is no buffer between different uses. This is the first case that has multiple marijuana uses.

Commissioner Dunwoodie sees future use as a risk that he would like to seek legal counsel for.

The Commission asked questions about the silos on site. Is there structural engineering needed? Has there been an environmental review?

Will the site have a fence built on the east side of the property?

Commissioner Arthur asked if the applicants are considering an accessible sidewalk entrance from frog island, maybe an extension of the B2B trail?

Applicants: Anthony Botezatu, Jeff Guyton, Eric from Quality Roots

Applicant spoke to building a fence on the east side. They plan to fix the fence between them and DPS, they would be happy to build out on the east side.

○ *Public Hearing*

Motion to open the public hearing.

Offered By: Commissioner Bettis; Seconded By: Commissioner Simmons

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

None.

Motion to close the public hearing.

Offered By: Commissioner Simmons; Seconded By: Commissioner Bettis

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

The Commission spoke to the applicant about the bridge renovation in 2022 and connecting with the B2B crossing.

Commission discussed parking and storm drainage

Motion to approve the Special Use Permit for 2-4 W Forest Ave. with the following findings and conditions:

Findings:

1. The application is substantially in compliance with §122-324(b).
2. Approval is for marijuana retailer use only. Applicant must re-apply for Special Use Permits pertaining to Designated Consumption Lounge and Growing/processing uses.

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

Offered By: Commissioner Simmons; Seconded By: Commissioner Bettis

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

Motion to approve the Site Plan for 2-4 W. Forest with the following findings and conditions:

Findings:

1. Due to lack of substantial compliance with Building B and Building C, this site plan approval is for Phase 1, and Building A, only. Phase 1 limits are delineated on sheet C-3 in the submitted packet.
2. Applicant may coordinate an expansion of Phase 1 regarding the parking area to the rear of Building A and the silos, as well as expansion of "grasscrete" sidewalk pavers to the east of Building A, for administrative review.

3. Phase 1 site plan substantially complies with §122-311 and the zoning ordinance.
4. Planning Commission waives the 10' parking setback requirement in §122-683 with the finding the parking lot will be graded to on-site catch basins, landscaping screening is provided, and opposite the property line is a parking lot as well.
5. Planning Commission determines 10'x25' loading space as presented is sufficient, in accordance with §122-694, with the finding there will not be large semi-trucks conducting loading/unloading activity.

Conditions:

1. Building A's private frontage façade details including ground floor transparency shall be noted in elevation plan.
2. Minimum of 50' wide conservation and/or public access easement shall be provided where the lot meets the river.
3. Dumpster enclosure shall have a wooden swing door.
4. Front entrance and bike racks shall provide adequate lighting levels per the zoning ordinance and lighting be dark sky compliant.
5. Truck turning details or template shall be provided on site plans.
6. Landscaping near curb-cut shall not affect required traffic visibility requirements in §122-675.
7. Plan should remove parallel parking spaces in front of west façade and replace with landscaping, due to lack of adequate turning radii.
8. Dimensions of curbing and wheel stops shall be noted to protect vehicle overhang from encroaching landscape areas.
9. Site plan shall meet base parking requirement if parallel spaces are removed, or apply for reductions.
10. Fence and security gate shall be removed from plan or re-located in an area that does not impede traffic circulation.
11. Landscape plan's species list shall be approved administratively to ensure no plantings are invasive species.
12. Site plans shall undergo detailed engineering review by the City Engineer.
13. Existing silos on the property shall have engineering review for safety and environmental concerns, and shall be approved by the City Engineer.
14. Fencing on east and west property lines shall be repaired and maintained.
15. W Forest Ave's sidewalk shall be widened to 10' minimum.

Friendly amendment offered by Commission Dunwoodie to add the condition that the parking lot shall be graded to drain to on-site catch basins to avoid any runoff onto adjacent property to the west.

Friendly amendment accepted by Commission Davis Jr.

Friendly amendment offered by Commission Dunwoodie to remove condition #7.

Friendly amendment rejected by Commissioner Davis Jr.

**Offered By: Commissioner Davis Jr.; Seconded By: Commissioner Schier
Approved: Yes – 6; No – 1 (Hollifield) ; Absent – 1 (Donnelly)**

Commissioner Hollifield's reason for opposition: Disagrees with conditions 7 and 15.

- *Special Use Permit and Limited Site Plan Review: Marijuana Retailer at 539 S Huron St*

The applicant is applying to expand their Special Use permit.

Commissioner Simmons stated that he has recused himself in the past, but has since moved so he is no longer within the 300 foot radius of this site.

Staff recommends denial of the expansion of the special use permit. At this point, the use is no longer temporary. There have been accounts of dangerous back-ups on S. Huron St.

Applicants: Jeffrey Schroder – attorney. Cory Nemeth – owner.

Applicant stated that they are addressing traffic, they have security to make sure there are no back-ups. The state has not revoked curbside rules. Removing curbside traffic would further back-ups on S. Huron.

- *Public Hearing*

Motion to open the public hearing.

Offered By: Commissioner Hollifield; Seconded By: Commissioner Davis Jr.

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

None.

Motion to close the public hearing.

Offered By: Commissioner Hollifield; Seconded By: Commissioner Davis Jr.

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

Commissioner Hollifield stated that phasing out at this time could cause chaos. It would do more harm than good, but he agreed that this has gone on too long.

Commissioner Dunwoodie stated that he is deeply uncomfortable with approving a temporary site plan that does not match what is actually happening. He disagrees with cars queuing to order rather than parking for pick ups.

Motion to approve the Special Use Permit expansion for 539 S. Huron with the following findings and conditions:

Findings:

The curbside service was approved as a temporary use in September 2021. Renewing such temporary use is within the intent of the Zoning Ordinance Section 122-335. The curbside service shall be renewed for an additional 90 days.

Offered By: Commissioner Davis Jr.; Seconded By: Commissioner Hollifield

Approved: Yes – 6; No – 1 (Dunwoodie); Absent – 1 (Donnelly)

Commissioner Dunwoodie's reason for opposition: Expansion of the temporary use should be in the scope of the zoning ordinance.

Motion to approve the Limited Site Plan for 539 S. Huron with the following findings and conditions:

Findings:

1. The application's corresponding special use application is consistent with Zoning Ordinance Section 122-335.

Conditions:

1. The applicant shall submit a lighting plan.

2. The applicant shall submit an updated site plan eliminating ordering lanes and reflecting

the actual operations of the site
within 7 days, for administrative review.

Offered By: Commissioner Davis Jr.; Seconded By: Commissioner Hollifield
Approved: Yes – 6; No – 1 (Dunwoodie); Absent – 1 (Donnelly)

Commissioner Dunwoodie's reason for opposition: Site should be returned to parking.

VII. Old Business

VIII. New Business

- Approval of 2022 Meeting Schedule

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

- Nomination for Commissioner Arthur to the Non-Motorized Committee

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

IX. Future Business Discussion / Updates

Follow up on West Forest.

845 Clark Rd. public meeting is tomorrow.

Commissioner Davis Jr. thanked Chair Dunwoodie for clarity of vision.

X. Adjournment

10:13pm

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