

CHARTER TOWNSHIP OF YPSILANTI
7200 S. HURON RIVER DRIVE
YPSILANTI, MICHIGAN 48197

MINUTES OF THE PLANNING COMMISSION MEETING
MAY 25, 2021 6:00 P.M.

PLANNING COMMISSION MEMBERS:

Bill Sinkule	Vice Chair
Laurence Krieg	Secretary
Elizabeth El-Assadi	Commissioner
Muddasar Tawakkul	Commissioner
Larry Doe	Commissioner
Gloria Peterson	Commissioner

GUESTS:

Jason Iacoangeli	Planning Director
Ben Carlisle	Principal, Carlisle/Wortman Assoc. Inc.
Dennis McLain	Township Attorney
Pat Lennon	Partner, Hongman LLP
Cynthia Wilbanks	
Greg Heim	Engineer, Vanston/O'Brien Inc.
Heather Roe	Township Clerk
Michelle Weaver	Owner, Zippy Auto Wash LLC
Corey Weaver	Owner, Zippy Auto Wash LLC
Jamie Vecchioni	General Manager, Ann Arbor Marriott Ypsilanti Eagle Crest
Maria Harshe	Attorney, Harshe Law
Steven Hurowitz	
Dave Brewer	Vanston/O'Brien
Debbie Swanson	Board Member, Ypsilanti Township
Brenda Stumbo	Township Supervisor
Alvo Enderica	
Donalee Jacobson	
John Newman	Board Member, Ypsilanti Township
M. Malach	
William Shepard	Executive Director, EMU Foundation
Mike Radzik	Ypsilanti Township Office of Community Standards

ABSENT:

Sally Richie Chair

Minutes prepared by Abigail Pineda of Minutes Solutions Inc. from an audio/video recording.

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1. **CALL TO ORDER**

The meeting was officially called to order at 6:30 p.m.

2. **ROLL CALL**

Each Commissioner confirmed that he/she was at home in the Township of Ypsilanti.

3. **APPROVAL OF THE MARCH 23, 2021 AND APRIL 27, 2021 REGULAR MEETING MINUTES**

On a motion made by Mr. Krieg, seconded by Ms. El-Assadi, it was resolved to approve the regular meeting minutes dated March 23, 2021 and April 27, 2021. Motion carried.

4. **APPROVAL OF AGENDA**

On a motion made by Ms. Peterson, seconded by Ms. El-Assadi, it was resolved to approve the meeting agenda, as presented. Motion carried.

5. **PUBLIC HEARING**

1327 S. Huron River Dr. Parcel K-11-16-360-001 – Special Conditional Use – Zippy Auto Wash: Consider a special conditional use request to construct an automobile wash on a parcel zoned B-3 (General Business).

Mr. Iacoangeli reviewed the Special Conditional Use request to construct an automatic car wash which is considered a special conditional use in the B-3 zoning. Section 2119 Special Land Uses outlines the standards to be met for approval; the Planning Commission shall review the “particular circumstances and facts of each proposed use in terms of the following standards” and provide a finding as to whether the Special Conditional Use meets all the required standards.

Each standard under Section 2119 Special Land Uses was reviewed along with commentary from the Planning Department in response to the request:

a) *Will be harmonious and per the objectives, intent, and purpose of this ordinance; and*

The Planning Department believes that the intent and purpose of the ordinance is to separate incompatible uses through the creation of various Zoning Districts and to preserve the character of different areas of the community by regulating the use of the land. Therefore, Zippy Auto Wash is a conditional use and not a permitted use in the ordinance to give the Planning Commission the ability to determine if the automatic car wash is consistent with other adjacent uses and if it fits into the long-term development goals of the Township.

The Planning Commission will need to determine if the use of an automatic car wash at the proposed location of 1327 Huron Street is a harmonious use with the character of this area of the Township. After reviewing the completed application for Special Conditional Use, it is the Planning Department’s opinion that it is not a harmonious use.

- b) *Will be compatible with a natural environment and existing, and future land uses in the vicinity; and*

The parcel is located at the entrance to the Ann Arbor Marriott and is surrounded by the Eagle Crest Golf Course on two sides. North Bay Park is located less than a quarter mile to the north. The overall character of this area is a recreational resort where the natural environment is preserved by park space and the open space of the golf course. The traffic-driven use of an automatic car wash is not compatible with the existing land uses in the area and is much more intense and automobile-oriented.

A map was presented to indicate the area, a mixed-use corridor that is a development of transportation arteries with a mixture of residential, commercial, office, and employment uses. The intent is to improve the function, investment value, and aesthetics of the corridor. There are two types of mixed-use corridors, with Huron Street being regional. The caveat is that Huron Street is also marked as being within the special area plan boundary, which means that these areas have special plans in the Master Plan.

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The Township Core will serve as the central gathering place and commercial base of the Township. The area is centrally located and is already well served with infrastructure, public transportation, established foundational uses, and convenient access. Buildout will be market responsive with a variety of uses, including civic, regional, and local commercial, hotels and restaurants, office, multiple family housing, and open space that will meet the daily needs of Township residents. The Future Land Use Plan shows the appropriate locations for land use and proposed non-motorized routes and roads. See the "Township Core" section in Chapter 8: Future Land Use Plan for more specific land use information.

In the opinion of the Planning Department, the use of an automatic car wash is inconsistent with the future land use pattern for this area as a mixed-use core. Based on the plan for a mixed-use development focusing on community-wide draws such as hotels, restaurants, shopping, public parks and spaces, and public buildings.

- c) *Will be compatible with the Township master plans; and*

In the opinion of the Planning Department, an automatic car wash is an automobile-oriented use that is not consistent with the future land use for this area as a mixed-use core.

- d) *Will be served adequately by essential public facilities and services, such as highways, streets, police and fire protection, drainage ways and structures, refuse disposal, or that the persons or agencies responsible for the establishment of the proposed use shall be able to provide adequately for such services; and*

The Planning Department feels that the proposed automatic car wash would be served adequately by essential public facilities and services, such as highways, streets, police, and fire protection.

- e) *Will not be detrimental, hazardous, or disturbing to existing or future neighboring uses, persons, property, or the public welfare; and*

This corner of Huron Street is the entrance way to the Eagle Crest Golf Course and Marriott Facility. The Marriott was recently at the Planning Commission meeting requesting a new permanent outdoor banquet facility that will host outdoor events and weddings.

The neighborhood character for South Huron has seen a dramatic change in the last decade with two hotels and commercial development along with Anna J. Stepp. The area has a robust framework for taking the step into a mixed-use development that the Township Master Plan contemplates.

The Planning Department feels that this project will be detrimental and disturbing to the current and future neighboring uses and properties.

- f) *Will not create additional requirements at the public costs for public facilities and services that will be detrimental to the community's economic welfare.*

The Planning Department identified that an automatic car wash would not generate any public costs for public facilities or services at the detriment to the community's economic welfare.

In summary, per the Zoning Ordinance, all the criteria in Section 2119 must be met to grant a Special Land Use approval; criteria a., b., c., and f. have not been met.

Mr. Krieg asked why the area to the east of Huron Street was zoned as mixed-use rather than recreational if it was detrimental to commercial use. Mr. Iacoangeli responded that B3 general zoning is in place for that portion of the Township. Adopting the Master Plan with the future land use map will contemplate an entirely new zoning district for this area of the Township within the next four to five months; this will eliminate these types of uses for this zoning category and from this area of the Township. The auto-oriented uses are not consistent with the Township's future land use plan for this town core center.

Mr. Krieg indicated that there are gas stations and several drive-thru restaurants across the street from the proposed site, which is an inconsistency given the auto-oriented uses in the west. Mr. Carlisle responded by looking at the future land use plan. The Township core is a large area of the special area plan. Within this, there are sub-districts due to the size and differences in the Township core. Aligning both sides of Huron Street down to the south of the roundabout is the mixed-use core. A change is envisioned for the future land use in the area, which will be seen in the update of the draft of the zoning ordinates. Considering the Master Plan, the location of the car wash is not appropriate to what the Township is looking to achieve on the corridor, which is a more localized, walkable, mixed-use environment that does not get dominated by auto uses.

Mr. Tawakkul asked if the Planning Commission can overrule and approve the Special Conditional Use request if none of the elements of Section 2119 have been met. Mr. Iacoangeli responded that unless all conditions A through F have been met, the Special Conditional Use request should be denied; approving this would be doing so against the Township's ordinates.

Mr. and Mrs. Weaver provided a detailed PowerPoint presentation about Zippy Auto Wash and the request to approve the proposed site plan and Special Conditional Use for 1327 South Huron Street.

Zippy Auto Wash has been in business for over a decade, owning and operating three entirely new sites in the Ann Arbor area plus one new site under construction, one new site under contract, and one new site in negotiation. Zippy Auto Wash has earned the reputation as the area's highest quality auto wash as they provide outstanding customer service through professional staff and facilities. In addition, Zippy Auto Wash is proud to be one of the area's most environmentally friendly, responsible, and philanthropic small businesses. Finally, it is respected as an excellent corporate citizen via ethical conduct.

Mr. Weaver continued the presentation to state that Ypsilanti residents would benefit from having a modern, community-friendly express exterior auto wash. Ypsilanti Township residents have a choice of many dozens of modern drive-thru banks, coffee shops, pharmacies, and restaurants, while no selection of modern express exterior auto washes. The addition of Zippy Auto Wash would also provide quality employment opportunities and additional property tax and utility service revenues for Ypsilanti Township.

Mr. Weaver recognizes that South Huron Street is a community gateway and wishes to be consistent with the 2040 Master Plan, the Zoning Ordinance, and the existing and future character of the corridor. With significant guidance from Township Planning, the proposed Zippy Auto Wash has incorporated numerous architectural, design concepts, building material, landscaping upgrades, and incorporating meaningful pedestrian scale and community design features.

This proposed site plan meets the objectives, is compatible with the existing uses in the vicinity, and would provide Ypsilanti Township residents with a precious, day-to-day service that is presently absent. The Township 2040 Master Plan future use land map specifies this site as Township Core, mixed-use regional corridor; mixed-use regional corridor specifies high volume traffic, auto-oriented uses, and high-intensity commercial development, including gas stations repair, car dealerships, and drive-thru uses. The proposed Zippy Auto Wash meets every design concept and consideration from the mixed-use regional corridor specifications.

Ms. Harshe was also in attendance to represent Mr. and Mrs. Weaver. She advised that a detailed letter in response to the staff report was emailed to the Planning Department with a request that it be distributed to the Commissioners. The response letter recaps months and months of collaboration with the Planning Department dating back to September 2020, resulting in dozens of pre-meetings, meetings, submissions, re-submissions, surveys, engineering studies, and tests involving significant time and money spent by her client. The client only learned of the objection from the Planning Department to the use of the site as of last Thursday when the meeting packet was downloaded from the Planning Commission website. Ms. Harshe indicated that any concerns or objections to the site as an auto wash should have been raised through the planning process.

The auto wash is situated near a highway interchange in a five-lane corridor among numerous commercial and industrial vehicle-based uses; therefore, it is compatible with the existing uses in the vicinity, and the future uses in the Master Plan. Therefore, in Ms. Harshe's opinion, the appropriate action concerning applicable law is to approve the application for special use.

Mr. Iacoangeli responded by indicating that the future land use map shows this area as regional business. The area is also surrounded by a dotted line on the map, a sub-area plan that

specifically states that it is for hotels, shopping, and restaurants of a pedestrian scale. The sub-area has its own chapter in the Master Plan. Mr. Iacoangeli clarified that the Planning Department advised the applicant that any application for an auto wash would need its best effort to convince the Planning Commission that the auto wash meets all conditions. Mr. Carlisle sent two letters to the applicant in March stating that his planning firm does not believe that the proposed site plan is consistent with the Master Plan or neighborhood.

Mr. Carlisle echoed Mr. Iacoangeli's comments and emphasized that the burden is on the applicant to meet all standards, and it is the opinion of the Planning Department and his firm that the proposed site plan does not meet all the criteria. Mr. Carlisle indicated that he could work with Mr. Weaver to find an alternate site for the proposed Zippy Auto Wash.

Mr. Brewer and Mr. Heim acknowledged the great business provided by Mr. Weaver and hoped for an opportunity for approval at another location.

Mr. Doe supported the idea of finding an alternate location in the community.

Ms. El-Assadi noted that Mr. Weaver's presentation was focused on the site plan rather than the conditional use, which should be addressed before the site plan. Mr. Tawakkul agreed with Ms. El-Assadi's comment.

Ms. Peterson added that the proposed site plan is not compatible with the Master Plan and hopes to find another space for the proposal.

Mr. Iacoangeli provided a list of the correspondence received for and against the proposal:

- Honigman Law Firm in opposition, signed by J. Patrick Lennon
- Ann Arbor/Ypsilanti Regional Chamber in opposition, signed by Diane Keller, President, and CEO
- Destination Ann Arbor in opposition, signed by Mary Kerr, President, and CEO
- Renewal Ministries in opposition, signed by Kathleen Kittle, Missions and Conferences Director
- Ann Arbor Marriott Ypsilanti at Eagle Crest staff in opposition, marked by several staff members
- The team at Utsav Planning in opposition
- Ann Arbor Marriott Ypsilanti at Eagle Crest in opposition, signed by Jamie Vecchioni, General Manager
- Eagle Crest Golf Club in opposition, signed by Wes Blevins, Director of Golf
- Harshe Law PLLC in favor, signed by Maria Harshe
- Roy Wilbanks, resident in opposition
- Karen Lovejoy-Rowe, resident in opposition

The Chair received each letter into the official record.

The public hearing was opened at 7:59 p.m. for 1327 Huron Street K-11-16-360-001.

Mr. Lennon, attorney for MFS Ypsilanti Holdings (the owner of the Marriott), expressed opposition to the proposal as the location is not the right place for the carwash. In addition, the carwash could be detrimental to the Marriott as the nature of the business in this location.

The public hearing was closed at 8:05 p.m.

Mr. Krieg provided his opinion on the matter as he has been a Planning Commission member since 2008. Many commercial automobile businesses have been approved that prevent the area from becoming an entirely walkable, multi-use area. A significant effort is required to make the Township more pedestrian-friendly as the latest traffic count shows an average of 29,700 cars using the corridor. Mr. Krieg expressed his support for approving the Special Conditional Use permit for the proposed Zippy Auto Wash.

On a motion made by Ms. El-Assadi, seconded by Mr. Tawakkul, it was resolved to deny the request for Special Land Use permit approval for an auto wash at 1327 Huron Street K-11-16-360-001 due to the following reasons: the Special Conditional Use of an automatic car wash at 1327 Huron Street does not meet all the standards of Section 2119 Special Conditional Uses including items A, B, C, and E.

A roll call vote was taken:

Mr. Krieg:	Opposed
Mr. Doe:	In favor
Ms. Peterson:	In favor
Mr. Tawakkul:	In favor
Mr. Sinkule:	In favor
Ms. El-Assadi:	In favor

The motion was carried.

6. NEW BUSINESS

1327 Huron Street Parcel K-11-16-360-001 – Special Conditional Use – Zippy Auto Wash: To consider a special conditional use request to construct an automobile wash on a parcel zoned B-3 (General Business): Mr. McLain advised that this item is no longer required as the Special Conditional Use request has been denied.

7. OPEN DISCUSSION FOR ISSUES NOT ON THE AGENDA

Correspondence Received: There was no correspondence to discuss.

Planning Commission Members: There were no updates to discuss.

Members of the Audience: There were no updates to discuss.

8. TOWNSHIP BOARD REPRESENTATIVE REPORT

Ms. Peterson advised that there were no updates to discuss.

9. ZONING BOARD OF APPEALS REPRESENTATIVE REPORT

Ms. El-Assadi reported that the Center for Mobility was approved for a temporary permit to store automobiles for six months.

10. TOWNSHIP ATTORNEY REPORT

Mr. McLain advised that there were no updates to discuss.

11. PLANNING DEPARTMENT REPORT

Mr. Iacoangeli advised that there were no additional updates to discuss.

12. OTHER BUSINESS

Mr. Iacoangeli advised that there may not be any updates or business for the next Planning Commission meeting as several projects are currently underway.

13. ADJOURNMENT

On a motion made by Ms. El-Assadi, seconded by Mr. Doe, it was resolved to close the meeting at 8:17 p.m. Motion carried.

DISCLAIMER

The above minutes of the Planning Commission meeting should be used as a summary of the motions passed and issues discussed at the Planning Commission meeting of the Charter Township of Ypsilanti. This document shall not be considered a verbatim copy of every word spoken at the meeting.
