



CITY OF YPSILANTI
Planning Commission MEETING
Wednesday, August 16, 2023 @ 7:00 PM
Council Chambers
One South Huron, Ypsilanti, MI 48197

Page

I. CALL TO ORDER

II. ROLL CALL

Matt Dunwoodie, Chair
Michael Simmons, Vice-Chair
Eric Bettis
Mike Davis Jr.
Jessica Donnelly
Phil Hollifield
Amanda Smith
Carl Schier
Brian Jones-Chance

III. AGENDA APPROVAL

August 2023 Regular Agenda

IV. APPROVAL OF MINUTES

3 - 5 A. [May 17, 2023 Draft Minutes](#)

V. AUDIENCE PARTICIPATION

VI. COMMITTEE REPORTS

A. Non-Motorized Committee Report

VII. PRESENTATIONS AND PUBLIC HEARING ITEMS

7 - 23 A. Right of Way Vacation Application Review | Troy Street
[Staff Review](#)
[Application](#)

VIII. OLD BUSINESS

IX. NEW BUSINESS

A. 2023 Election of Officers | Chair and Vice Chair

X. FUTURE BUSINESS DISCUSSIONS/UPDATES

XI. ADJOURNMENT



DRAFT MINUTES
Planning Commission
Wednesday, May 17, 2023 @ 7:00 PM
Back Office Studios - 13 N. Washington St. Ypsilanti, MI 48197

I. Call to Order

II. Roll Call

Present: Dunwoodie, Simmons, Smith, Bettis, Davis Jr., Brian Jones-Chance
Absent: Donnelly, Scheir, Hollifield

III. AGENDA APPROVAL

Motion to approve the agenda with the addition of a capital improvements update in new business.

Offered By: Smith ; Seconded By: Davis Jr.; Approved: Yes – 6; No – 0; Absent – 3 (Donnelly, Schier, Hollifield)

IV. Approval of Minutes

Motion to approve the April 19, 2023 Minutes michael eric

Offered By: Simmons ; Seconded By: Bettis; Approved: Yes – 6; No – 0; Absent – 3 (Donnelly, Schier, Hollifield)

V. AUDIENCE PARTICIPATION

Motion to open the audience participation.

Offered By: Davis Jr. ; Seconded By: Simmons; Approved: Yes – 6; No – 0; Absent – 3 (Donnelly, Schier, Hollifield)

None.

Motion to close the audience participation.

Offered By: Bettis; Seconded By: Simmons; Approved: Yes – 6; No – 0; Absent – 3 (Donnelly, Schier, Hollifield)

VI. COMMITTEE REPORTS

A. Committee discussion - Non-Motorized Committee Report given by Commissioner Davis Jr. He discussed the Pedestrian Education Campaign Pilot, and the inventory of cross walks and bike lanes. Commissioner Smith recommended it be worthwhile to have conversation with the schools about bus stops. The committee did not discuss the Michigan Avenue traffic light complaint at this meeting. DPS reported that the City cannot change the light out of sequence.

VII. PRESENTATIONS AND PUBLIC HEARING ITEMS

A. 20 Emerick | Limited Site Plan and Special Use Review Staff Review | Proposed Auto Body and Repair Business

Staff report by City Planner Holli Andrews.

Applicant says they have been operating as an auto body and repair since 2008.

Motion to open the public hearing

Offered By: Simmons ; Seconded By: Davis Jr.; Approved: Yes – 6; No – 0; Absent – 3 (Donnelly, Schier, Hollifield)

None.

Motion to close the public hearing

Offered By: Jones-Chance ; Seconded By: Bettis; Approved: Yes – 6; No – 0; Absent – 3 (Donnelly, Schier, Hollifield)

Motion that the Planning Commission approve the Special Use Permit for an auto body and repair business at 20 Emerick with the following findings and conditions –

Findings: The application is substantially in compliance with §122-324(b).

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

Offered By: Davis Jr.; Seconded By : Simmons ; Approved: Yes – 6; No – 0; Absent – 3 (Donnelly, Schier, Hollifield)

Motion that the Planning Commission approve with conditions the Limited Site Plan Review for the site improvements and use of auto body / repair at 20 Emerick for the following reasons –

Findings – The application substantially complies with §122-311.

Conditions –

- 1. Applicant must provide trash storage plan.*
- 2. Applicant must provide a photometric / lighting plan.*
- 3. Applicant must provide wheel stops in parking spaces.*
- 4. Applicant must provide sidewalk or fee in lieu of sidewalk.*
- 5. The entire lot, excluding areas occupied by landscaping and building, must be hard-surfaced with concrete or plant-mixed bituminous material. Curbs of at least six inches in height must be installed around the perimeter of all surfaced areas. Drainage must be provided in accordance with §122-683.*
- 6. Drainage plan be provided for engineering review.*

Offered By: Smith; Seconded By : Davis Jr ; Approved: Yes – 6; No – 0; Absent – 3 (Donnelly, Schier, Hollifield)

VIII. OLD BUSINESS

IX. NEW BUSINESS

DPS Director Bonnie Wessler provided a capital improvements update.

X. FUTURE BUSINESS DISCUSSIONS/UPDATES:

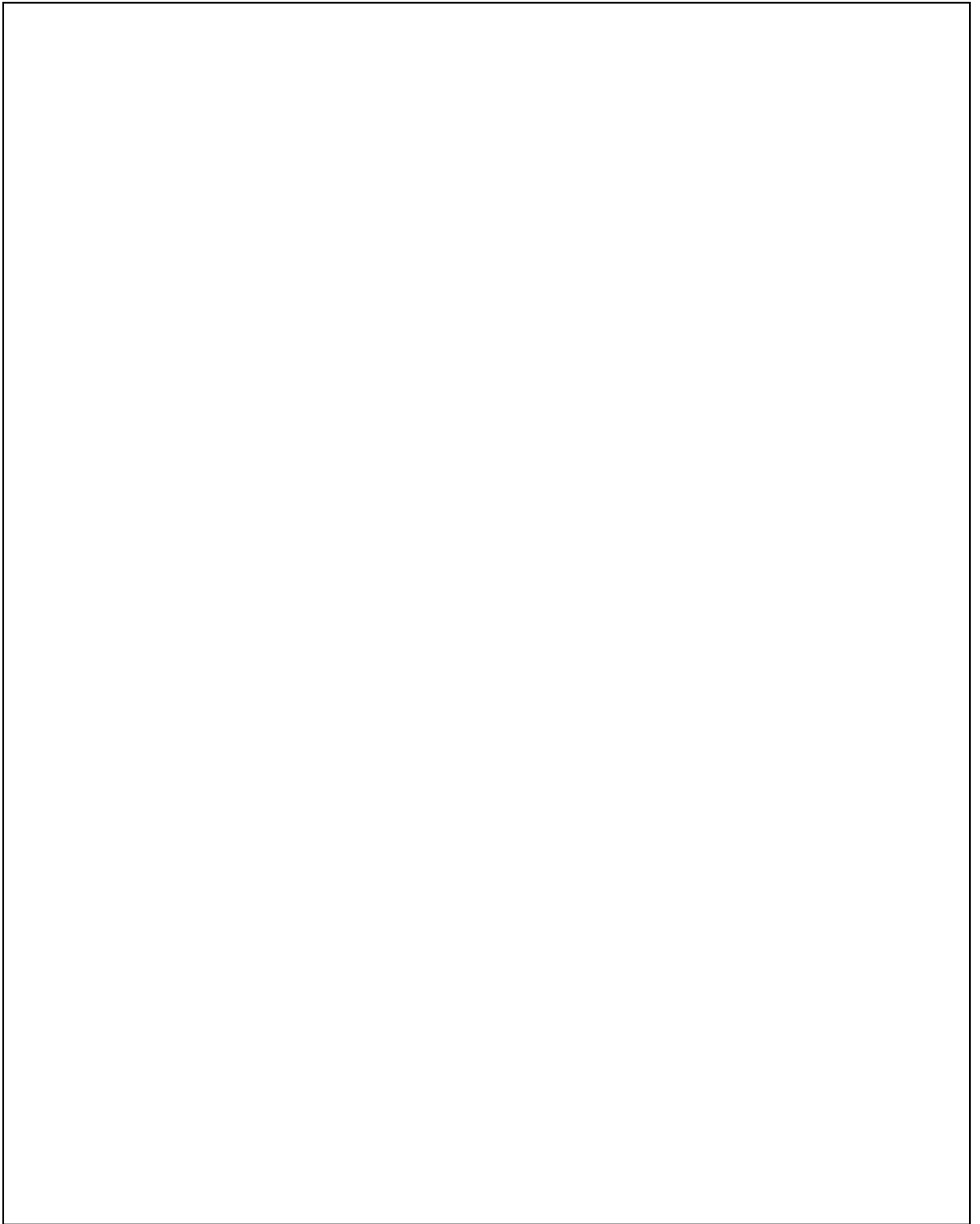
Commissioner Dunwoodie has had discussions and would like to dig deeper into multifamily housing and increasing density.

Commissioner Simmons would like to discuss the marijuana moratorium in fuller detail.

XI. ADJOURNMENT

Motion to adjourn at 8:01pm

Offered By: Davis Jr.; Seconded By : Jones-Chance ; Approved: Yes – 6; No – 0; Absent – 3 (Donnelly, Schier, Hollifield)





City of Ypsilanti

Community & Economic Development Department

July 6, 2023

**Staff Review | Right of Way Vacation Application
Troy Street**

GENERAL INFORMATION

Applicant: Robert Rumberger
715 E Forest Avenue
Ypsilanti, MI 48197

Application Date: July 6, 2023

Location: Troy Street

Zoning: R-1 Single Household

Action Requested: Right of Way Vacation

Staff Recommendation: Approval

PROJECT AND SITE DESCRIPTION

The owners of three properties – 715 E Forest, 829 E Forest, and 750 Holmes – have petitioned the City of Ypsilanti for the undeveloped, platted street known as Troy Street to be vacated. The applicant and fellow petitioners cite safety concerns, vandalism, and illegal dumping as cause for closing the public right-of-way. The petitioners ascertain that vacating Troy Street would solve the following specific problems listed verbatim from the application –

- The cul-de-sac in the back of the alley is being used as a dumping place, which is being pushed onto adjoining property and breaking the fence.
- My fence is being destroyed by being pushed when mowed. The poles are leaning and separating from the fencing itself.
- Tree line needs to be maintained, trimmed, cut down, etc.
- Vacating this parcel would also eliminate the confusion of who can use this parcel.
- Eliminate the frustration that has arisen from the parcel, the constant calls to Bonnie (DPS).
- Eliminate the use by troublemakers parking and such at the dead end.
- Would be cleaned up to eliminate vermin from nesting.

Right of Way Vacation Petition Review for Troy Street | July 6, 2023 1

- Hopefully stop dumping on the fence line.
- The adjoining residents would be able to use it without [issue].
- Such as the wasted time of the city police to respond to complaints.
- Utility companies would have easier time to access their property without having to be okayed by the current residents.
- Safety concerns are similar to previous statement.
- The property that adjoins my fence is not being maintained like it should, leaving it looking bad, while not allowing us to come on the other side purposely.
- The approach to this right-of-way is handy as a second means of attaining our property and now is not being in our ability to go onto said property.

The undeveloped street in question is located southeast of Charles Street (end), west of Twin Towers Street, and north of E Forest Avenue. The public way runs perpendicular to and connects to E Forest. It is approximately 50' by 632' and terminates at a boundary belonging to the property at 750 Holmes. There are four lots which adjoin Troy Street, two of which are detached from E Forest and require the street in question for access. These properties are addressed 703 Troy Street (adjacent to 713 E Forest) and 706 Troy Street (a City side lot with the Township address, 829 E Forest). Both parcels sit vacant with no permitted structures. All lots are currently zoned R-1.

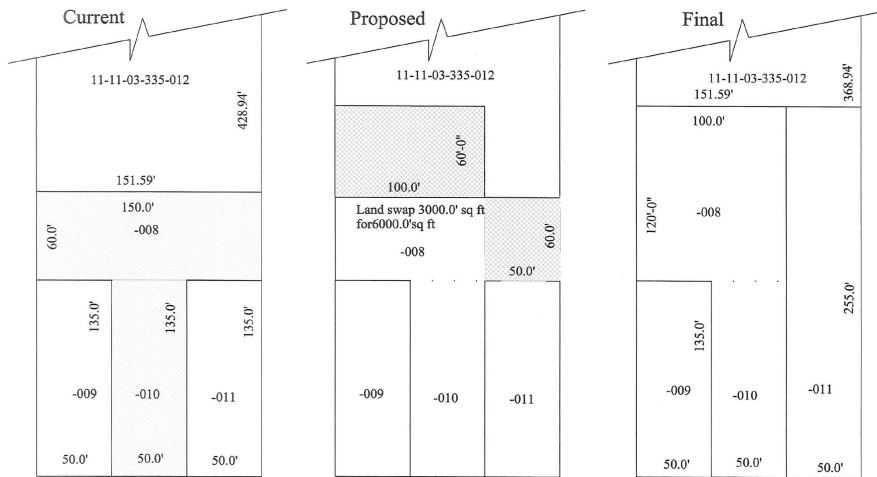
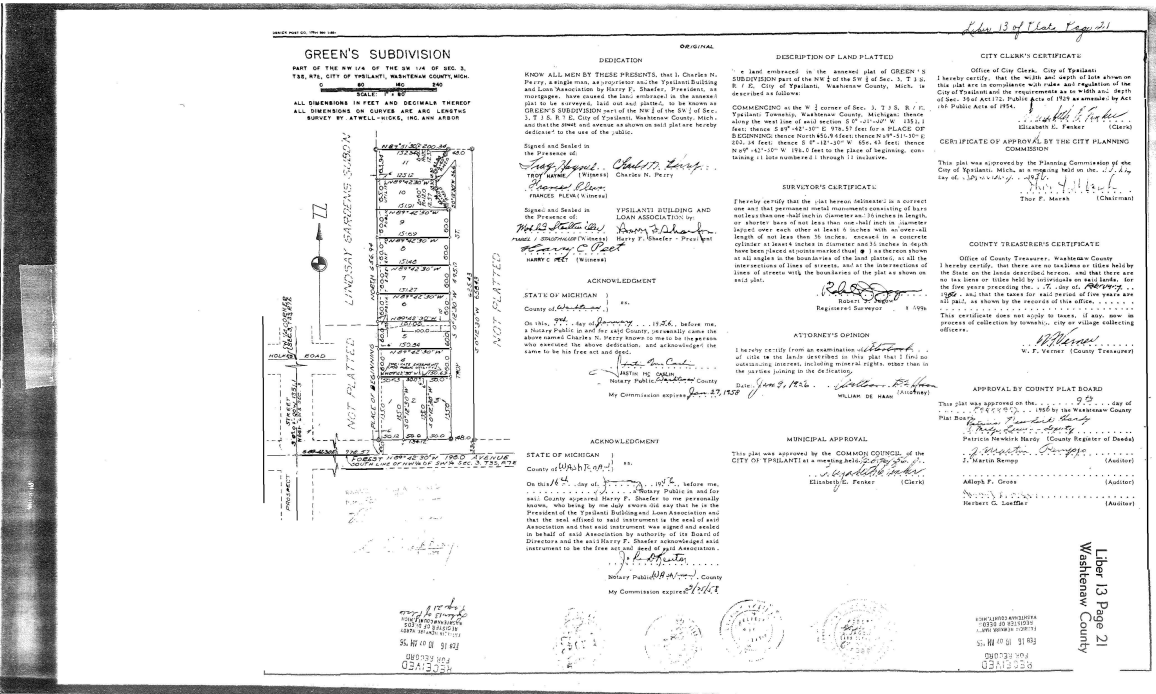
History

The parcel at 703 Troy Street was platted in 1958 to create Green's Subdivision. The street was at that time dedicated to use by the public.

Green's Subdivision underwent a property lot split / combination and description change in 2006 – 2007, resulting in the current arrangement (see Figure 1). Today, use of the Troy Street unimproved public right-of-way is permitted for access only to residential properties that share frontage along the street's boundaries.

If approved, the City will give up its ownership of the platted public street. The City will retain and reserve an easement for installation and maintenance of utilities within the entire former right-of-way unless such an easement, or any portion thereof, is specifically abandoned. Once the City has passed a resolution vacating its interest in the street, the applicant must pursue the matter in district court for a full vacation.

Figure 1 Historic Records for Green's Subdivision (1958 above, 2006 below).



This is a straight Land swap. 3000.0' sq ft from property owned by Chris Simmons & Robyn Speidel lot # 11-11-03-335-008 for 6000.0 sq ft owned by David McGill lot # 11-11-03-335-012 No fums will chang hands.

RECEIVED
NOV 06 2006
PLANNING & DEV. DEPT.
CITY OF YPSILANTI

Figure 2 Parcels and Troy Street Today Location

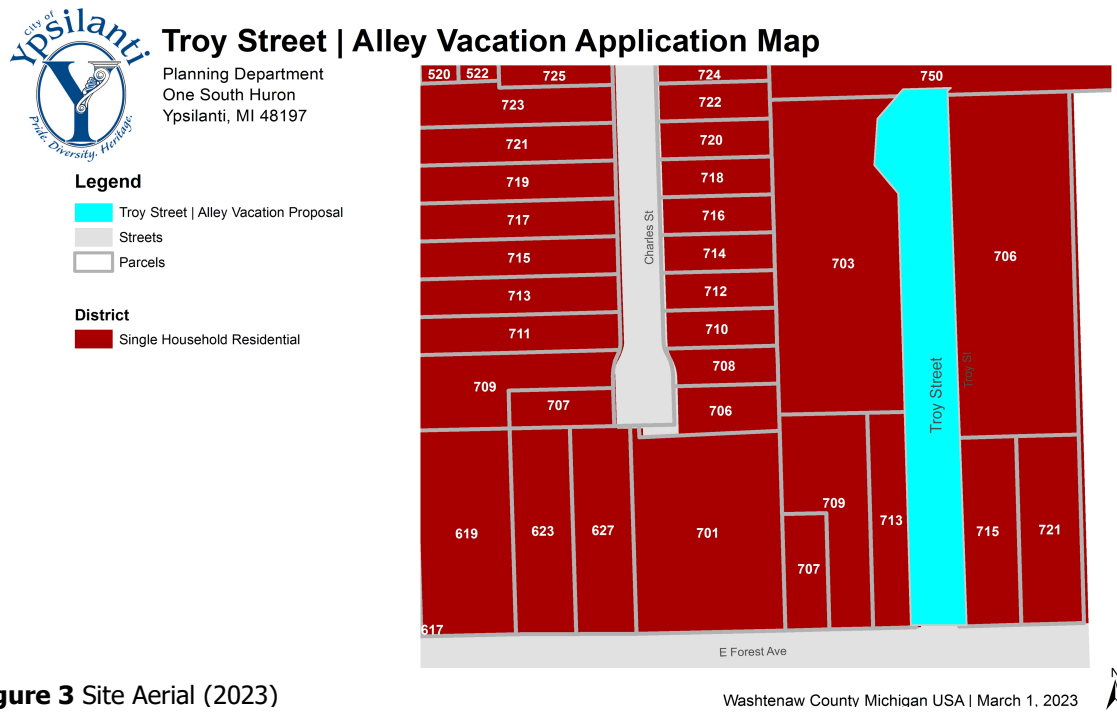
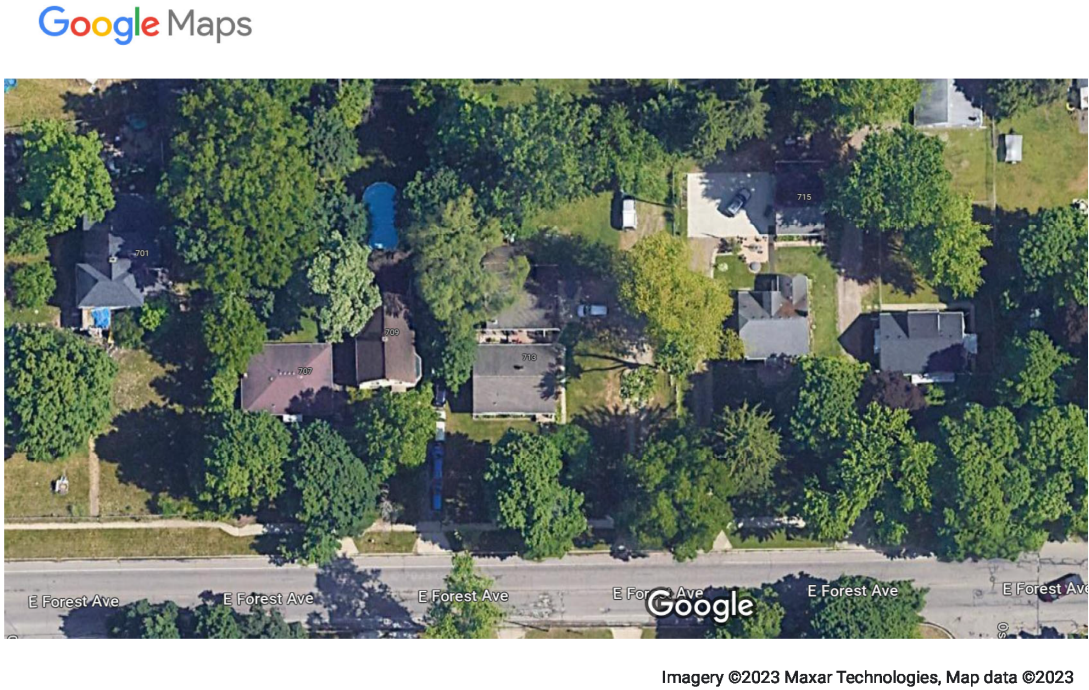


Figure 3 Site Aerial (2023)





Facing E Forest entrance behind City vehicle.

Figure 4 Current Photographs of Site

1. Entrance from E Forest Avenue.

Photos from staff site visit with Code Enforcement. City vehicle just entering Troy Street. City vehicle entering Troy from E Forest.

2. Parking.

Neighbors use of the ROW includes parking.

3. Fences and parking.

Undeveloped street and lot lines blurred by vegetative overgrowth.



View north of E Forest up Troy Street with truck parked.



Fencing and the ROW.



Felled trees.

4. **View towards end of Troy Street ROW (cul-de-sac).**
Land management and encroachment.
Mowing by residents.
5. **Cul-de-sac.**
Troy Street terminates at 750 Holmes property.
6. **Equipment storage.**
Also, access to the rear vacant lots on either side of Troy Street alley are currently only via this ROW.



End of the Troy Street ROW.



Inoperable equipment parts stored.

The process to vacate an alley, as prescribed by City Code, follows these simplified steps –

- (1) A motion of City Council, or a petition by the majority of owners abutting the alleyway, initiates the process.
- (2) Planning Commission holds a public hearing.
- (3) Planning Commission makes a recommendation to City Council.
- (4) City Council schedules a public hearing not less than four weeks thereafter to hear any objections.
- (5) City Council considers the request in open session and decides to vacate the alley, with or without modifications, or take no action.
- (6) If the decision is made to vacate the alley, City Council will pass a resolution to that effect.
- (7) The case will go on to Circuit Court, where the street closure will be decided against the Land Division Act, State Act 288 of 1967.

The ordinance further provides standards to be considered in any vacation of a public right-of-way. These five plus staff comments are as follows –

1. *Whether the right-of-way services a residential, single-family, multi-family or business area.*
Troy Street services a single-family residential area.
2. *Whether the vacation will create an undue burden on traffic.*
No undue burden to traffic is expected.
3. *Whether the vacation is necessary to prevent traffic from traveling through the neighborhood to destinations outside the neighborhood or other safety factors such as speed of traffic, frequency of use, the size and condition of the street or alley.*

According to the applicant, vacating this parcel would –

- Eliminate the confusion of who can use this parcel.
- Eliminate the use by troublemakers parking and such at the dead end.

4. *The wishes and desires of the majority of the neighborhood.*

The owners of three properties – 715 E Forest, 829 E Forest, and 750 Holmes – have petitioned the City of Ypsilanti for the undeveloped, platted street known as Troy Street to be vacated. The applicant and fellow petitioners cite safety concerns, vandalism, and illegal dumping as cause for closing the public right-of-way.

The owners of 713 E Forest also own the property at 703 Troy Street. They are not part of the petition and have expressed reservations about vacating the right-of-way.

Upon receipt of the recommendation of the Planning Commission, City Council will schedule a public hearing not less than four weeks thereafter to hear any objections.

Notice of the public hearing must also be given to all city departments and to all utilities servicing the City. After the public hearing, City Council may adopt the recommendation of the Planning Commission, adopt the recommendation with modifications, or arrive at a different decision from the decision of the Planning Commission. In the event of an objection to the vacation of a street or alley by any city department, utility, or adjoining property owner, such street or alley may not be vacated without two-thirds majority vote of City Council.

5. *The present and future interests of the city considering planning for the entire city.*
 - a. Vacating the right-of-way would transfer maintenance and ownership to the residents.
 - b. Eliminate conflicts among parcel owners.
 - c. Create a path for future development less constricted by the platted right-of-way.

Items to be addressed: 1) Public input regarding the right of way vacation.

UTILITY ACCESS

Per § 94-356; the city is to retain and reserve an easement for installation and maintenance of utilities within the entire former right-of-way unless such an easement, or any portion thereof, is specifically abandoned.

MASTER PLAN CONSIDERATIONS

The 2013 Shape Ypsilanti Master Plan does not address this alley specifically or other alleyways generally. The partial vacation of the alley would not alter the existing traditional form of the block nor alter traffic patterns.

Items to be Addressed: *None*

STAFF RECOMMENDATIONS

Staff recommends approval of the vacation of Troy Street to City Council with the following findings and conditions:

Findings –

1. The street closure will not alter existing traffic patterns.
2. The Troy Street right-of-way is already being maintained by the residents who share frontage of the street.
3. The vacation will eliminate the confusion of who can use this parcel.
4. The vacation will prevent the use by troublemakers parking and such at the dead end by removing public access.

Conditions (one of the following or a combination) –

1. The lots that rely on public access via Troy Street must be made whole with lots which may be legally accessed from E Forest, Holmes Street, or other qualifying access –
 - a. The property addressed 703 Troy Street (Parcel ID 11-11-03-335-015) combined with the property addressed 713 E Forest (11-11-03-335-011). Both properties share the same landowner.
 - b. The property addressed 706 Troy Street (Parcel ID 11-11-03-325-004) combined with the property addressed 829 E Forest (Parcel ID K-11-03-300-025). Both properties share the same landowner.
 - c. The properties are sold and combined with adjacent parcels that may be legally accessed from E Forest or Holmes Street, or any other qualifying combination.

-OR-

2. The parties maintain private access easements to said parcels on Troy Street.

Holli R. Andrews, MCPD

City Planner

Community & Economic Development Division

CC File
 Applicant
 Petitioners
 Bonnie Wessler, DPS



**City of Ypsilanti
Planning & Development Department**

One South Huron • Ypsilanti, MI 48197
Phone: (734) 483-9646 • Fax: (734) 483-7260
www.cityofypsilanti.com

31770
visa

**Non-Refundable Fee:
\$1,500**

RIGHT OF WAY VACATION APPLICATION

Petition Circulated By

Name ROBERT RUMBERGER		
Address 715 E. FOREST AVE		
City YPSILANTI	State MI	Zip 48198
Phone 734-645-5814	Fax	
E-mail 95GT@COMCAST.NET		
Signature Robert Rumberger		Date 6/19/23

To the Honorable City Council of the City of Ypsilanti, Michigan:

We, the undersigned, being persons having an interest in property abutting on the public right-of-way, more particularly described as: *(insert description of right-of-way in question)*

TROY STREET

do hereby respectfully petition the City Council to vacate said public-right-of-way, pursuant to the authority given to you by the City Charter. We, the undersigned, believe that the public would benefit from this action for the following reason(s):

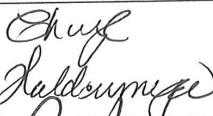
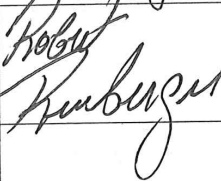
GENERATE TAXES ON PROPERTY

On a separate sheet, please provide any additional information or relevant details.

- ☒ PETITION attached
- ☒ SKETCH attached

Petition to Vacate the Alley at:

Petition summary and background	TROY STREET
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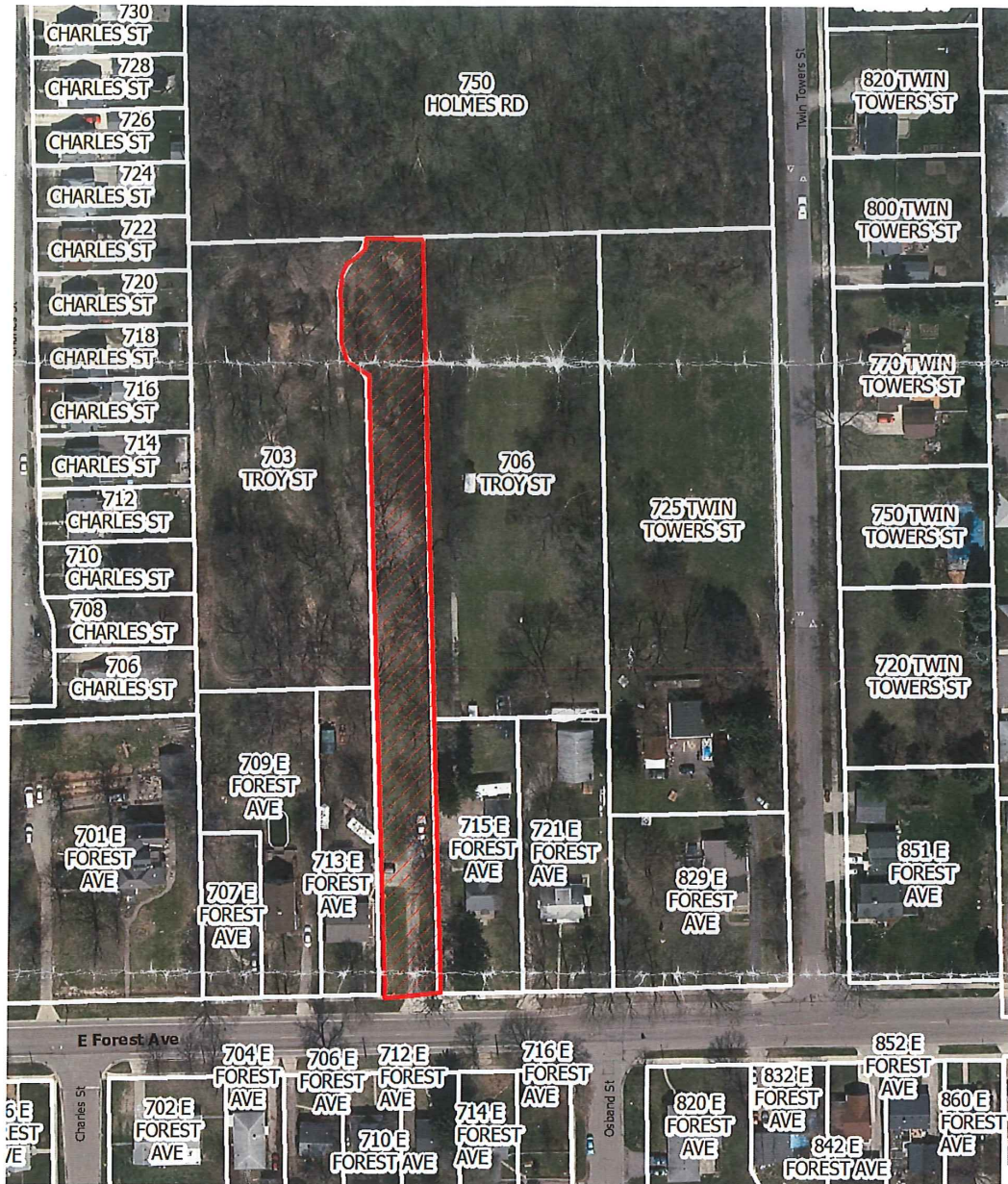
Printed Name	Signature	Address	Comment	Date
Terry Swberry		829 E Forest Ypsi MI		5/23/23
Cheryl Waldenmyer		750 Holmes Ypsilanti, MI 48198		5/19/23
ROBERT RUMBERGER		715 E. FOREST AVE YPSILANTI, MI 48198		6/19/23

*****FOR OFFICE USE ONLY*****

Date 6/20/23	Amount \$1,500	Cash	Check
Account: 101-4-7210-607-01		Code: 178 Rezone	
Description of deposit: CC Visa			
31770			
Visa			
Date: 6/20/23	Amount: \$1,500	Account: 101-4-7210-607-01	
Cash		Code: 178 Rezone	
Check payable to City of Ypsilanti		Signature of person receiving deposit:	
Credit (+ \$45 surcharge)			
Description of deposit:			

Sketch of Right-of-Way Location:

(GOOGLE MAPS PRINTOUTS ARE ACCEPTABLE)



- THE VACATIONING OF THIS PARCEL WOULD ALSO ELIMINATE THE CONFUSION OF WHO CAN USE THIS PARCEL.
- ELIMINATE THE FRUSTRATION THAT HAS ARISEN FROM THIS PARCEL, THE CONSTANT CALLS TO BONNIE.
- ELIMINATE THE USE BY TROUBLE MAILERS PARKING AND SUCH AT THE DEAD END
- WOULD BE CLEANED UP TO ELIMINATE VERMIN FROM NESTING IN THE MESS THE CURRENT OCCUPIERS HAVE DUMPED ON THE PARCEL LINE. SHOULD BE CLEANED UP BY THEM BEFORE IT IS VACATED. (OCCUPANTS)
- HOPEFULLY STOP THE DUMPING ON THE FENCE LINE FROM THE PRESENT OCCUPANTS
- THE ADJOINING RESIDENTS WOULD BE ABLE TO USE IT WITHOUT HARASSMENT.
- SUCH AS THE WASTED TIME OF THE CITY POLICE TO RESPOND TO COMPLAINTS

- UTILITIES COMPANIES WOULD HAVE EASIER TIME TO ACCESS THEIR PROPERTY WITHOUT HAVING TO BE "O'RAYED" BY THE CURRENT RESIDENTS. ON A CONTINUOUS BASIS, CURRENTS PUT UP A BARRIER TO PREVENT SOME ACCESS
- SAFETY CONCERNS ARE SIMILAR TO PREVIOUS STATEMENT AS THAT DTE COULD COME TO CHECK WHEN POWER GOES OUT, NOW THEY HAVE TO WAIT FOR IT TO BE CLEARED OUT, ASSUMING THAT THEY ARE HOME.
- THE PROPERTY THAT ADJAINS MY FENCE IS NOT BEING MAINTAINED LIKE IT SHOULD, LEAVING IT LOOKING BAD, WHILE NOT ALLOWING US TO ~~TA~~COME ON THE OTHER SIDE PURPOSELY.
- THE APPROACH TO THIS RIGHT-OF-WAY IS HANDY AS A SECOND MEANS OF ATTAINING OUR PROPERTY AND NOW IS NOT BEING IN OUR ABILITY TO GO ONTO SAID PROPERTY WITHOUT HARASSMENT.

- CUL-DE-SAC IN THE BACK OF AVEY IS ALSO BEING USED AS A DUMPING PLACE, ANOVS BEING DISSEPERATED ONTO ADJOINING PROPERTY, THEREFORE BREAKING THE FENCE,
- MY FENCE IS BEING DESTROYED BY BEING PUSHED WHEN BEING MOWED, THE POLES ARE LEANING AND SEPARATING FROM THE FENCING ITSELF
- TREE LINE NEEDS TO BE MAINTAINED, TRIMMED, CUT DOWN ETC.