

**CHARTER TOWNSHIP OF YPSILANTI
PLANNING COMMISSION
MINUTES OF THE SEPTEMBER 8, 2020 REGULAR MEETING**

Chair Sally Richie called the regular meeting to order at 6:30 pm via Zoom due to COVID-19.

Commissioners Present: Chair Sally Richie and Commissioners Bill Sinkule, Laurence Krieg, Muddassar Tawakkul, Elizabeth El-Assadi and Stan Eldridge

Commissioners Absent: Commissioner Gloria Peterson

Others in Attendance: Dennis McLain, Township Attorney; Elliot Smith, OHM; Jason Iacoangeli, Planning Director; and Charlotte Wilson, Planning and Development Coordinator; Benjamin Carlisle, Carlisle/Wortman Associates; Jonathan Curry, PEA Group; Wendy Ripper, PEA Group; Neil Mullins, R&L Carriers; Stan Richards, R&L Carriers; JoAnn McCollum, Township Resident; Erik Nowakowski, Township resident; Anthony Dewatt, Township resident; Kim Cornett, Township resident

1. CALL TO ORDER

2. ROLL CALL

3. APPROVAL OF THE JULY 28, 2020 REGULAR MEETING MINUTES

A motion was made by Commissioner Krieg supported by Commissioner El-Assadi to approve the minutes of the July 28, 2020 Regular Meeting. The motion carried unanimously.

4. APPROVAL OF AGENDA

A motion was made by Commissioner Eldridge supported by Commissioner El-Assadi to approve the agenda. The motion carried unanimously.

5. PUBLIC HEARINGS AND PLAN REVIEW

A. R & L CARRIERS – 1441 RUSSELL STREET – REZONING – TO CONSIDER THE REQUEST TO REZONE THE 8.24 ACRE PARCEL FROM RM-2 (MULTIPLE-FAMILY RESIDENTIAL) TO I-1 (LIGHT INDUSTRIAL) LOCATED AT 1441 RUSSELL STREET, PARCEL K-11-10-160-003

Jason Iacoangeli, Planning Director, said the agenda item is for a conditional rezoning for the 8.24 acre parcel from multiple family residential to light industrial. He said R&L Carriers is a freight terminal located on 43 Emerick Street. He said 1441 Russell Street is located near 960 Minion Street. He said Mr. Benjamin Carlisle from Carlisle/Wortman Associates reviewed the project and provided an extensive review letter.

Benjamin Carlisle, Carlisle/Wortman Associates, said the conditional rezoning and site plan for R&L Carriers, an existing freight terminal, are before the Planning Commission. He said the applicants are seeking a conditional rezoning and a site plan to add buildings to the site. He said the largest change is a 56,000 square foot addition to their existing building located off of Emerick Street. He said the applicant is proposing improvements to the parcel south of 43 Emerick Street at 960 Minion Street. He said 960 Minion Street is currently vacant, wooded, and abuts to single family residential. He said the applicant is proposing a 23,000 square foot maintenance building, 8,000 square foot truck wash, and relocation of the existing fueling station. He said, in addition to the building expansions, the applicant is making significant improvements to landscaping, stormwater retention facility, and lighting. He said the applicant is proposing primary access on Minion Street. He said Minion Street is a private road in disrepair. He said there are four or five existing businesses located on Minion Street. He said the Township is working with current property owners to bring the road into compliance which has not been successful.

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He said the applicant is proposing significant improvements to Minion Street in accordance with the Private Road Ordinance. He said this requires as rezoning. He said the parcel to the east, 1441 Russell Street, which is currently woodlands is zoned RM-2, multiple family residential. He said the applicant is seeking a conditional rezoning for this parcel to I-1, light industrial. He said Carlisle/Wortman Associates have conducted five or six rounds of reviews on this project. He said the most significant concern was to ensure there were minimum impacts to adjacent properties. He said the applicant is proposing expanding operations and extending them south and east, closer to existing residential homes. He said the applicant is also removing woodlands that act as a natural buffer currently. He said they looked seriously at mitigation of impacts on adjacent properties. He said the applicant has made substantial mitigation improvements. He said this included the applicant providing a sound study. He said the sound study resulted in the applicant adding a 12 to 18 foot sound wall to their plans. He said the wall will be a sound buffer for adjacent residential properties. He said the applicant is proposing a collar of woodland trees between the wall and adjacent residential property lines. He said the depth of woodland trees in this collar ranges from 50 to 60 feet which provides a natural screening between R&L Carriers and residential properties. He said the applicant reduced and titled lighting on the southern property. He said the light will shine into the site instead of into residential properties. He said with the sound wall, woodland buffer, and lighting changes, lighting should be sufficiently screened from the adjacent residential properties. He said the applicant is providing significant landscaping above what the Zoning Ordinance requires. He said the applicant is supplementing the woodland buffer with 8-foot evergreens when there are sight-line bare spots to provide a continuous screen for those residential properties. He said the site is meeting the I-1, light industrial, requirements including landscaping, lighting, and parking. He said the applicant is asking for deviation from the Planning Commission regarding lighting. He said the applicant is asking to permit lighting levels of 19.5 footcandles under the canopy of the fueling station. He said the Planning Commission may permit up to 20 footcandles and is within the scope of the Planning Commission's power to approve that deviation. He said this is a conditional rezoning and met the rezoning requirements. He said the applicant is making significant site improvements and is consistent with the Township's goals and policies of economic development, job creation, and site improvements. He said the applicant is significantly improving Minion Street. He said the Township has been trying to work with property owners on Minion Street for years and failed to make any improvements. He said improving Minion Street would be a significant benefit to the Township. He said the improved use and expansion is consistent with surrounding land uses. He said the surrounding uses are mostly industrial and abuts railroad. He said the residential area not compatible along the southern end were addressed by the applicant earlier regarding screening and buffering. He said the applicant is improving water management improvement where it does not already exist. He said the applicant is improving site lighting and adding additional landscaping to bring the site into compliance. He said the site is accommodated with utilities and services. He said the applicant made significant improvements to mitigate any negative impacts. He said Carlisle/Wortman Associates is recommending approval of the site plan and conditional rezoning with the condition that the applicant provide elevations of the sound wall with their final site plan submission.

Chair Sally Richie asked if any Commissioners had any questions.

Commissioner Bill Sinkule asked what the material of the sound wall will be.

Mr. Carlisle said the sound wall is masonry. He said he asked for elevations to confirm the material.

Commissioner Laurence Krieg said the area to be rezoned industrial is planned to only have stormwater retention ponds. He asked about the necessity for rezoning since there is no industrial use planned for that area. He said there might be an advantage either way. He asked if the Township has greater or lesser control if the site is zoned industrial and, later down the line, what would happen if the applicant decided to expand. He said if the site is zoned industrial the applicant may conduct more intense uses than what we envision today closer to the surrounding residential properties. He said if the site stays residential, as far as he knows, there is no objection to retention ponds in residential districts. He asked for expert opinion on what either course would be.

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Mr. Carlisle said he could answer that and complimented the observation by Commissioner Krieg. He said all the industrial uses are being conducted on the I-1 properties. He said storm water detention is not a permitted principal use of a lot in the residential district. He said that the lot would need to be combined with the I-1 parcels. He said the lots could legally be combined with different zoning. He said split zoning on parcels is not good planning practice. He said the rezoning makes sense from a planning perspective. He said the conditional rezoning restricts the applicant from moving any industrial uses closer to surrounding residential properties. He said the site plan is tied to the conditional rezoning. He said the applicant is locked into the site plan as shown, if approved. He said any changes would require the applicant to come back to the Planning Commission and Township Board at a future date. He said the Township has control over the parcel if rezoned to I-1. He said many of the improvements proposed to the site are above and beyond what the Township requires. He said approving the rezoning as a conditional rezoning is within the best interest of the Township since they are required to provide additional improvements.

Chair Richie asked if any Commissioners had any questions.

Commissioner Stan Eldridge asked how many more trucks on a daily basis the applicant expects with the expansion of the building. He said he asked because there are noise concerns from residents on Hawthorne Avenue, Parkwood Avenue and even to Maplewood Avenue with the current truck traffic because the facility operates 24 hours a day. He said he read the applicant is adding 80 additional bay or 80 additional trucks. He asked with that many more trucks coming in and the maintenance building and truck wash are moving closer to the neighbors on the north side of Hawthorne, how much more noise will be created. He said he saw the noise study but believes the increase in noise level does not match the increase in truck activity.

Mr. Carlisle said the applicant can address the traffic concern. He said the sound wall will be a greater buffer than the existing woodlands regarding noise impact. He said the truck wash and maintenance is required to be conducted indoors and there will not be exterior work done.

Jonathan Curry, PEA Group, said the wall material is not determined yet. He said there are about 90 to 95 trucks daily currently. He said the expansion will increase that to 95 to 125 trucks daily. He said the expansion is not only to create more capacity, but to meet existing capacity needs since they were operating at over capacity. He said they do not expect a large increase. He said they only expect a 30 truck increase at most.

Commissioner Eldridge said Minion Drive will be improved. He said the City of Ypsilanti is involved in Emerick Street. He said he worked in weight enforcement years ago. He asked what the impact on the road structure will be with the increased weight of 30 more vehicles on not only Minion Drive, but Ecorse Road, Emerick Street, and Michigan Avenue.

Mr. Carlisle said the increased traffic was contemplated and discussed with the City. He said the applicant apparently addressed those concerns with the City. He said Minion Drive will need to be improved.

Elliot Smith, OHM, said the applicant is working with the City to review and approve all work within Emerick Street. He said the project will also be reviewed by the Washtenaw County Road Commission. He said prior to final approval from OHM, the applicant will need to get final approvals from all outside agencies.

Commissioner Eldridge said how the Township guarantees the necessary road improvements are made to Ecorse Road and Michigan Avenue. He said he knows the more vehicles you put on the roads with that kind of weight does more damage to the base surface of the road.

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Mr. Smith said projects with additional traffic flows require traffic impact studies to see how much weight is put on the road. He said OHM will review this during detailed engineering. He said an additional 20 to 30 trucks will not make all that much of an impact.

Chair Richie said she does not feel comfortable approving the rezoning when she does not know all of the facts regarding the preliminary site plan. She said she does not know where the wall will be located. She said if the wall was located on the south side of the development that would be great. She said speaking from experience with the wall next to I-94 that once the wall ends, the sound will come around the end of the wall. She said the wall will not be a big help without extending up the east side.

Mr. Carlisle said the wall is shown on the plan set on page P-2. He said the wall does wrap around a portion of the eastern and western portion of the southernmost parcel on the site. He said the wall goes north on the eastern side to cover the new industrial uses to the retention pond. He said the wall goes north on the western side to the employee parking lot. He said the wall also covers the southern parcel line.

Mr. Carlisle shared his screen on Zoom. He said the wall varies in height from 12 to 18 feet based on conditions as necessary. He said the Planning Commission can require an 18 foot wall. He said between the wall and rear property line of the single family home is a 50 to 60 foot woodland buffer.

Commissioner Sinkule asked how we can permit a wall so high since the Planning Commission normally only sees walls between 6 to 8 feet in height in commercial areas.

Mr. Carlisle said the 18 feet high wall is a recommendation from the sound study. He said a seven foot wall would not be effective.

Commissioner Sinkule asked if an 18 foot sound wall would be permitted in a commercial district.

Mr. Carlisle said he did not know and would have to look it up. He said this area is already zone industrial and the applicant could do this work without a conditional rezoning by right.

Chair Richie asked about the 19.5 footcandles. She said she did not know what that was. She asked what normal lighting would be for an industrial district.

Mr. Carlisle said lighting is capped at 10 footcandles and they are asking for double that amount. He said extra lighting under canopies is normal similar to a gas station. He said the Planning Commission is not required to approve the lighting increase request.

Chair Richie asked what the reasoning is for the increase in lighting intensity.

Mr. Carlisle said the reason is for safety and security but will defer to the applicant.

Commissioner Eldridge said he read in the report that the upgrades to Minion Drive will be completed by the applicant with cooperation from the other property owners currently on the road. He asked if that agreement was already approved or is something that needs to be negotiated in the future.

Mr. Carlisle said the agreement is still to be negotiated. He said he and Mr. Smith would not grant final site plan approval until Minion Drive meets private road standards. He said the applicant will need to build and maintain the road themselves or come to an agreement between all property owners fronting on Minion Drive. He said the Township has not been a party to those discussions.

Commissioner Eldridge asked if the service bay and car wash will operate 24 hours a day or will the hours be restricted.

Mr. Carlisle asked the applicant to address timing and hours.

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Mr. Curry said he will defer to Neil Mullins, R&L Carriers. He said he believes the maintenance facility will operate during night time hours but the truck wash will not.

Neil Mullins, R&L Carriers, said Mr. Curry was correct. He said the truck wash would not work during the evenings. He said there would be trucks during the evenings coming in to go through the safety lane in the maintenance shop. He said the maintenance shop would operate 24 hours a day.

Commissioner Eldridge said the plans stated that the expansion would bring new jobs into the community. He asked how R&L Carriers is assisting local residents with obtaining those jobs.

Mr. Mullins said he is unable to answer that question as he is not on the employment side of business.

Chair Richie said she is concerned with approving barbed wire on top of the fencing. She asked why barbed wire is needed at a facility that operates 24 hours a day when someone is always around.

Mr. Mullins said the barbed wire is strictly for security as the site is large. He said they will have cameras. He said the barbed wire could be a deterrent.

Commissioner Krieg said his concern is about the space between the sound barrier wall and the edge of the property. He said he is glad to have the jobs. He said if the wall is built 50 to 60 feet away from the property line there would be a strip of wooded land where things could go on without the property owner knowing about it. He said there is no way to get through the wall to address any mischief whether it is petty crime or arson.

Chair Richie said Commissioner Krieg had a good point. She asked Mr. Mullins to address how that area would be controlled or what kind of security would take place there.

Mr. Mullins said that concern was a good point. He said that did not occur to him as an issue.

Mr. Curry said that concern did not occur to him as well. He said putting cameras to face the backyards of residences seemed like an invasion of privacy. He said they would be willing to review solutions for that area for security concerns, without disturbing residents with cameras or lighting, prior to final site plan approval.

Commissioner Eldridge asked if the security cameras mentioned earlier by Mr. Mullins would be accessible to law enforcement when needed. He said the concern regarding the 50 to 60 foot strip of land does not need lots of lighting. He said there are low light, high definition infrared cameras that could be used in an area like that.

Chair Richie said there are too many issues not nailed down to make a conditional rezoning and preliminary decision at this time. She said there are many items that will be handled during final site plan review. She asked if other Commissioners were feeling similarly.

Commissioner Sinkule said the applicant did not have answers for two or three of the Planning Commission concerns. He asked how the Planning Commission should handle this item. He asked if the Planning Commission should table the item to a later date or have the applicant handle the concerns during final site plan review.

Mr. Iacoangeli said the applicant met all the preliminary site plan requirements. He said if the Planning Commission decides to table the item that they should provide clear direction for R&L Carriers on what they specifically need to address. He said he did not want to leave the meeting without clear direction for R&L Carriers on how to bring this project back to the Planning Commission. He said R&L Carriers addressed many of the concerns of the Township and Carlisle/Wortman Associates.

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Dennis McLain, Township Attorney, said the Planning Commission needs to hold a public hearing.

Chair Richie asked what happens if the Planning Commission approves the conditional rezoning item 5A and the preliminary site plan item 5B for some reason does not get approved.

Mr. Carlisle said the conditional rezoning is tied to the site plan. He said the site plan is a condition of the rezoning. He said the two go hand in hand. He said if the conditional rezoning moves forward the applicant must build what is on the site plan. He said if the site plan changes the applicant must come back to the Planning Commission and Township Board for an amendment. He said the Planning Commission is a recommending body.

Commissioner El-Assadi asked about revisiting the question regarding the necessity of the intensity of the lights. She said the lighting is located on the southernmost parcel closest to the residential properties.

Mr. Curry said the lighting is higher under the fueling station. He said the lighting intensity is only under the canopy. He said the lighting is for safety and security for folks pumping gas in the dark. He said a lower level of lighting is okay for R&L Carriers, but they would prefer the higher levels for safety.

Stan Richards, R&L Carriers, said he is the Director of Constructions for R&L Carriers. He thanked Mr. Carlisle. He said he understood the concerns of Chair Richie. He said out of 120 service centers across the United States, 70 percent are within a 100 yards or less of residential neighborhoods. He said they are adding 100 doors onto a facility in Memphis, Tennessee. He said they have been located in that community for many years and they pride themselves on having a good relationship with the community. He said he wants to be a good neighbor. He said this is the first time in history R&L Carriers is putting in an acoustic wall. He said they are willing to abide by the recommendations. He said they have been through the review process five or six times. He said they have put forth a good faith effort and want to be a good neighbor. He said whenever someone is handling fuel you want increased lighting. He said the increase in lighting was requested by the internal safety team. He said they are in conversation with the other property owners on Minion Street. He said if the other property owners are not willing to step up to help repair Minion Street that they will go ahead and do the work themselves. He said they will not have their trucks drive over a road with potholes. He said that would not be good for their customers or equipment. He said the other roads are shared by other trucks. He said they are adding 80 bays but that does not mean they are adding 80 additional trucks. He said they are realistically adding 10 to 15 additional trucks. He said they are doubly and triply handling the freight because of the volume coming in. He said they need the extra warehouse space and doors to eliminate double and triple handling the freight. He said there will be more trailers there but certainly not more trucks. He said this is a separation method. He said their system works like the United States postal office where there are mail slots. He said each slot says New York City, Miami, Dallas, and so on. He said where you would have mail slots at the post office, you would have trailer slot areas where the freight would be distributed. He thanked the Planning Commission.

Chair Richie thanked Mr. Richards.

Commissioner Krieg said he is happy about how Carlisle/Wortman, Township staff, and R&L Carriers' engineers, have approached the project in a cooperative and collegial way. He said he is glad to know there is a business in doing well in the Township. He said he would like to have good lighting under a fueling station to prevent a spill or worse. He said he likes the area surrounded by the trees. He said ideally the more trees the better. He said he hopes a security solution can be found for the southernmost strip of land between the wall and the property line. He said he supports this project.

Mr. Richards said there are two means of security with the wall they are exploring. He said the first is a radar system. He said he is not a technological person so he is unable to explain the system. He said the second is cameras that would not have an impact on surrounding residents. He said maybe residents could see a red dot where the camera is

located. He said the camera would not have any other light coming from it and would work in low light environments.

Commissioner El-Assadi asked if the location where the wall will be placed is currently wooded. She said the applicant will be helping the current situation with the proposed wall and security. She said the applicant may be resolving some security concerns by clearing out some of the wooded area.

Chair Richie said that is a good point.

The public hearing opened at 7:26pm

Erik Nowakowski, Township resident, said he was glad he could provide comments on the site plan tonight. He said there are practical concerns. He said he had similar concerns that the Planning Commissioners had. He said the noise is an ongoing issue and can be heard at all hours of the night. He said he is east of the existing facility. He said the wall will be very helpful in reducing the noise. He said the back of his property is woods and a natural area now. He said according to the plan he will now be looking at a barbed wire fence which is the biggest detriment to the whole plan. He said a 12 to 18 foot wall is sufficient and leave the rest of the area natural. He said the security concerns are only valid if there is foot traffic back there. He said the project is cutting off foot traffic going north and south from the railroad. He said he would prefer no barbed wire and no chain linked fence whatsoever. He said R&L Carriers should use the sound wall as a security wall. He said he does not see how barbed wire is more of a deterrent than a 12 foot wall. He said he is concerned about air pollution and pest control. He said the air pollution concern would require a study to quantify. He said the trucks are coming closer and increasing the number of trucks by 25 percent. He said he has done research on pests. He said letters were sent to residents regarding rats in the area. He said he has personally experienced Norway rats in the area. He said rats are linked to freight and logistics companies. He said that rats should be talked about with this project. He said the Planning Commission should look at the standards for rezoning. He said Mr. Carlisle mentioned that the rezoning must be consistent with goals and policies of the Charter Township of Ypsilanti future land use map and Master Plan. He said he does not see how the rezoning relates to the future land use map because the parcel in question is in the Neighborhood Preservation District. He said Mr. Carlisle addressed this briefly in the report that states due to the proximity and adjacency to industrial used land, the proposed extension is consistent with the Master Plan. He said he does not see where the precedent is for the rezoning. He said the Master Plan is a general statement of the Township's goals and policies and provides a single comprehensive view of the community's wishes for the future. He said if the community wanted rezoning criteria to take into account the surrounding zoning districts, he expected to see that within the Master Plan but that is not the case. He said he thinks a lot of work went into the Master Plan. He said the Neighborhood Preservation district is for open space and preservation. He said Neighborhood Preservation is about preserving established neighborhoods, reinvesting in neighborhoods, and making neighborhoods beautiful. He said he did not see how putting a barbed wire fence is making the neighborhood beautiful or preserving the neighborhood. He said the neighborhood has vacant land and the Master Plan talks about making more natural areas. He said community gardens and parks are mentioned. He said there are several things that are not lining up with the Master Plan. He said he does not think the way things are laid out in the report do not add up to him. He asked the Planning Commission to consider the intent of light industrial districts. He said in Section 1400 the intent of light industrial districts states light industrial districts are design to primarily accommodate wholesale activities, warehouses, and industrial operations whose external, physical effects are restricted to the area of the district and in no manner affect in a detrimental way any of the surrounding districts. He said he has been affected by R&L Carriers over the years by the noise and pests. He said he is concerned that the neighborhood will be affected more. He thanked the Planning Commission for their time.

Chair Richie asked Mr. Carlisle to speak to the concerns of Mr. Nowakowski regarding the fence, trees, pests, and pollution.

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Mr. Carlisle said yes. He thanked Mr. Nowakowski for reading the Master Plan. He said Mr. Nowakowski raised some very valid points. He said the land use is only one component of a Master Plan. He said the Master Plan is about 150 pages so there is a lot in there. He said there are many policy statements and positions. He said Mr. Nowakowski is correct that the site is Master Planned as Neighborhood Preservation. He said the area where R&L Carriers is building is already zoned for this use. He said R&L Carriers could come in and do the plan by right without the rezoning. He said the sound wall and additional landscaping would not be conditions that could be placed on that development. He said those additional benefits are conditions because the plan is tied to a conditional rezoning. He said a major tenant of the Master Plan is also economic development and job creation. He said sometimes economic development is at odds with land use and mitigation. He said that is something they try to work with the applicant to reduce or eliminate potential impacts on single family residential. He said he cannot say that the applicant cannot have this industrial use on the southernmost parcel because the parcel is zoned for that use. He said he tried to work with the applicant to reduce and mitigate the impact by having a tree buffer collar, putting up the sound wall, reducing lighting height and intensity, improving Minion Drive and supplementing the landscaping with additional trees. He said Mr. Nowakowski raised a good point about the fence. He said if the Planning Commission feels a fence is not necessary the fence could be eliminated from the plan. He said if the Planning Commission does not want barbed wire, the barbed wire could be eliminated from the site plan. He said the project is a balancing act. He said the property is already zoned for this use but should mitigate the impacts on surrounding residential properties. He said they tried to strike that balance, but if the Planning Commission has additional concerns or considerations they can ask the applicant to address them. He said the Township does not have any ordinance requirements on emissions. He said emissions are regulated by the County, State, and Federal governments.

Chair Richie asked to clarify if this project were approved and built that Mr. Nowakowski were to look out his window he would see trees then a wall then a fence.

Mr. Carlisle shared his screen. He said the applicant is proposing a fence that wraps around the entire southern, eastern, and western portions of the site. He said the order of the buffers are fence, trees, and then the wall. He said the applicant could come in tomorrow and pull a permit for a fence without Planning Commission approval.

JoAnn McCollum, Township resident, said she is concerned about the project. She said she was on the Master Plan steering committee. She said the steering committee did not envision this type of development to happen to homeowners. She said the vision was for Ecorse Road to be more retail, restaurants, and things like that. She said the project is not part of the vision. She said the roads are also of concern. She said the weight of bringing in more trucks are going to damage the roads. She said she would like to see something in this project to help with the maintenance of the roads. She said she can see an additional expense for road repairs from the heavy equipment. She said that is going to be a problem. She thanked the Planning Commission.

Chair Richie asked Mr. Iacoangeli if there were any other people wishing to speak.

Mr. Iacoangeli said that Mr. Nowakowski wished to make another comment and asked if the Chair would allow it.

Chair Richie said she would allow it.

Mr. Nowakowski said he had a couple of more things. He said that his comment about pests was not addressed. He said the stormwater improvements were not a benefit to him. He said there is a lot of money into the property but the improvements are for the business to run properly. He said there are drainage and environmental requirements. He said the Planning Commission should consider the location of residential homes right now. He asked if the applicant can run a barbed wire fence next to residential property with a permit. He said he cannot put up a six foot barbed wire fence between his neighbors, but R&L Carriers are his neighbors too. He asked why R&L Carriers can do that but he cannot.

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Chair Richie asked if Mr. Mullins could address how R&L Carriers handles pest control.

Mr. Richards said he could answer that. He said pest control does happen at their facilities. He said shipping TVs and other equipment means they cannot have pests on site. He said R&L Carriers are very conscious of pest control. He said they have national accounts with pest control companies. He said if they had pests on site no one would ever ship with them. He said their standards do not allow for them to have pests.

Mr. Carlisle said he wanted to clarify that R&L Carriers could put up a fence permitted in the industrial zoning district by the ordinance. He said the height and use of barbed wire of the fence is under the purview of the Planning Commission.

Anthony Dewatt, Township resident, said he is looking out his back window. He said he sees a nice, wooded area. He said he realizes the property is owned by R&L Carriers. He said he and his neighbors keep the area clean and looking nice. He said he does not want to look out the window and see barbed wire fence. He said he does not want to feel like his home is bordering a prison. He said he would prefer to see trees and animals. He said he likes the slice of nature in this area of Ypsilanti where it is relatively populated. He said does not want to see chain linked fence and barbed wire.

Kim Cornett, Township resident, said she grew up in the area. She said she is well aware of the natural features of the area. She said she is concerned about the noise levels. She said her parents are worried about the noise and the property values of their home.

The public hearing closed at 7:50pm

Commissioner Eldridge asked for the height of the chain linked fence.

Mr. Carlisle said the fence is 6 feet.

Commissioner Eldridge said he is concerned about the young families to the east of the site. He asked if the sound barrier could be extended all the way on the eastern border of the property up to the railroad instead of stopping short.

Mr. Curry said the detailed acoustic study dictated where the sound wall would reduce the sound impact. He said the bulk of the sound is located on the southernmost parcel.

Chair Richie asked about extending the sound wall as a safety measure.

Commissioner Eldridge agreed. He said he understands a 6 foot fence can be climbed over or under. He said he wants to see a better security measure to keep small children away from the water.

Chair Richie asked if R&L Carriers would be willing to consider extending the sound barrier.

Mr. Richards said they would consider an extension. He said an 18 foot acoustical wall might not be the best for keeping small children from the retention pond. He said they could consider another fence or wall that would be more aesthetically pleasing than an 18 foot acoustic wall.

Commissioner Eldridge said he open to that.

Commissioner Krieg said the way the wall is designed is about 50 feet from the property line and if the wall were to continue it would be right at the property line on the eastern side.

Mr. Carlisle said the location where Commissioner Eldridge is proposing the wall extension contains significant landscaping. He said the applicant would need to revise their landscaping plan in order to place a wall east of the pond.

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Mr. Curry said there is a sanitary sewer main line running to the east of the pond and a wall. He said a wall might not be feasible due to the sanitary main. He said the Ypsilanti Community Utilities Authority may not permit a wall over their sanitary main.

Chair Richie said she would entertain the motion

A motion was made by Commissioner Krieg, supported by Commissioner Tawakkul to recommend approval to the Township Board of Trustees for the request for the conditional rezoning to rezone the 8.24-acre parcel from RM-2, Multiple Family Residential, to I-1, Light Industrial, located at 1441 Russell Street, parcel K-11-10-160-003.

The motion carried as follows:

Sinkule: No Krieg: Yes El-Assadi: Yes Eldridge: No Tawakkul: Yes

Richie: No Peterson: Absent

Mr. McLain said the motion fails since there is a tie.

Chair Richie asked if they should skip over item 5B since the motion failed.

Mr. McLain said yes.

Mr. Carlisle said the Planning Commission could take a new vote to instead table the agenda item until R&L Carriers addressed the concerns stated during the meeting and bring it back at a future date.

Mr. McLain said that is true.

Chair Richie asked if the Planning Commission wanted to take a new vote or let the vote stand.

Commissioner El-Assadi said the Planning Commission should take a new vote to allow R&L Carriers to answer the questions.

Commissioner Tawakkul said the Planning Commission must take a vote to reconsider the agenda item first, have that motion pass, and then another motion to table.

Commissioner Eldridge said the motion to reconsider must come from someone who voted no on the previous motion.

Mr. McLain said yes.

A motion was made by Commissioner Eldridge, supported by Commissioner El-Assadi to reconsider agenda item 5A for tabling.

The motion carried as follows:

Sinkule: Yes Krieg: Yes El-Assadi: Yes Eldridge: Yes Tawakkul: Yes

Richie: Yes Peterson: Absent

A motion was made by Commissioner Eldridge, supported by Commissioner El-Assadi to table the request for conditional rezoning recommendation to the Township Board of Trustees until the next meeting in October to consider the comments presented by the Planning Commission during discussion of the project. In addition, Planning Commissioners should submit written questions and concern for R&L Carriers to Mr. Iacoangeli within 48 hours of this meeting.

The motion carried as follows:

Sinkule: Yes Krieg: Yes El-Assadi: Yes Eldridge: Yes Tawakkul: Yes

Richie: Yes Peterson: Absent

B. R & L CARRIERS – 43 EMERICK STREET, 960 MINION STREET, AND 1441 RUSSELL STREET – PRELIMINARY SITE PLAN – TO CONSIDER THE PRELIMINARY SITE PLAN FOR EXPANSION OF AN EXISTING FRIEGHT TERMINAL LOCATED AT 43 EMERICK STREET, 960 MINION STREET, AND 1441 RUSSELL STREET, PARCELS K-11-10-280-019, K-11-10-160-002, AND K-11-10-160-003.

C. YPSI ARBOR – 2562 EAST MICHIGAN AVENUE – TO CONSIDER A WAIVER TO EXTERIOR BUILDING WALL MATERIALS LOCATED AT 2562 EAST MICHIGAN AVENUE, PARCEL K-11-01-300-005.

Mr. Iacoangeli said there is a memo in the packet. He said the business has been at the 2562 East Michigan Avenue location for around 35 years. He said the current exterior of the building has masonry block. He said the businesses owners maintain the building exterior by painting regularly. He said business owner proposes a new façade of white metal paneling. He said the Zoning Ordinance does not permit the Planning Department to permit the request based on the requirements of Section 2125. He said the Planning Commission has the ability to waive the exterior building percentage requirements.

A motion was made by Commissioner Eldridge, supported by Commissioner El-Assadi to approve the waiver request for exterior building materials based on the September 3, 2020 staff memo.

The motion carried as follows:

Sinkule: Yes Krieg: Yes El-Assadi: Yes Eldridge: Yes Tawakkul: Yes

Richie: Yes Peterson: Absent

6. OLD BUSINESS

None

7. NEW BUSINESS

None

8. OPEN DISCUSSION FOR ISSUES NOT ON THE AGENDA

A. CORRESPONDENCE RECEIVED

Mr. Iacoangeli said he forwarded notices that Van Buren Township and Superior Township are undergoing their Master Plan process.

Commissioner Tawakkul asked about the medical marihuana correspondence. He said the Planning Commission made a recommendation to the Township Board. He asked if the Township Board was sending the medical marihuana ordinance back to the Planning Commission.

Mr. Iacoangeli said the Township Board will ask the Planning Department and legal counsel to provide additional direction. He said the Planning Commission will be included in that process which will include both medical and recreational marihuana. He said the Township Board tabled the ordinance amendment.

Chair Richie asked about backyard chickens.

Mr. Iacoangeli said he and Charlotte Wilson were working on draft surveys and language.

B. PLANNING COMMISSION MEMBERS

None

C. MEMBERS OF THE AUDIENCE

Ms. McCollum said she wanted to talk about the placement of medical marihuana. She said she lives in West Willow and the only location where medical marihuana is proposed is in the I-C zoning district. She said the only area where I-C is located is directly east of West Willow. She said she wanted to know why that is the case. She said that the medical marihuana business might be better located in a business district. She said she wanted to know why the use is placed within an industrial district. She said no smoking would be permitted in the area. She said she does not know how that would be enforced. She said the medical marihuana location she has seen have people smoking outside. She said the notes from the last meeting state that medical marihuana should be located away from restaurants and hotels and she wanted to know why that is the case. She said she looked at the map and medical marihuana uses must be at least 1,000 feet away from residential. She said the southern area of the I-C district looks very close to residential.

Mr. Iacoangeli said Ms. McCollum brings up a valid point. He said her concerns would be taken into consideration. He said the Township does not currently have a recreational marihuana ordinance. He said medical marihuana uses are required to be located from residential uses, libraries, schools, and other uses. He said the Planning Commission should take Ms. McCollum's comments into consideration when redrafting the ordinance.

9. TOWNSHIP BOARD REPRESENTATIVE REPORT

None

10. ZONING BOARD OF APPEALS REPRESENTATIVE REPORT

Commissioner El-Assadi said the Zoning Board of Appeals approved two accessory structures within the front yard of a home because the home was set back far from the front lot line.

11. TOWNSHIP ATTORNEY REPORT

None

12. PLANNING DEPARTMENT REPORT

Mr. Iacoangeli said there are no site plans coming up for the next meeting. He said there will be a discussion on backyard chickens coming up. He said R&L Carriers will also be coming back to the Planning Commission. He said Comfort Inn and Suites and the Holiday Inn are getting close to final site plan approval. He said the Chatfield project at 2002 East Michigan Avenue, with the two drive-in restaurants and self-storage facility, will submit final site plan soon.

13. OTHER BUSINESS

Mr. Carlisle congratulated the Planning Commission and Township on being awarded the Daniel Burnham Award from the Michigan Association of Planning. He said the award is the highest State level honor for a Master Plan. He said he received two plaques and will be delivering them to the Township later this week.

A motion was made by a Commissioner Eldridge, supported by Commissioner El-Assadi to adjourn the meeting. The motion carried unanimously.

The meeting was adjourned at approximately 8:16 pm

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Respectfully submitted,
Charlotte Wilson
Planning and Development Coordinator