

**CHARTER TOWNSHIP OF YPSILANTI  
PLANNING COMMISSION MEETING  
Tuesday, January 14, 2025  
6:30 pm**

**COMMISSIONERS PRESENT**

Bill Sinkule  
Elizabeth El-Assad  
Larry Doe  
Bianca Tyson  
Daryl Kirby

**STAFF AND CONSULTANTS**

Fletcher Reyher, Planning and Development Coordinator  
Sally Elmiger - Carlisle Wortman  
Dennis McLain – Township Attorney

• **CALL TO ORDER/ESTABLISH QUORUM**

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

• **APPROVAL OF NOVEMBER 6, 2024, REGULAR MEETING MINUTES**

**MOTION:** Ms. El-Assadi **MOVED** to approve the November 06, 2024, regular meeting minutes. The **MOTION** was **SECONDED** by Mr. Doe and **PASSED** by unanimous consent.

• **APPROVAL OF AGENDA**

**MOTION:** Ms. El-Assadi **MOVED** to amend the agenda, by adding Section C to New Business (Officer selection and tenure, the first regular meeting of each year the planning commission shall select from its membership a Chairperson, Vice Chairperson and Secretary. All officers shall serve a term of one year, or until their

successors are selected and assume office. Officers shall be eligible for reelection for consecutive terms for the same office). The **MOTION** was **SECONDED** by Mr. Doe and **PASSED** by unanimous consent.

- **PUBLIC HEARINGS**

**SPECIAL LAND USE – ZAWIYAH FOUNDATION, LLC – 5718 WHITTAKER ROAD – PARCEL K-11-21-300-034 – TO CONSIDER THE SPECIAL CONDITIONAL USE PERMIT APPLICATION OF ZAWIYAH FOUNDATION, LLC TO PERMIT THE ESTABLISHMENT OF A HOUSE OF WORSHIP FOR A 0.71-ACRE SITE ZONED NB, NEIGHBORHOOD BUSINESS.**

Mr. Fletcher Reyher, Planning and Development Coordinator, presented to the Commission the Preliminary Site Plan and Special Land Use Application from Zawiyah Foundation LLC, located at 5718 Whittaker Road for worship and prayer for the Zawiyah Foundation. The building will contain an open worship space, library, kitchenette, and two restrooms. The applicant has indicated that the Zawiyah Foundation is limited to twelve members.

The applicant is not proposing to make any changes to the existing site except for some tree plantings, or to the exterior of the building. Interior renovations are proposed and will require a Building Permit approval from the Charter Township of Ypsilanti if approved by the Planning Commission.

The subject site is zoned NB, Neighborhood Business. Houses of worship are a special land use in this zoning district.

The Ypsilanti Township Master Plan designated this area as Neighborhood Mixed Use Corridor. Neighborhood Mixed-Use Corridors are located along high traffic areas and intended for local businesses to serve daily needs and services of the adjacent residential areas. This area may include day-to-day neighborhood-scale retail and services, restaurants, professional and medical offices, medium density multiple-family residential uses, and public and institutional facilities, such as schools, places of worship, police stations and community centers, which support the surrounding residential properties.

The Planning Department finds that the proposed use of this site as a house of worship are consistent with the Master Plan.

Mr. Fletcher Reyher presented an aerial view of the property discussed; This site was formally used as a veterinarian clinic and is currently used as an office space for the Zawiyah Foundation.

The plans and application have been approved by township staff and consultants in accordance with the procedures.

Sally Elmiger (Planning Consultant- Carlisle Wortman), reviewed the preliminary site plan and special land use application and has recommended the following items to be discussed with the planning commissioners.

- The need for a loading space.
- To provide evidence of physical impairment that precludes expanding the width of the safety path across the property frontage.
- Planning Commission to consider whether to waive/modify landscaping requirements to address deficiencies.

**Reviews of different departments:**

- **OHM:** The Township Engineer recommended approval in their letter dated November 25, 2024. OHM has provided preliminary detailed engineering comments that will be addressed at the time of Final Site Plan and Detailed Engineering. If this item were to be approved, the applicant would have to go through final site plan review (engineers, fire marshal and the planning department, would review those plans).
- **Ypsilanti Township Fire Department:** YTFD has recommended approval in a letter dated November 12, 2024.

Mr. Fletcher Reyher, Planning and Development Coordinator informed the Commission that Sally Elmiger (Planning Consultant - Carlisle Wortman) would provide the report from Carlisle Wortman.

Ms. Elmiger informed the Commission that she reviewed the plans for both the special land use standards and the zoning ordinance requirements.

In regard to the special land use, Carlisle Wortman has considered the proposal against the criteria in the ordinance and have the following comments regarding the master plan; the site is in the neighborhood mixed use corridor.

- It is intended for establishments that serve the daily needs and services of the adjacent residential areas. Places of worship are specifically listed as appropriate along this type of corridor in the master plan.
- The site is located within a cluster of small business users. The zoning neighborhood business district is intended to meet the day to day, convenient shopping and service needs of people residing in immediately adjacent residential areas.
- The proposal is compatible with the natural environment, the existing stream and stream big vegetation on the west end of the property is all being preserved.
- The site is currently adequately served by public facilities and services.
- The low-intensity character of this use lessens the likelihood that it will be detrimental or disturbing to existing neighboring uses.

Ms. Elmiger informed the Commissioners that the current proposal states that the foundation currently consists of 12 members; the question that arises is what if the organization grows. Currently, the maximum occupancy in the building code is 19 people. The parking lot does have 10 spaces in the lot, and it does meet the ordinance requirements for parking for a house of worship. The house of worship would be using prayer rugs.

The applicant should be aware that a gathering beyond 19 people would not be permissible.

The site plan would require the Planning Commission to discuss the need for a loading space with the applicant. The zoning ordinance does allow the Commissioners to waive the requirement for a loading space if the applicant can provide reasonable information that a loading space isn't necessary for this kind of operation.

There is no safety path along Whittaker Road; along the frontage of this property; the Planning Commission cannot waive this requirement but can waive the width of the safety path or the location of the safety path. The ordinance does allow the allowance to permit funds to be placed in escrow for construction of a safety path at a later date. The applicant would need to confirm adequacy of the security camera and alarm system during the Final Site Plan review.

The applicant is proposing to install some plant material, but the plant material is not necessarily compliant with all of the requirements, the ordinance does give the Commissioners the ability to waive or modify the landscaping requirements.

Ms. Elmiger informed the Commission that the general landscaping is deficient by 16 shrubs; The ordinance requires two large shade trees, one small ornamental tree, and 10 shrubs. And the shrubs are essentially intended to help screen the parking lot from the road and the applicants plan shows no large deciduous trees, one ornamental tree and 10 shrubs. The existing parking lot doesn't really have any landscape islands, and a large deciduous tree would require a good-sized island.

The ordinance requires screening between the land uses and the northern property line of this site abuts residential property, it's 163 linear feet long, that would require 16 large evergreen trees along that boundary.

Applicant Sebastian Robins (2677 Kimberly Road, Ann Arbor, Michigan) informed the Commissioners that he along with other four families/ individuals are looking to establish a modest place in order to pray. The focus was to look for a place that would be convenient for individuals who live between Ann Arbor and Ypsilanti. The hour of operation is from 6:00 – 7:00 am until 6:00 pm. The number of people visiting the property varies during the day. The duration being 20 minutes.

Mr. Robins shared that there would be no disturbance to the residents due to the 600ft setback from the property.

The Commissioners inquired if the applicant had any concerns in regard to the landscaping; Mr. Robins requested for few waivers: green belt buffer between our property and the adjacent residence.

The applicant shared an image with the Commissioners and commented that there is already a buffer between the properties; and some of trees are growing into the power lines that could be of a concern to the power company and planting trees parallel to the existing line of tree might kill out the other. The applicant informed the Commissioners that the adjacent property house is tucked away across Paint Creek and nothing could impact the resident. The trees on Whittaker Road have a similar problem in getting tangled with the power lines. Placing a tree in the parking lot has been difficult since there is no island with few parking bays.

The applicant informed the Commissioners that there is no need for a loading zone since they are not selling products. Commissioners inquired with the applicant if he would be able to give document evidence for the Planning Department; Mr. Robins stated that he could produce a document.

Mr. Robins stated that the foundation is voluntarily supported by the members and there are no permanent staff recruited.

Barb Potter (Architect) shared with the Commissioners the design of the assembly area; the assembly area can fit 12 people, and the other half of the building permits the allowance for more people (a total allowance for 19 people).

Jerry (Landscape Architect) stated on the various issues on the Whittaker Road; the roadway drainage is an open ditch; the existing power lines are laying low and buried utilities. The evergreens that exist are part of the residential driveway, and the trees on the property create a good screen. Some of the Austrian Pines are dead and rotten and would be required to be removed.

Mr. Doe (Commissioner) shared his view that he would not be supportive if the deficiency of trees was by 20. The recommendation is for the applicant to work alongside the Planning Department. The other Commissioners also agreed with their concerns.

Ms. Elmiger suggested to the Commissioners postponing the decision for both Special Condition Use Permit and Preliminary Site Plan and the applicant can meet the Planning Department.

## **PUBLIC HEARING OPENED AT 7:16 PM**

**Hearing None.**

## **PUBLIC HEARING ENDED AT 7:16 PM**

**MOTION:** Ms. El-Assadi **MOVED** to postpone the Special Land Use Permit submitted by Zawiyah Foundation, LLC to permit establishment of a house of

worship, utilizing the existing building on the 0.71-acre site zoned NB, Neighborhood Business, located at 5718 Whittaker Road, Ypsilanti, MI 48197, Parcel K-11-21-300-034 to give the applicant time to address the comments made at this evening's meeting and resubmit, and/or provide additional information, regarding landscaping; the loading space; the safety path and escrow as discussed, this evening.

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

Roll Call Vote: Mr. Doe (Yes); Ms. Tyson (Yes); Mr. Sinkule (Yes); Ms. El-Assadi (Yes); Mr. Kirby (Yes).

**MOTION PASSED.**

- **OLD BUSINESS**

None to Report.

- **NEW BUSINESS**

- a. **PRELIMINARY SITE PLAN – ZAWIYAH FOUNDATION, LLC – 5718 WHITTAKER ROAD** –PARCEL K-11-21-300-034 – TO CONSIDER THE PRELIMINARY SITE PLAN APPLICATION OF ZAWIYAH FOUNDATION, LLC TO PERMIT THE ESTABLISHMENT OF A HOUSE OF WORSHIP FOR A 0.71-ACRE SITE ZONED NB, NEIGHBORHOOD BUSINESS.

**MOTION:** Ms. El-Assadi **MOVED** to postpone the request for Preliminary Site Plan approval, submitted by Zawiyah Foundation, LLC, to permit establishment of a house of worship, utilizing the existing building on the 0.71-acre site zoned NB, Neighborhood Business, located at 5718 Whittaker Road, Ypsilanti, MI 48197, Parcel K-11-21-300-034, to give the applicant time to address the comments made at this evening's meeting and resubmit, and/or provide additional information, as discussed this evening; regarding landscaping; the loading space; the safety path and escrow as discussed, this evening.

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

Roll Call Vote: Mr. Doe (Yes); Ms. Tyson (Yes); Mr. Sinkule (Yes); Ms. El-Assadi (Yes); Mr. Kirby (Yes).

**MOTION PASSED.**

- b. **2024 PLANNING COMMISSION REPORT TO THE BOARD** – TO CONSIDER SUBMITTING TO THE TOWNSHIP BOARD OF TRUSTEES THE PROVIDED 2024 PLANNING COMMISSION REPORT PURSUANT TO SECTION 19(2) OF THE MICHIGAN PLANNING ENABLING ACT, PA 33 OF 2008 AND SECTION 3C OF THE ADOPTED PLANNING COMMISSION BY LAWS.

Mr. Fletcher Reyher, Planning and Development Coordinator informed the Commission on the Michigan planning Enabling Act, the township planning commission shall make an annual written report to the legislative body concerning its operation and the status of planning activities, including recommendations regarding actions by the legislative body related to planning and development.

Mr. Fletcher Reyher informed the Commissioner that an excel sheet has been included in the Board Packet; a detail of all the meetings completed during the 2024 calendar year; along with the projects and the motions made. The Planning Commission would need to recommend this report to the township Board.

**MOTION:** Ms. El-Assadi **MOVED** to approve the 2024 Planning Commission report as submitted. The **MOTION** was **SECONDED** by Mr. Kirby.

Roll Call Vote: Mr. Doe (Yes); Ms. Tyson (Yes); Mr. Sinkule (Yes); Ms. El-Assadi (Yes); Mr. Kirby (Yes).

**MOTION PASSED.**

- c. **OFFICERS SELECTION**

Mr. Fletcher Reyher stated that as per the township Planning Commission bylaws, at the first regularly scheduled meeting, Planning Commissioners have the ability



to elect a Chair, Vice Chair and secretary for a term of one year. Since Gloria Peterson is absent, the Planning Commissioners can either make a decision or postpone it until the next meeting.

**MOTION:** Mr. Kirby MOVED to postpone the officer's selection until the next meeting. The **MOTION** was **SECONDED** by Mr. Doe. Motion was **PASSED** by unanimous consent.

- **OPEN DISCUSSIONS FOR ISSUES NOT ON AGENDA**
  - **Correspondence Received**  
None to Report.
  - **Planning Commission members**  
None to Report.
  - **Members of the audience**  
None to Report.
- **TOWNSHIP BOARD REPRESENTATIVE REPORT**  
None to Report
- **ZONING BOARD OF APPEALS REPRESENTATIVE REPORT**  
None to Report
- **TOWNSHIP ATTORNEY REPORT**  
None to Report
- **PLANNING DEPARTMENT REPORT**  
None to Report
- **OTHER BUSINESS**  
None to Report
- **ADJOURNMENT**

**MOTION:** Ms. El-Assadi **MOVED** to adjourn at 7:26 pm. The **MOTION** was **SECONDED** by Mr. Doe and **PASSED** by unanimous consent.

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Respectively Submitted by Minutes Services