

CITY OF YPSILANTI
Non-Motorized Transportation
Master Plan

Appendix VIII
Documentation of Adoption Process



November 6, 2009

SAMPLE CONTACT

RE: Notice of Intent to Plan – Non-Motorized Transportation Plan

To Whom It May Concern:

This is to notify you that the City of Ypsilanti Planning Commission is undertaking an amendment of its Master Plan. This amendment is the addition of a non-motorized transportation element.

In accordance with the Michigan Planning Enabling Act (P.A. 33 of 2008), the proposed amendments will be provided to public utility companies, railroad companies, adjoining governmental jurisdictions, local transportation authorities, and other agencies that may have an interest in this amendment, such as your agency. We anticipate providing the proposed amendments by mid-December, 2009, for your review and comments. If comments are made, they must be sent to:

City of Ypsilanti Planning Commission
1 S. Huron
Ypsilanti, MI 48197

You may also contact me at 734-483-9646 or at wesslerb@cityofypsilanti.com for additional information.

Sincerely,

Bonnie Wessler
City of Ypsilanti Planning and Development Department



Resolution No. 2009 -273
December 15, 2009

RESOLVED BY THE COUNCIL OF THE CITY OF YPSILANTI:

WHEREAS, preparation of a non-motorized transportation plan was identified as a high priority by the City's 2008 Parks and Recreation Master Plan, and is an important aspect of Ypsilanti's overall transportation system; and

WHEREAS, the Planning Department has prepared a Draft Non-Motorized Transportation Plan addressing both policy and infrastructure recommendations; and

WHEREAS, a broad range of community members were included in the preparation of the plan; and

WHEREAS, the State of Michigan Municipal Planning Act requires sharing and distribution of draft Master Plans and sub-plans to surrounding communities for review and comment; and

WHEREAS, the Municipal Planning Act requires the legislative body to authorize such distribution to surrounding communities;

NOW, THEREFORE BE IT RESOLVED THAT City Council authorizes the distribution of the draft Non-Motorized Transportation Plan to adjacent communities and utilities for review and comment.

OFFERED BY: _____ Council Member Bodary

SUPPORTED BY: _____ Council Member Nickels

YES: 7 NO: 0 ABSENT: 0 VOTE: Carried

I do hereby certify that the above resolution is a true and correct copy of Resolution 2009-273 as passed by the Ypsilanti City Council, at their Meeting held on December 15, 2009.



Frances McMullan, City Clerk

December 22, 2009

«agency»

Attn: «contact»

«add1»

«city», «state» «zip»

RE: Notice of Draft Master Plan Amendment Available for Comment – Non-Motorized Transportation Plan

To Whom It May Concern:

This is to notify you that the City of Ypsilanti Planning Commission has a draft amendment of its Master Plan. This amendment is the addition of a non-motorized transportation element, and is available in PDF at http://cityofypsilanti.com/services/administration_services/planning_and_development/non_motor_plan/index.html. Enclosed is a copy of the plan. Appendices can be found at the above website as they become available.

In accordance with the Michigan Planning Enabling Act (P.A. 33 of 2008), we are providing your agency with a copy of this proposed amendment. We are also providing access via internet to public utility companies, railroad companies, adjoining governmental jurisdictions, local transportation authorities, and other agencies that may have an interest in this amendment.

We would appreciate your review and comments. Agency comments must be made in writing by March 5, 2010. A public hearing will be held on March 17, 2010, at 7 p.m. in Council Chambers. If agency comments are made, they must be sent to:

City of Ypsilanti Planning Commission
1 S. Huron
Ypsilanti, MI 48197

You may also contact me at 734-483-9646 or at wesslerb@cityofypsilanti.com for additional information.

Sincerely,

Bonnie Wessler
City of Ypsilanti Planning and Development Department

**PLANNING COMMISSION
MEETING MINUTES
MARCH 17, 2010
CITY COUNCIL CHAMBER
7:00 P.M.**

I. CALL TO ORDER

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

II. ROLL CALL

Present: R. Johnson, G. Clark, B. McClemens, B. Lenart, D. Lautenbach,
M. Bullard, C. Zuellig, K. Smith

Staff: Teresa Gillotti, City Planner, John Jackson, McKenna Associates
Nan Schuette, Executive Secretary

III. APPROVAL OF MINUTES – FEBRUARY 17, 2010

Commissioner Lautenbach moved to approve the minutes of February 17, 2010 with correction as noted on page 2, last paragraph (Support: B. Lenart) and the motion carried unanimously.

IV. AUDIENCE PARTICIPATION

Ed Penet, 108 N. Huron – stated that he is the Chair of the Building Sub-Committee of the Friends of the Freighthouse. He was speaking on behalf of the motion being considered on the Freighthouse Phase II - west deck, and other aspects of the Phase II renovation and preservation of the freighthouse. The parking issue is critical to the success of the freighthouse and they cannot afford to lose twelve spaces. They have been working with the farmers to accommodate them for the Farmer’s Market and have looked at several other options to expand the Frog Island area parking, as well as working with Norfolk Southern to acquire property close to the tracks. They also feel that the plaza could be changed to accommodate some parking spaces. He asked that the board approve the site plan before them.

Natalie Edmunds, 1303 Westmoorland – they have tried to make people in the community aware of what has been happening with the freighthouse seeking input at various meetings that have been held at the Senior Center. They have appeared before the HDC, Depot Town DDA and the City of Ypsilanti discussing the project. They have tried to be very transparent and

the plans have been available for review by anyone that was interested. If this item is delayed, they are concerned about having to return some of the grant money. She is asking for the support of the board.

Ron Rupert, 421 N. Huron – stated that the west deck is original to the design and integrity of the original building.

Gary McKeever, property owner in Depot Town – while he is supportive of having the freight house be used again for functions, he is concerned about the loss of parking by adding the deck and the effect it could have on businesses in Depot Town.

V. PUBLIC HEARING ITEMS AND PRESENTATIONS

1. Open Meetings Act

John Barr, City Attorney, stated that in October of 2009, City Council adopted a resolution to have open, transparent and accessible decision making subject to the Open Meetings Act. His appearance at this meeting is to discuss the Open Meetings Act and the Freedom of Information Act detailing the responsibility of all public boards and commissions and how meetings should be conducted.

Mr. Barr distributed a copy of the City Council resolution as well as an outline of some of the pertinent points of both Acts for members to peruse at their liberty, while also discussing some of the points in more detail. He also responded to some questions and clarifications to board members on how sub-committees should be conducted.

2. Upcoming East Cross Street Construction Project

Teresa Gillotti, City Planner, gave some back ground information on this project adding that meetings had been held with Neighborhood Associations indicating various options that had been put together by our consulting engineer, Kent Early, Orchard Hiltz & McCliment, Inc. for work on East Cross between River and Prospect Streets, copy of which was enclosed in the commissioners' packets.

Presentation was made by Kent Early, our consulting engineer for Orchard, Hiltz & McCliment, Inc. At the Historic East Side Neighborhood Association, he was asked by Councilmembers Robb and Murdock, to come to this meeting to present the number of alternatives. He prepared alternatives that were eligible for federal funding and some that were not. He reviewed the drawing noting the existing road which includes two travelling lanes, one eastbound and one westbound and a 10ft parallel parking lane. He then reviewed the three options; Option 1 – parking one side with no bike lane, Option 2 – no parking lanes with bike lanes on both sides and Option 3 - parking one side w/one shared bike lane. On Option 3, at least 5ft of it is eligible for federal funds and the majority favored this option.

There were a number of questions by the commissioners on how shared parking with bikes would work with responses in detail by Mr. Early. The question of signage came up and Mr. Early responded that signage would be required and is mandated by the State, which follows federal guidelines. Commissioner Lenart stated that Option 3 is a good balance of non-

motorized and vehicular traffic and maximizes available funding. Commissioner Lenart also added that narrower travel lanes will slow down traffic, improving safety in the area. Commissioner Clark concurred with Lenart, also adding that parking is an issue for the residents in that area as well during the festival periods. Chairman Johnson also preferred Option 3 because that neighborhood is most generally affected and they expressed their need for parking. He would also encourage the City to go forward with extra signage for visibility, etc.

3. Non-Motorized Plan Adoption

Bonnie Wessler, Planning Assistant, stated that the Planning Department started researching engaging stakeholders in March 2008 and held a public meeting in July 2009. City Council approved the plan for public distribution in December 2009. Comments from other jurisdictions and agencies were gathered and their input has been incorporated in the latest draft.

Ms. Wessler stated that this is a policy document, identifying the means to accomplish lasting improvements to the non-motorized system and assumes that it will be updated as part of the master plan process approximately every five years. It is not a law or an ordinance, although it contains recommendations for those. She reviewed all the various chapters which included demographic factors, social factors, development process and guide for future use. It also includes specific objectives and strategies, administrative objectives, such as zoning changes regarding parking, construction standards update for sidewalks as well as changes to zoning code regarding landscaping to ensure visibility. It includes funding options and agencies involved in achieving the various objectives. Commissioner Zuellig asked how this plan addresses higher levels of snow removal to which Ms. Wessler responded that this is spelled out in the Maintenance Chapter adding that it is basically a two-prong approach indicating that the regulations and expectations are very clear and consistent so that all business districts have the same threshold and is backed up by enforcement.

Commissioner Lenart moved to open the public portion of the hearing (Support: G. Clark) and the motion carried unanimously.

Andrew Clayton, local resident – commented on bike lanes - would prefer Option 1 adding that he is concerned about safety issues. He is a bicyclist and Option 3 indicates that they would be riding against traffic, which he feels is dangerous.

Kris Cuhran, 11 S. Normal – read the report on-line. Very thorough, all action plans are great and very important. She is part of the mid-town Association and feels this is important for her community. Plan is fantastic. She works with seniors and feels this is important for people to get around the downtown area as well as people with physical disabilities.

Tom Tiplady, 213 E. Cross – has lived there 20 years and seen many cars hit going down the hill in the winter because they were unable to stop. Anything to impede traffic going up and down the hill is ill-advised. While he is in favor of bicycles, he referred to Europe where they tend to plan bicycle routes through areas with less traffic and suggested that this might be something the City could consider.

Commissioner Clark moved to close the public portion of the hearing (Support: B. McClemens) and the motion carried unanimously.

Commissioner Lenart moved to approve the City of Ypsilanti Non-motorized Master Plan and hereby incorporate it into the City Master Plan as defined by the Michigan Planning Enabling Act (Support: C. Zuellig). A roll call vote was taken and carried unanimously.

4. Zoning Ordinance Text Amendment – Massage Therapy

Staff presentation was made by John Jackson, Consultant, who stated that a request had been received from Swisher Commercial to modify the current zoning requirements to allow massage practitioners in the B-3 Business District.

Staff considered the applicant's request and considered it in a broader approach. The current ordinance regulates two different types of massage operations. One is defined as a massage practitioner and the other is defined as a massage parlor or massage establishment. Massage practitioner operations are permitted as a special use in RO, B1, B2, B4 and WS districts. Massage parlors/establishments are defined as an adult regulated use and only permitted in the M1 district as a special use. The primary difference being, a massage practitioner is certified by a professional organization and/or meets the requirements of a professional requirement and massage parlors/establishments are subject to spacing requirements of adult regulated uses – no closer than 1,000 ft from another adult regulated use or no closer than 500 ft to a residential district, school or place of worship.

Recently, the state passed a law, the Massage Therapy Licensing act (PA 471 of 2008) that requires massage therapists to be licensed in the State of Michigan. It would require specific training and certification and is similar to many other services, i.e. medical or dental. Staff is recommending a change to the ordinance adding massage therapy as a similar use in the RO, B1, B2, B4 and WS districts as well as a principal or accessory use in the B-3 District as requested by the applicant.

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

Tony Caprarese, Swisher Commercial - was in attendance on behalf of his client and asked the board to consider approval of the request.

Commissioner Lautenbach moved to close the public portion of the hearing (Support: B. McClemens) and the motion carried unanimously.

After some discussion by board members and the consultant, Commissioner Lenart moved that the Planning Commission recommend approval to City Council of the zoning changes as presented around the establishment of defining massage parlors and massage establishments as well as massage therapists pursuant with changes based on the Massage Therapy License Act, PA 471 of 2008 as amended, based on the following findings:

1. Massage therapists licensed under the Massage Therapy Licensing Act represent a legitimate commercial service to the community.
2. Licensed massage therapist operations are similar in nature to medical or dental offices/clinics.

3. Expanding the list of permitted uses will contribute to the vitality of the City's commercial districts.
4. Continuing to regulate non-licensed massage parlors/establishments as adult regulated uses will protect the welfare of the residents of Ypsilanti.
5. Differentiating between licensed massage therapists and non-licensed massage therapists is a practice accepted and applied by other communities in Southeast Michigan.

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

VI. OLD BUSINESS

None

VII. NEW BUSINESS

1. Site Plan Review – 103 N. Adams

John Jackson, Consultant, stated that the existing property was formerly used as a multi-unit building but was converted to a single unit in the early 2000s. The current owner wishes to convert the building back to a multi-unit building with five units. Multi-unit buildings are permitted in the RO district subject to site plan review and approval by the Planning Commission. On site layout, the site plan illustrates that the site has sufficient area for the proposed units, three one-bedroom units and two studio units.

The site plans correctly indicate the number of seven parking spaces required. Parking lots must contain bumper blocks or curbs.

Staff has requested a landscape plan indicating that the existing landscaping meets the following minimum requirements:

- a. A six foot screen wall/fence/landscape screen where the parking abuts the adjacent property.
- b. 30" hedge where the parking is visible from a public road.
- c. Foundation landscaping consisting of one ornamental tree and six shrubs for every 30 ft (56 ft along N. Adams and 48 ft along Pearl) for a total of two ornamental trees and 12 shrubs per street side.

On Engineering, the City's engineering consultant has done a preliminary review and indicated that the proposed concept is acceptable but a final review will be required prior to the issuance of any building permits.

Staff recommended the site plan for approval subject to any conditions.

Stewart Beal, owner of the property – stated that this property is downtown, across from the bus station and yet he is required to add six parking spaces in what it is considered a walking/bicycling community. HDC recommended that most of the parking be behind the

garage instead of in front, to which Mr. Beal has agreed. After completion, they will have two spaces in front of the garage and five in the back as required. The garage area is rented out for storage and cannot be used to calculate the required parking.

All landscaping requirements will be completed as requested and the plan submitted to the City Engineer.

Commissioner Lenart moved to approve the site plan for 103 N. Adams subject to the following conditions:

1. The applicant provides a complete landscape plan for administrative/city engineer review that meets the ordinance requirements identified above.

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

2. Site Plan Review – Freighthouse Phase II – West Deck

The City Planner, Teresa Gillotti, gave some background information stating that the City had received a grant of \$500,000 for reconstruction. This has been approved by SHPO and the HDC. Since Phase I came in under bid by \$230,000, the State agreed to allow the City to re-bid the remaining amount of the grant as a separate project. The project involves the addition of a platform on the north and west sides of the building.

John Jackson, Consultant, added that staff has reviewed the site plan based on the development standards of the City's Zoning Ordinance and the guidelines established by the City's Comprehensive Plan and offered his comments regarding the Use, Site Layout, Parking and Landscaping. It was his opinion that the use is consistent with what the City would want in this area. On Site Layout, the existing building meets the required setbacks as well as the expansion. On the parking, the freighthouse is surrounded by public parking lots to the west of Rice Street and to the east of the railroad tracks. There is also parking on the site to the south of the building. There are several plans for expanding these parking areas and the City is in the process of studying the supply and demand for parking in this area to ensure that there is sufficient parking to meet the needs of the uses in this area. On landscaping, there is a public plaza in the front yard of the existing freighthouse that exceeds the landscape requirements for parking lot and foundation landscaping.

Mr. Jackson stated that the submitted site plan complies with most of the requirements of the Zoning Ordinance and recommended approval subject to any conditions.

Many questions were posed to the consultant by board members on parking. It was also reiterated that the common goal is to resolve parking issues since it is to the mutual benefit of both businesses and the FOFY to come to an understanding to resolve any differences.

Ed Penet, 108 N. Huron - Chair of the Sub-Committee for FOYF stated that it is his opinion that B3 would be appropriate. The intended use of the freighthouse is a community center for social events, political events and educational events. They also plan to have a small café that could be used when the rail service comes to fruition.

Ron Rupert, 421 N. Huron – is a board member of the HDC and FOYF. He noted that the parking lots to the east of the tracks (city owned) are empty constantly. The lot to the west of the building is seldom used except for market days on Saturdays. There is also a lot of parking at Frog Island; therefore, with the availability of these three lots, it would give them enough capacity to cover all events.

After further discussion and input by board members, Commissioner Lenart moved to approve the site plan for the Ypsilanti Freighthouse as designed with the following:

Findings:

1. The current work will not increase the occupancy of the structure
2. That the proposed plan meets all zoning requirements as indicated by staff
3. That it meets all ordinance requirements as indicated by staff

Condition:

1. An amended site plan be provided that indicates the proposed plan for traffic and the provision of any parallel parking as appropriate subject to review by City Staff and City Engineer

Recommendation:

The applicant receive some formal communication from the Ypsilanti DDA to forward to the City of Ypsilanti for consideration and submitting this grant and that they explore the rezoning of this property to B3 or perhaps it could be incorporated into an upcoming zoning matrix that might already be undertaken.

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

3. Zoning Map – Discussion of changes prior to adoption

Bonnie Wessler, Planning Assistant, stated that the current zoning map is in Photoshop format and is difficult to use and not useful for any kind of analysis. The goal is to make this into a GIS format that is easy to use, both for general reference and analysis. The GIS zoning map project has been started several times and advanced to the 90% completion point, therefore, staff can start at this point with the data-checking process. Ms. Wessler is asking for formal approval to go ahead with this process, hold a public hearing at the April Planning Commission meeting to obtain feedback, make any necessary changes to recommend adoption to City Council in May, and hopefully adoption by Council at the May meeting.

Commissioner Lenart moved to put this item on the April Planning Commission Agenda (Support: C. Zuellig) and carried unanimously.

VIII. FUTURE BUSINESS

1. April Agenda: 417-421 Emmet Site Plan and Special Use Public Hearing; zoning map update public hearing, sign ordinance revision discussion.
2. Commissioner Zuellig stated that she had attended a WATS where it was revealed that there is a traffic study by EMU on potential improvements at Oakwood/Washtenaw – some roundabouts down at the parking structure and the top of the hill - and in addition, it is her understanding that one of the recommendations was to close Oakwood from Washtenaw to Cross. Ms. Zuellig added that this is a concern for her and wanted the City to be aware.

IX. ADJOURNMENT

Since there was no further business, Commissioner Lautenbach moved to adjourn the meeting (Support: B. Lenart) and the motion carried unanimously. The meeting adjourned at 10:10 p.m.