

**Action Minutes
Planning Commission
Wednesday, March 16, 2022 – 7:00 P.M.**

**City Hall- Council Chambers
1 S Huron St, Ypsilanti, MI 48197**

I. Call to Order

II. Roll Call

Matt Dunwoodie, Chair	P
Michael Simmons, Vice-Chair	P
Marc Arthur	P
Eric Bettis	P
Mike Davis Jr.	P
Jessica Donnelly	P
Phil Hollifield	P
Carl Schier	P

Motion to approve the Agenda.

Offered By: Donnelly; Seconded By: Hollifield

Approved: Yes – 8; No – 0

III. Approval of Minutes

- February 2022 Meeting
 - Motion to approve the February 2022 meeting minutes.
 - Offered By: Davis Jr; Seconded By: Bettis**
 - Approved: Yes – 8; No – 0**

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 audience participation.

Offered By: Bettis; Seconded By: Hollifield

Approved: Yes – 8; No – 0

Motion to close audience participation.

Offered By: Donnelly; Seconded By: Davis Jr

Approved: Yes – 8; No – 0

V. Committee Reports

- Non-motorized Advisory Committee
 - 2021 Annual Report
 - March Meeting Minutes

VI. Presentations and Public Hearing Items

- Special Use Permit and Site Plan Review: Marijuana Growing/Processing Facility and Safety Compliance Facility at 12 E Forest Ave
 - *Public Hearing*

Motion to open the public hearing.

Offered By: Hollifield; Seconded By: Donnelly

Approved: Yes – 8; No – 0

Motion to close the public hearing.

Offered By: Donnelly; Seconded By: Bettis

Approved: Yes – 8; No – 0

Motion to approve the Special Use Permit for marijuana growing/processing and marijuana safety compliance uses at 12 E Forest Ave with the following findings and conditions:

Finding:

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

Conditions:

1. Special use approval shall be subject to approval of site plan.
2. Different marijuana uses shall be separated into separate suites and shall comply with MRTMA and MRA's administrative rules.
3. Odors shall not cross the site's property lines.

Offered By: Donnelly; Seconded By: Hollifield

Approved: Yes – 7; No – 1 (Schier)

Motion to approve the Site Plan for 12 E Forest Ave with the following findings, waivers, and conditions:

Findings:

1. The site plans substantially comply with §122-311 and the zoning ordinance.
2. The approval of the site plans does not constitute MDOT approval to encroach within the rail right-of-way.

Waivers:

1. Due to the natural slopes and the thick brush, Planning Commission waives the screening requirement of 122-634 for the northern half of the site where the steep slopes are located, in accordance with 122-641.

Conditions:

1. Applicant shall ensure no downspouts or drainage flow onto the Forest Ave sidewalk.
2. Applicant shall replace and extend fencing that includes a locked access gate from the northeast corner of the building to the northeast property line in accordance with the Historic District Commission requirements.
3. Site plans shall undergo detailed engineering review.
4. Applicant shall obtain MDOT approval for permission to encroach into MDOT rail right-of-way for site improvements including but not limited to parking lot, fencing or screening, and landscaping. If permission is not granted, in part or in whole, then applicant shall resubmit a new site plan for Planning Commission review.
5. Applicant shall obtain easement holders' permission for work within easement as presented in the site plans, or applicant and easement holders shall agree upon and record a revised easement that widens the extent of the easement for continued access to 609 and 611 Norris.
6. Applicant shall detail site's trash/refuse plan.

7. Applicant shall confirm lighting fixtures are dark sky compliant.
8. Applicant install sidewalk along full frontage of Norris St, and provide crosswalk across Norris St to connect to the rest of the sidewalks in the area.
9. Truck turning details or template shall be provided on site plans.
10. Landscaping near curb-cut shall not affect required traffic visibility requirements in §122-675.
11. Wheel stops or curbing shall be provided to prevent vehicles from encroaching into the private sidewalk.
12. Applicant shall designate the 7 parking spaces against the private sidewalk near the building (east side of northern portion of lot) as small car parking spaces.
13. Applicant provide a solid concrete or masonry wall 6' in height be added to screen the loading space at the southeast portion of building.
14. Applicant shall provide fencing or 80% opaque landscaping screen along the entirety of the western property line.
15. Applicant shall provide 13 street trees, or provide fee-in-lieu.
16. Landscape plan's species list shall be approved administratively to ensure no plantings are invasive species and are hardy to Washtenaw County.

Offered By: Donnelly; Seconded By: Hollifield
Approved: Yes – 6; No – 2 (Hollifield, Schier)

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

Motion to open the public hearing.

Offered By: Donnelly; Seconded By: Hollifield
Approved: Yes – 8; No – 0

Motion to close the public hearing.

Offered By: Hollifield; Seconded By: Donnelly
Approved: Yes – 8; No – 0

Motion to approve the denial of the Special Use Permit expansion for the Patient Station at 539 S Huron with the following findings:

1. Curbside service was approved as a temporary use in September 2021 and December 2021; renewing such temporary use is not within the intent of the Zoning Ordinance Section 122-335.
2. The continuance of the special land use in this manner presents unreasonable adverse impacts on the transportation system per Section 122-324(b)(4) and poses safety issues with backups onto S Huron St.

Offered By: Davis Jr; Seconded By: Bettis
Approved: Yes – 6; No – 2 (Hollifield, Simmons)

Motion to approve the denial of the amended site plan for the Patient Station at 539 S Huron with the following findings:

1. The curbside area is beyond temporary, and application's corresponding special use permit application is not consistent with the intent of the Zoning Ordinance Section 122-335.
2. The application does not substantially comply with §122-311.
3. The size of the curbside service may provide issues for access to the parking spaces, including the barrier-free space.

Offered By: Davis Jr; Seconded By: Bettis
Approved: Yes – 6; No – 2 (Hollifield, Simmons)

VII. Old Business

VIII. New Business

- Huron River Drive Reconstruction Plan
- Capital Improvement Plan 2022 Draft

RESOLVED BY THE PLANNING COMMISSION:

WHEREAS, the Charter of the City of Ypsilanti requires that Council adopt a Capital Improvements program on an annual basis; and

WHEREAS, the Planning Enabling Act requires that Council adopt a Capital Improvements program on an annual basis after Planning Commission review; and

WHEREAS, this Commission has duly completed its review; and

NOW THEREFORE BE IT RESOLVED THAT the Planning Commission hereby recommends that the City Council adopt the Capital Improvement Plan for FY2022/2023 through FY2028/2029.

Offered By: Simmons; Seconded By: Donnelly

Approved: Yes – 8; No – 0

IX. Future Business Discussion / Updates

X. Adjournment

Motion to adjourn.

Offered By: Donnelly; Seconded By: Arthur

Approved: Yes – 8; No – 0