

**CHARTER TOWNSHIP OF YPSILANTI
PLANNING COMMISSION MEETING
Tuesday, June 27, 2023
6:30 pm**

COMMISSIONERS PRESENT

Bill Sinkule, Chair
Elizabeth El-Assadi, Vice-Chair
Gloria Peterson
Larry Doe
Muddasar Tawakkul
Bianca Tyson

STAFF AND CONSULTANTS

Jason Iacoangeli AICP, Planning Director
Fletcher Reyher, Planning and Development Coordinator

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

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

ii. **APPROVAL OF APRIL 25, 2023, REGULAR MEETING MINUTES**

MOTION: Mr. Tawakkul **MOVED** to approve the June 13, 2023, Meeting Minutes with a friendly amendment to change Mr. Sinkule to Chair and Ms. El-Assadi as Vice-Chair. The **MOTION** was **SECONDED** by Mr. Doe and **PASSED** by unanimous consent.

iii. **APPROVAL OF AGENDA**

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

iv. **NEW BUSINESS**

- a. **PRELIMINARY SITE PLAN – SKETCH PLAN – PASCHALL APARTMENTS – NEW APARTMENT OFFICE – 1155 E. FOREST AVENUE – PARCEL K-11-03-400-033 – TO CONSIDER THE PRELIMINARY SITE PLAN APPLICATION OF MR. LAMKIN TO PERMIT THE CONSTRUCTION OF AN APARTMENT OFFICE BUILDING FOR A 4.20 ACRE SITE ZONED RM-LD – MULTIPLE FAMILY (LOW DENSITY).**

Mr. Reyher (Planning and Development Coordinator) addressed the Planning Commission and presented the preliminary site plan for a new office building at the Paschall apartments at 1155 East Forest Avenue. Currently, a single-family home is on the site where this office is proposed. The Charter Township of Ypsilanti 2040 Master Plan designates this site for Neighborhood Preservation, a designation for established residential neighborhoods primarily north of Ford Lake and I-94.

Mr. Reyher presented an aerial photograph; the house that is proposed to be demolished is on the southern portion of the property. All of the abutting uses of this property are residential, multi-family and single-family residential. The Paschall apartments have abutting properties on Forest Avenue. The parcel is relatively flat, with no woodlands/wetlands present on the site. This site complies with the dimensional requirements for residential multiple-family low density except for the side yard setback. The applicant will need to seek a variance for the project. There is a requirement of a 30-foot side yard setback; the applicant is providing 10 feet.

The proposed uses for the office building complies with the zoning ordinance; this would be an accessory use to the existing apartment complex. The leasing agents and the maintenance staff would be present at the building. Tenants would have access to the building to pay their rent and submit maintenance requests.

The applicant proposes nine parking spaces, and the current requirement is 13. The Planning Department is confident that the number of spaces (9) provided is sufficient for both residents of the apartment complex and workers who will use the office space daily.

The applicant did not submit the landscaping plan. One of the approval conditions is adding landscaping to the final site plan. The requirement is for two large deciduous trees, one ornamental tree, and ten shrubs to be placed at the front of the proposed office building.

The Township Engineers and Consultants reviewed the plans with the following reports:

- OHM recommended approval, subject to conditions of this project that will be addressed at the final site plan review. The applicant must obtain permits from outside agencies and approvals from both Ypsilanti Township in all reviewing US agencies.
- Fire Marshal Steve Walgren approved the submitted plans on June 22, 2023.
- YCUA recommended the reuse of the existing water service and sanitary that are currently there

Mr. Tawakkul inquired if the Zone RM-LD would be permitted under the current zoning: Mr. Reyher stated that it would be an accessory use to the existing residential multi-

family use and this office would be more conforming than the existing single-family home.

Commissioner wanted confirmation on the sidewalk next to the house; Mr. Reyher confirmed that a sidewalk was present. OHM review states that the applicant must provide a sidewalk connection for the proposed office building to the existing sidewalk along the forest. Mr. Reyher stated that the existing sidewalk is in good shape, and there is no need to replace the whole frontage of the sidewalk but add the sidewalk from the existing sidewalk to the office building.

Ms. El-Assadi inquired about the parking spaces and the waiver of 13 parking spaces; Mr. Reyher stated that there are different modes of getting to the location via sidewalks, walkability, transportation, bus stop property manager of s, and those were the criteria in which the Planning Commission granted the waiver.

The applicant, Mr. Lamkin and Gary Bordeaux (Property Manager of Paschall Apartments) were present. Mr. Lamkin shared with the Commission that the proposed structure has a couple of elevations. The proposed office would replace the existing house and look great in the neighborhood. The new location is next to the current shop where the maintenance crews work, and the tenants are constantly in and out of the area.

The Commission inquired about the number of apartment complexes managed for Paschall in the township; Mr. Lamkin stated 260 apartments.

Mr. Tawakkul inquired if the applicant was comfortable with the requirement for landscaping; Mr. Lamkin stated that he had discussed it with Mr. Iacoangeli and Mr. Reyher; once the Planning Commission decides, the owner would provide a landscaping sketch.

MOTION: Ms. Peterson move to approve the Preliminary Site Plan of Mr. Lamkin representing Paschall East Apartments to permit the construction of a 4,040 sq. ft. office building and referenced site improvements located at 1155 E. Forest Avenue, Ypsilanti, MI 48198 Parcel #K-11-03-400-033.

This motion is further made with the following conditions:

1. The applicant shall address all outstanding comments from reviewing agencies prior to Final Site Plan approval.
2. The applicant shall obtain all applicable internal and outside agency permits prior to construction.
3. The applicant shall include a landscaping plan detailing plantings as required by Sec. 1301 – 3.C. – Street Yard Landscaping of the Township Zoning Ordinance.

4. The applicant shall obtain required setback variances from the Zoning Board of Appeals prior to Final Site Plan approval.
5. The applicant shall provide a sidewalk connection from the proposed office building to the existing sidewalk along Forest Avenue.

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

Roll Call Vote: Mr. Tawakkul (Yes), Ms. El-Assadi (Yes), Mr. Doe (Yes), Mr. Sinkule (Yes), Ms. Peterson (Yes), Ms. Tyson (Yes)

MOTION PASSED.

- b. **DRAFT YPSILANTI TOWNSHIP ZONING ORDINANCE AMENDMENTS – DRAFT ZONING ORDINANCE AMENDMENTS TO BE INTRODUCED TO THE PLANNING COMMISSION. NO PUBLIC HEARING IS SCHEDULED.**

Mr. Reyher addressed the Planning Commission on the zoning amendments. The current zoning ordinance had various issues over the last year, and it must be corrected.

Article 4- District Regulations deals with dimensional requirements, setbacks, heights, and allowable land uses. One of the issues found is that the zoning ordinance allows for the construction of single-family homes in multi-family residential zoning districts. The setback requirements for these multi-family residential districts are too big for a lot of these lots. Mr. Reyher shared an example of Habitat for Humanity having an issue where they needed to seek a variance for setbacks due to the small lot.

The amendment is to just add language to help developers follow single family zoning district standards. The language has been added to all multi-family zoning districts (low density, medium density and high density).

Mr. Iacoangeli stated that some of the critical ones that the Planning Department are looking at that would need feedback and consideration from the Planning Commission are the industrial districts (James L. Hart Parkway, where RNL carriers is located in a small portion of Rawson Ville road; LM logistics and manufacturing on Rawson Ville road and then ICR - industrial commercial revitalization, near the Willow Run airport area, down to I 94).

SLPC (Special Use Planning Commission Approval):

- The townships moving crematoriums to that area out in the ICR district.
- Heating in electrical power generating plants would also be special land use in that area.
- The incineration of garbage is completely being eliminated.

- Junkyards are being contemplated as only a special land use since currently they are permitted use.
- Lumber and planing mills are being eliminated.
- Product assembly is being amalgamated into manufacturing and production and it would be a special land use. The manufacturing and production line item is taking the place of all the old sort of convoluted manufacturing individual uses that used to be in the ordinance and some of them are archaic (phonograph, pottery, musical instruments, toys novelties). The old language is being stricken out and manufacturing should be dealt as a special conditional use. Manufacturing revolves around the automotive industry and mechanical components.
- An increased request for Self- Storage, which would be a special conditional use. There are a lot of people who want to locate Self Storage business at James L. Hart Parkway and the surrounding neighborhoods which is not the appropriate area for those types of uses.
- Petroleum liquids and production refining and storage have been moved to a special land use.
- Sand and Gravel extraction/ smelting of copper iron and zinc has been eliminated.
- Large scale customer fulfillment centers laboratories for experimental technology and testing avionic repair.
- Green infrastructure and technology are being eliminated due to its own separate new uses which are more elaborate.
- Data centers for the storage and warehousing of servers.
- Outdoor storage and contractors and landscaping yards are becoming only a special land use in the ICR and LM district where they're currently permitted.
- Open Air businesses are been removed since they are primarily for retail and commercial districts and not for industrial.
- Warehouses and indoor storage are being allowed only in the LM and ICR district.
- Some lumber yards building materials (Lowe's and Home Depot) have been taken out of the industrial districts, because those are more commercial.
- Laboratories and experimental film testing have been stricken out since it falls into the other experimental.
- Research and development have been stricken out.
- Green industry and energy are a whole new section.
- Green Technology Research and manufacturing would be permitted use in all industrial districts.
- Solar farms would be special conditional uses in the LM and the ICR district.
- Green battery manufacturing in LM and ICR district as a permitted.

- Hydrogen technology special land use consideration and LM permitted use in the ICR district.
- Research and development including laboratories prototype development and testing facilities, permitted uses in IT and LM districts.
- Agricultural standards were cleaned up; farm operations have been taken out of industrial districts. Greenhouse and plant material and nurseries are permitted uses in LM and ICR.
- Community Supported Agriculture was eliminated from the LM district.
- Office buildings that have been data processing and computer centers have been extended to the ICR district.
- Adult /daycare centers and preschools have been taken out.
- Massage therapy has been removed out of the ICR district because massage therapy according to the standards and conditions subject to 1140 is treating massage therapy as a sexually oriented business. There are businesses who wish to have legitimate licensed massage build businesses in the township.
- Pawnbroker, secondhand dealers and junk dealer facilities have been taken out.
- Medical marijuana and the marijuana use would remain the same.
- Restaurants are being taken out of the IT district. This might need special conditional use in the IT district.
- The Civic and institutional uses have been updated.
- Individually recreational is allowed in IT.
- Convention centers / theaters in considered under the IT area.
- Paint balls have been removed, outdoor theaters have been added to the ICR and racetracks have a special conditional use.
- Airports auto engine body repair have been relegated to the ICR special conditional uses and freight terminals would be a permitted use in the ICR and taken out of IT.
- Railroads are allowed in the ICR district and railroad lines / similar rail transport facilities are being removed from the ICR (Planning Department to amend to as permitted use).

Mr. Iacoangeli informed the Commission that Section 500 (Article Five) is the Form based districts that requires some minor changes associated with the maps. It was found that, there have been some parcels that have not been designated with site types. The Planning Department engaged Carlisle Wortman to make the necessary changes to the maps for the allowance into the IT district / town center district.

Changes to Sec 1005: Language change in the conditional uses for how long an approval can be granted for a special conditional. The current language states that applicants

have one year from the date of approval to get their project completed or else it deems to lose its special conditional use approval. The language that states "progress towards conclusion of project is made", this gives the Planning Department some latitude when someone gets special land use approval, they have one year from that date to show that they are making substantial progress towards getting their special conditional use approved. This language in place would allow the extension of the approval and allow the entity to moving forward with the project instead of having to reset and bring it back to the Planning Commission.

Mr. Tawakkul pointed out that "date of approval and progress towards conclusion of project is made" is adding additional requirement instead of waving out the one-year requirement. Mr. Tawakkul suggestion is for the Planning Department to consult the attorney; Mr. Iacoangeli stated that he would update the language before the next meeting.

Article 11; Sec 1128 (Temporary sidewalk, outdoor and tent sales): Added an additional language "Off-street parking shall be provided in keeping with standards of Section 1205 Parking requirements. In those instances where usable floor area cannot be effectively measured the sales space utilized shall be measured as usable floor area". Mr. Iacoangeli explained by stating that someone who is having an outdoor sidewalk sale has to demonstrate that they have enough parking to accommodate whatever side sale they are having. There is no language in the ordinance that gives the ability to do that, and there is a needed change to the language.

Seasonal sale of produce from tents, stands or display racks subject to the following conditions: Eliminating the off-street parking provision, because it talks about the requirements and instances where a usable floor area cannot be effectively measured, and parking must be provided in keeping with the standards of Section 1205 parking requirements. Off street parking to be either asphalt or concrete.

Sec 1166 (Specific Use Provisions): The food trucks needed some addition; it was taken to the development team and was able to get some feedback from the in-house elected officials and Mr. Doug Winters about some considerations regarding the language. Currently, the township has a food truck regulation that part of the zoning ordinance amendment that was reviewed last time, the Planning Department made the decision to plant the township flag on the food trucks. Section 1166 currently states food trucks may be a temporary use in neighborhood business, general business, neighborhood corridor and regional corridor. The applicant must obtain a zoning compliance permit and the property owner of the site of the proposed future food truck shall sign the zoning compliance permit application. This language would abridge that by adding some specifics "including may be permitted in any zoning district in conjunction with a special event for which the township approval has been granted". The zoning compliant permits have to be granted yearly, and require them to be displayed. All applicants for the

compliance zoning compliance permit shall include documentation of the property owner's permission. The proposed location may be amended over the course of the permit's term. Washtenaw County or other applicable Health Department approvals have to be submitted. Food truck vendors shall provide trash and recycling.

Vendors are responsible for removing all associated trash and litter and refuse from the site at the end of the day. This includes food wrappers and stuff discarded improperly by customers. Mr. Winters felt that there might be some additional language added to this to require a bond of \$500 for the year (refundable) to make sure that food truck businesses clean up after themselves. Food Truck vendors shall not cause any parking traffic or vehicular accessibility or pedestrian or non-motorized conflicts. They should not obstruct fire lanes. Vendors shall not use any flashing, blinking or strobing lights, loud music amplification, no signage used by vendors except the sign on the truck. Hours of operation not to exceed 12 consecutive hours and may not extend past 10:00 pm. Food Truck shall not be left unattended or unsecured at any time. No dining area, including but not limited to tables, chairs, benches shall be permitted. The vendor would have to supply the township with a certificate of liability insurance from an insurance company doing business in the state of Michigan. One of the feedback received is to limiting consecutive days being parked in the same location.

Mr. Iacoangeli talked about the concerns that can arise from the restaurant owners along US 12 and Ecorse Road on allowing food trucks to have permanent residencies in parking lots and the allowance from paying property taxes.

Mr. Tawakkul stated on the rise of applicants for food truck licenses and the suggestion to the Planning Department to review what other municipalities are doing before the township creates the requirements.

Ms. Peterson inquired about "No dining area, including but not limited to tables, chairs, benches shall be permitted"; Mr. Iacoangeli explained that the statement is to keep food trucks from creating a permanent space. Ms. Peterson suggestion is put a limitation of tables/chairs since it would be helpful to have seatings for families with kids.

The Planning Commission and Mr. Iacoangeli discussed on what degree and what requirements are needed for the food truck business.

Mr. Sinkule informed the Planning Commission that Ms. El-Assadi was excused at 7:28 pm.

Section Article 13 (Site Design Standards): This allows neighbors in the township who have through lots to have six-foot-high fences in their secondary front yard. Through lots have two front yards in the township. The township fence ordinance states that

front yards are not eligible to have a six-foot-tall privacy fence, however, through lots is an odd situation where some houses have two front yards.

The ordinance language reads, that residents are not allowed to have a six-foot privacy fence on a through lot. The revised language gives them the ability to do that: A through lot fences between four and six feet in height, located in the secondary front yard shall maintain a 10-foot setback from the property line.

Wall Signs: Each developed lot shall be permitted one wall sign per frontage on a right of way and parking lot all occupant businesses without ground floor frontage shall be permitted one combined exterior wall sign and then the area of wall signs permitted for each unit shall be determined as one square foot of sign area for each one linear foot of building. Additional language talks about prohibited signs; no signs shall be painted directly onto the facade of a building wall or related architectural feature.

Mr. Iacoangeli requested Mr. Sinkule to formally set a public hearing for July 25, 2023, to get comments on these ordinances. Meanwhile the Planning Department will amend the language and get it back to the Planning Commission. Mr. Iacoangeli stated that Mr. Tawakkul will update the executive summary with the current dates.

MOTION: Mr. Sinkule **MOVED** to approve public hearing for July 25, 2023 (Tuesday) to review the draft zoning ordinance amendments.

Roll Call Vote: Mr. Tawakkul (Yes), Mr. Doe (Yes), Mr. Sinkule (Yes), Ms. Peterson (Yes), Ms. Tyson (Yes).

MOTION PASSED.

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

A. **Correspondence received**

Mr. Iacoangeli inquired with the Planning Commission if they were getting emails from the Michigan Association of Planning online magazines and literature classes and continuing education; The Planning Commission stated that they were receiving them. Mr. Iacoangeli informed that if they were any preferred email addresses, they could email Mr. Iacoangeli with their preferences.

B. **Planning Commission members**

Commissioners inquired about Round House; Mr. Iacoangeli stated on the ground breaking event after the holidays. Round House needs to make sure that the fire marshal is satisfied with keeping the entranceway to North Gate Apartments.

Mr. Tawakkul requested Mr. Iacoangeli to run a check on the station next to the Road House.

C. **Members of the audience**

None to Report.

vi. **TOWNSHIP BOARD REPRESENTATIVE REPORT**

Upcoming Jazz Fest from June 30, 2023 until Labor Day weekend.

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

None to Report.

viii. **TOWNSHIP ATTORNEY REPORT**

None to Report.

ix. **PLANNING DEPARTMENT REPORT**

None to Report.

x. **OTHER BUSINESS**

None to Report.

xi. **ADJOURNMENT**

MOTION: Mr. Sinkule **MOVED** to adjourn at 7:44 pm. The **MOTION** was **PASSED** with unanimous consent.

Respectfully Submitted by: Minutes Services