

**CHARTER TOWNSHIP OF YPSILANTI  
PLANNING COMMISSION MEETING  
Tuesday, April 25, 2023  
6:30 pm**

**COMMISSIONERS PRESENT**

Bill Sinkule, Chair  
Elizabeth El-Assadi, Vice-Chair  
Larry Doe  
Gloria Peterson  
Muddasar Tawakkul  
Caleb Copeland

Bianca Tyson

**STAFF AND CONSULTANTS**

Jason Iacoangeli, Planning Director  
Megan Masson Minock, Carlisle Wortman Associates

**i. CALL TO ORDER/ESTABLISH QUORUM**

**MOTION:** Mr. Sinkule called the meeting to order at 6:30 pm.

**ii. APPROVAL OF FEBRUARY 28, 2023, REGULAR MEETING MINUTES**

**MOTION:** Mr. Doe **MOVED** to approve the February 28, 2023, Meeting Minutes. The **MOTION** was **SECONDED** by Ms. Peterson and **PASSED** by unanimous consent.

**iii. APPROVAL OF AGENDA**

**MOTION:** Mr. Doe **MOVED** to approve the proposed agenda. The **MOTION** was **SECONDED** by Mr. Sinkule and **PASSED** by unanimous consent.

**iv. PUBLIC HEARINGS**

**SPECIAL LAND USE – ALDI, INC. – 1420 HURON STREET – PARCEL K-11-38-280-011 – TO**

**CONSIDER THE SPECIAL LAND USE PERMIT APPLICATION OF MR. ANDREW SHAW IN**

ORDER TO PERMIT THE CONSTRUCTION OF A RETAIL BUILDING GREATER THAN 10,000 SQ. FT. ON A PARCEL ZONED TC – TOWN CENTER WITH A SITE TYPE DESIGNATION D LOCATED AT 1420 S. HURON STREET, YPSILANTI, MI 48197.

Christian Cullege (Design Engineer) went through the site layout. Location of the Building is on the northeast corner of the property, pushed closer to Huron Street, and the main parking lot is toward South, and the sub parking would be to the West. The proposal is for 101 parking spaces. The third prototypical standard is 95 spaces which comes through the experience of operating Aldi. There are over 90 stores in the state of Michigan and 2000 stores in the United States. And through the nationwide operation, Aldi has determined the amount of parking they would need for their store. The reason for proposing 101 spaces is to take the 95 customer spaces, three curbside pickup spaces along the east side and three electric vehicle charging stations. Mr. Cullege presented the building façade and explained the masonry materials that is been used on the building. Everything used on the building is designed to withstand weather and at the same time to give an attractive look.

The main feature is the entry vestibule which is located at that southeast corner of the building. All windows / doors are transparent glass, the doors would be facing out towards the parking area and the windows would face east towards Huron Street. All carts would be stored in the cart enclosure, there won't be any cart storage in the parking area. Everything will be uptight to the building; the carts can be accessed by using a quarter. There is a canopy provided for a covered entrance. The canopy wraps around the corner and then becomes the roof for the cart enclosure and provides coverage for the front exit (emergency exit and for E-commerce usage. Two wall signs proposed right above the entrance, one on the south side, one on the east side, both 47 square feet with Aldi logo sign. There is a parking and service area for trucks on the west side of the building.

There would be significant utility work at the site. This would be designed to extend to the north in the future for any future development in that Seaver farm development. The plan is to bring in the public sanitary, that's located at Seaver and Brinker. The shared driveway will be constructed to the northwest corner of the site and provide temporary gravel for any emergency vehicles.

All mechanicals would be rooftop mounted. The tower over the entry vestibule at the southeast corner, would face the intersection where the traffic light is. The tower would provide screening from that intersection of the rooftops mechanical. The plan is to propose a monument sign (six foot tall, 32 square foot) and a significant amount of landscaping. The landscape architect went through and planted, due to a shortage of five interior trees the architect went ahead and brought in additional shrubs to offset the shortage.

Ms. El-Assadi inquired about the placement of the window and shrubs; Mr. Cullege stated that there would be shrubs and plantings along the front of the wall and the window is higher than the cart area so that the customers would not be looking at the shopping carts but can see through the store. The emergency exit door was changed to glass to provide transparency.

Ms. Peterson extended her appreciation for making the bypass convenient for bikers to the grocery store.

**PUBLIC HEARING OPENED AT 7:15 PM**

**PUBLIC HEARING CLOSED AT 7:16 PM**

**MOTION:** Mr. Tawakkul **MOVED** to approve the special land use permit approval for the construction of 220, 664 square feet grocery store for the site zone TC town center with the site type designation D located at 1420 South Huron Street, **PARCEL K-11-38-280-011**. With the following conditions:

1. The applicant shall obtain the required variances from the Zoning Board of Appeals to allow for the building placement on the parcel and the preliminary site plan.
2. The applicant shall address all outstanding comments for reviewing agencies prior to the final site plan approval.
3. Applicant shall obtain all applicable internal outside agency permits prior to construction.
4. The applicant will enter into a development agreement with the township that will address items set but not limited maintenance of the private commercial drive.
5. Stormwater traffic migration and easement of utilities and any other conditions based upon Planning Commission discussion.

The **MOTION** was **SECONDED** by Mr. Doe.

**Roll Call Vote:** Mr. Tawakkul (Yes), Ms. El-Assadi (Yes), Mr. Doe (Yes), Mr. Sinkule (Yes), Caleb Copeland (Yes), Bianca Tyson (Yes), Gloria Peterson (Yes).

**MOTION PASSED.**

v. **OLD BUSINESS**

None to report.

vi. **NEW BUSINESS**

- A. PRELIMINARY SITE PLAN – ALDI, INC. – 1420 S. HURON STREET – PARCEL K-11-38-280-011** – TO CONSIDER THE PRELIMINARY SITE PLAN APPLICATION OF MR. ANDREW SHAW TO PERMIT THE CONSTRUCT OF A 20,664 SQ. FT. GROCERY STORE ON A PARCEL ZONED TC – TOWN CENTER WITH A SITE TYPE DESIGNATION D LOCATED AT 1420 S. HURON STREET, YPSILANTI, MI 48197.

Ms. El-Assadi shared her opinion with the commission on adding to the motion the sufficiency of the tree and shrubbery on the site.

**MOTION:** Mr. Tawakkul **MOVED** to approve 20,664 SQ FT grocery store on a parcel zoned TC – Town Center with site type designation D located at 1420 South Huron Street, **Parcel K-11-38-280- 011**. With the following conditions:

1. To allow for the deviations of the trees.
2. The applicant shall obtain required variances from Zoning Board of Appeals to allow for the building placement on the parcel as depicted on the preliminary site plan.
3. The applicant shall address all outstanding comments from reviewing agencies prior to the final site plan approval.
4. The applicant shall obtain all applicable internal and outside agency permits prior to construction any other conditions based upon Planning Commission discussion.

The **MOTION** was **SECONDED** by Ms. El-Assadi.

Ms. El-Assadi made a **MOTION** for a friendly amendment to change the parking conditions to 44% versus the 22% as listed; The **MOTION** of Amendment was accepted by Mr. Sinkule.

**Roll Call Vote:** Mr. Tawakkul (Yes), Ms. El-Assadi (Yes), Mr. Doe (Yes), Mr. Sinkule (Yes), Caleb Copeland (Yes), Bianca Tyson (Yes), Gloria Peterson (Yes).

**MOTION PASSED.**

- B. PRELIMINARY SITE PLAN – FROST DISPENSARY – 1250 WATSON STREET – PARCEL K11-13-255-002** – TO CONSIDER THE PRELIMINARY SITE PLAN APPLICATION OF MR. MICHAEL LUDTKE TO PERMIT THE CONSTRUCTION OF A 10,400 SQ. FT. MARIJUANA DISPENSARY AND GROWING FACILITY ON A PARCEL ZONED I-C – INDUSTRIAL AND COMMERCIAL, LOCATED AT 1250 WATSON STREET, YPSILANTI, MI 48198.

Mr. Iacoangeli addressed the Planning Commission and explained the request for a new construction for frost dispensary, which will be 10,400 square foot building for the use of a marijuana dispensary and growing facility in a site that's zoned IC. The Township is part of the zoning ordinance overhaul that was adopted in March 2022. The township made a conscious decision to allow for marijuana uses in all other facets under the state law in the industrial district that is out near the historic Willow Run airport, which is commonly referred to as the IC or the industrial commercial district of the township.

The idea for allowing the usage was, rather than the township trying to compete with the city of Ypsilanti and the city of Ann Arbor to a degree with the retail dispensaries that would allow all of the marijuana uses in the industrial district with the hope that someone would come along and want to build a large facility not only for the sale of marijuana but also for the growing/ laboratory testing of marijuana that the state of Michigan would allow for the new developments that would establish a development in that neighborhood of town. The project would be located at the corner of State and Watson Street, which is near the headquarters for YCUA (Ypsilanti Community Utility Authority).

Following are the Consulting Reports:

- Carlisle Wortman: All the zoning nearby and congruent to this parcel is industrial commercial. Some of them are vacant. There are some single-family homes in and around the neighborhood with a warehouse nearby. Not much topography, a tree survey was provided with 47 trees that were surveyed as part of the woodland ordinance, and there are no wetlands. There is a significant gas transmission line that runs through the parcel (part of the Enbridge Pipeline Corporation). This development will be staying out of the gas utility easement. The buildings comply with the IC district standards.

Section 416 (5) outlines the specific use regulations for marijuana use; Regulations include odor emissions control, licensing requirements, visibility, control location regulations and marijuana waste disposal and permits. The dispensary would have to meet the regulations and it would be codified in the development agreement.

With regards to parking, there is a request for a deviation from the planning commission for the number of spaces. The retail based on the retail square footage and the industrial square footage, the requirement would only be for 23 spaces, the request is for 37 spaces. The requirements for barrier fee and loading spaces have been met. The truck and loading zone have been provided, but

there is no allowance for bicycle parking. The Planning Commission can consider the allowance for the deviation from bicycle parking if there are no pedestrian amenities in that neighborhood. It would be difficult for someone to use Bicycle Transportation to visit that site currently. Trash enclosure with screening has been provided.

Development agreement has not been completed since it is in the preliminary stages. The plan is to enter into a development agreement for this project and pertaining any other conditions that the planning commission might discuss. The dispensary should have the security provisions required to operate a business of this nature.

- OHM (Engineering) recommendation has consented to the preliminary approval.
- YCUA: Currently working with the applicant on some of their watermain designs.
- Fire Marshal: Letter of approval from the fire marshal, all pages were reviewed, and he commented on the requirement of a Knox box.
- Mr. Iacoangeli informed the Commission that even with YCUA in the neighborhood, there are large sections of area that are missing water main and sanitary sewer. It would be an effort on behalf of the township to revitalize this area and to work with people who want to do development and help them achieve their goals by extending water and sewer utilities throughout the rest of the area. As the ACM gets more developed there will be opportunities for the development of new factories/ R&D. Having utilities in place would be beneficial.
- The review by the road Commission stated the access be off Watson Street and not the State, since the project is happening on the north side of the property, which is more adjacent to Watson than State. The attestation by Gary is in the Board packet.
- The Water Resources Commission is being completed.
- Mr. Iacoangeli informed the Commission that to his understanding that the proprietor would also like to do some other things with this property at some point, applying for a consumption license for people to use marijuana on the property in the future and provide an entertainment space.

Ms. Peterson inquired with Mr. Iacoangeli about the time frame for the proposal for future use of the site as an entertainment space; Mr. Iacoangeli stated that the process for splitting the property has been initiated and there was a request by the assessing department to go through with the parcel split (Southern portion of the property). The

other portion of the property is owned by the same owner, and they've already gone through the exercise of getting the parcel split. The reason behind that is the state of Michigan will not grant consumption licenses to the same address where there is recreational or retail component. This would have a separate bill, separate parcel tax and a separate address. This license and approval are for retail sale and the growing portion of the facility.

Andrew Danaher (Stucky Vitale Architects) shared with the Commission that the project underwent a new branding with Michael Ludtke. Putting the buildings together helped in creating a bigger building that complements each other, and this allowed the project to stay out of the pipeline setbacks and several other things on site. With regards to parking, a requirement of 25- 30 spaces would be required for retail purposes. The industry uses 13 or more spaces currently and these two facilities will operate at the same hours. The building is structured with a good balance of masonry materials versus paneling, metal paneling and natural woods.

Ms. El-Assadi inquired about the hours of operation; Andrew Danaher stated the plan is to have from 10:00 am until 9:00 pm (Seven days a week), depending on any ordinances by the Commission.

The Commission inquired with Michael Ludtke (Owner) if he had other facilities; Michael Ludtke stated that this was his first recreational project. Michael Ludtke informed that he has operated over different medical growth facilities but not recreational/retail outlet.

Ms. Peterson inquired about security; Andrew Danaher stated that security requirements at the state level are strict and stringent. There is a requirement to hold video on site for many days (State Requirement; 60 days) and sharing it with police officers/ enforcement as needed. The space internally and externally will be fully covered with security camera 24/7. The plan is to have a full-time security guard on site as well (evaluated as space grows).

Mr. Copeland inquired about what set Frost Dispensary apart from other dispensaries; Michael Ludtke (Owner) stated that his goal is to vertically integrate the production and selling of cannabis grown in Ypsilanti to the people from the Ypsilanti Community and the future to having a consumption lounge for people to experience and consume in a safe area. It is very similar to a brewery where people must have a designated driver/uber for safety.

**MOTION:** Mr. Tawakkul **MOVED** to approve the request for preliminary site plan approval for the construction of a 10,400 square foot marijuana dispensary and growing facility on parcel zoned IC - industrial and commercial located at 1250 Watson Street, **PARCEL K11-13-255-002**. With the following conditions:

1. The variance for the parking and the inclusion of a bike rack along with the applicant shall provide trash enclosure screening.
2. The township and applicant shall prepare and develop an agreement that ensures that the specific use regulations are met.
3. The applicant shall address all outstanding comments from reviewing agencies prior to final site plan approval.
4. Applicant shall obtain applicable Washington County Water Resource commission, Washington County Road commission, Michigan Department of Environment, Great Lakes and energy and Ypsilanti Township and community standards and permits and any other condition based upon Planning Commission discussions.

The **MOTION** was **SECONDED** by Ms. El-Assadi.

**Roll Call Vote:** Mr. Tawakkul (Yes), Ms. El-Assadi (Yes), Mr. Doe (Yes), Mr. Sinkule (Yes), Caleb Copeland (Yes), Bianca Tyson (Yes), Gloria Peterson (Yes).

**MOTION PASSED.**

vii. **OPEN DISCUSSIONS FOR ISSUES NOT ON AGENDA**

A. **Correspondence received.**

None to Report.

B. **Planning Commission members**

Mr. Tawakkul inquired about who manages the Energy Step Drive; Mr. Iacoangeli stated Demko 29, who owns the Washtenaw Business Park controls it. A notice of violation was sent.

Mr. Iacoangeli stated that the Roundhouse construction would be arriving on site any day. They are still waiting for an eagle permit and will be starting underground work in the next few weeks. The building permit has been approved by the building department.

C. **Members of the audience**

None to Report.

viii. **TOWNSHIP BOARD REPRESENTATIVE REPORT**

Ms. Peterson extended her appreciation towards the two attorneys for working so hard on the golf village project.

ix. **ZONING BOARD OF APPEALS REPRESENTATIVE REPORT**



None to Report.

x. **TOWNSHIP ATTORNEY REPORT**

None to Report.

xi. **PLANNING DEPARTMENT REPORT**

Mr. Iacoangeli shared with the Commission the projects that would be eligible to come through and some that are under review. The Children's Healing Center has been issued the pre- construction meeting requirements letter so that development should be kicking off their construction here shortly. The EMU golf facility continues to make great strides. Range USA is doing well in business. RNL carriers are working on completing the project. Minion Street needs to be completed once the construction is over.

Amendments to the ordinance have been stalled due to the demand at the office, the amended ordinance should be ready for review in June.

The plan is to schedule a training session with Michigan Association of Planning.

xii. **OTHER BUSINESS**

None to Report.

xiii. **ADJOURNMENT**

**MOTION:** Mr. Sinkule **MOVED** to adjourn at 7:58pm. The **MOTION** was **PASSED** by unanimous consent.

Respectfully Submitted by: Minutes Services