

**CHARTER TOWNSHIP OF YPSILANTI
PLANNING COMMISSION MEETING
Tuesday, February 25, 2025
6:30 pm**

COMMISSIONERS PRESENT

Bill Sinkule
Elizabeth El-Assadi
Gloria Peterson
Larry Doe
Bianca Tyson
Daryl Kirby
Amy Kehrer

STAFF AND CONSULTANTS

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

• **CALL TO ORDER/ESTABLISH QUORUM**

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

• **APPROVAL OF JANUARY 14, 2025, REGULAR MEETING MINUTES**

MOTION: Mr. Doe **MOVED** to approve the January 14, 2025, regular meeting minutes. The **MOTION** was **SECONDED** by Mr. Kirby and **PASSED** by unanimous consent.

• **APPROVAL OF AGENDA**

MOTION: Ms. El-Assadi **MOVED** to approve the agenda as presented. The **MOTION** was **SECONDED** by Mr. Doe and **PASSED** by unanimous consent.

- **PUBLIC HEARINGS**

SPECIAL LAND USE – UPH YPSILANTI PROPERTY, LLC – 1410 S. HURON STREET PARCEL K-11-38-280-018 – TO CONSIDER THE SPECIAL CONDITIONAL USE PERMIT APPLICATION OF UPH YPSILANTI PROPERTY, LLC TO PERMIT THE CONSTRUCTION OF A 4,330 SQ. FT. CULVER’S RESTAURANT WITH A DRIVE-THROUGH FOR A 3.43-ACRE SITE ZONED TC, TOWN CENTER WITH A SITE TYPE D DESIGNATION.

Mr. Fletcher Reyher, Planning and Development Coordinator, presented the Preliminary Site Plan and Special Land Use Application from UPH Ypsilanti Property, LLC for a proposed 4,330 sq. ft. restaurant & drive-through with 104 seats, and a 65-space parking lot. Other site features include an outdoor patio, sidewalk connection to Huron Street, lighting, and landscaping. The applicant is purchasing the 3.34-acre site from the Township. The restaurant will occupy a portion of the parcel, and the remaining portion of the site will remain vacant for now. All access will be off Brinker Way via the access road developed by the Aldi project. The property is zoned TC, Town Center with a Site Type D Designation. Restaurants are permitted and uses with drive-through facilities are allowed via special land use.

Mr. Fletcher Reyher presented an aerial view of the land and informed the Commission that the site plan submitted has been reviewed by township staff and consultants in accordance with all procedures. Carlisle Wortman Associates reviewed the site plan and has recommended multiple items to be discussed with the planning commission prior to the applicant going to the Zoning Board of Appeals.

Reviews of different departments:

- **OHM:** The Townships Engineering consultant recommended approval of the site plans in their letter dated January 7, 2025. OHM has provided the applicant with detailed engineering comments that would be addressed at the time of final site plan and detailed engineering review.
- **Ypsilanti Community Utilities Authority:** YCUA recommended approval in their letter dated January 21, 2025.
- **Ypsilanti Township Fire Department:** YTFD has recommended approval in a letter dated January 2, 2025.

- **Water Resources Commission:** WRC asked the applicant to address four items in their most recent letter dated January 15, 2025. These items will be addressed at the time of final site plan review.
- Washtenaw County Road Commission also shared a handful of comments with the planning department. These comments will be addressed at the time of the final site plan.

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 project, and a postponement from the Planning Commission would have the project to be presented to the ZBA for decisions on the variances.

Ms. Elmiger stated that Carlisle Wortman recommended approval of the Special Land use as it is consistent with the Master Plan and the vision for the town center area.

Ms. Elmiger suggested that the Planning Commission to consider having the discussion with the applicant on the following:

- To discuss the need for excess impervious surface due to parking space length.
- To consider waiver of striping/signage of loading space for deliveries.
- Applicant to obtain a variance to locate service lane/waiting spaces in front yard.
- Planning Commission to consider ordinance criteria regarding waiving/modifying requirement for 30 deficient landscape trees.
- Provide downward facing, shielded alternative for light fixture “P” due to higher than permitted Kelvin rating, and higher than permitted footcandles, to be evaluated at Final Site Plan review. The color temperature is 4000 Kelvin, above the 3500 Kelvin requirement. An alternative fixture that meets the Kelvin requirement could be used and evaluated at Final Site Plan review.

Commissioner inquired about the proposed underground water storage system under the parking lot and the concern of having it fixed during a technical issue and the possibility of moving the trees away from the area (since the roots of the trees can infiltrate the water system); The Township Engineer Stacie Monte (OHM) informed the Planning Commission that they discourage in planting trees above utilities. Since

the storm sewer is privately owned and operated it would be the owners right/ discretion on the choice. Ultimately OHM would request the applicant to provide maintenance schedule on the plans.

Commissioner Kirby inquired about the problems that could arise due to the deficiency of trees; Matt Cole (site engineer) shared with the Planning Commission that the ordinance requires trees to be planted for every square foot on the site. Trees would be placed around the edge and in places that would require them. Matt Cole stated that there would be about seven feet of soil over the top of the underground water system (stone and fabric), and it would not cause any problem to the roots. A revised draft on the lights (that meets the ordinance) has been submitted to Mr. Fletcher Reyher for review.

Commissioner Peterson inquired about the reason for the long parking spaces/ loading spaces; Mr. Cole stated that the best parking space that is always recommended to clients is a 20-foot-long space and a 24-foot drive aisle. Some municipalities allow it to go down to 16-18 feet. The problem arises when parking SUVs and other similar cars, it would be difficult to reverse. The restaurant serves lunch/ dinner and opens at 10 am. Deliveries are usually around 8 am or earlier. The vehicle pulls close to the door to drop supplies off.

PUBLIC HEARING OPENED AT 6:45 PM

Hearing None.

PUBLIC HEARING ENDED AT 6:45 PM

MOTION: Ms. El-Assadi **MOVED** to postpone the Special Land Use request for the construction of a 4,330 sq. ft. restaurant and drive-through at the property located at 1410 S. Huron Street, Ypsilanti, MI 48197, Parcel K-11-38-280-018 to allow the applicant time to obtain the required variances as outlined in the Planning Commission Packet.

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); Ms. Peterson (Yes); Ms. Kehrer(Yes).

MOTION PASSED.

- **OLD BUSINESS**

None to Report

- **NEW BUSINESS**

- a. **PRELIMINARY SITE PLAN – UPH YPSILANTI PROPERTY, LLC – 1410 S. HURON STREET – PARCEL K-11-38-280-018 – TO CONSIDER THE PRELIMINARY SITE PLAN APPLICATION OF UPH YPSILANTI PROPERTY, LCC TO PERMIT THE CONSTRUCTION OF A 4,330 SQ. FT. CULVER’S RESTAURANT WITH A DRIVE-THROUGH FOR A 3.43-ACRE SITE ZONED TC, TOWN CENTER WITH A SITE TYPE D DESIGNATION.**

MOTION: Ms. El-Assadi **MOVED** to postpone the Preliminary Site Plan request for the construction of a 4,330 sq. ft. restaurant and drive-through at the property located at 1410 S. Huron Street, Ypsilanti, MI 48197, Parcel K-11-38-280-018 to allow the applicant time to obtain the required variances as outlined in the Planning Commission Packet.

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); Ms. Peterson (Yes); Ms. Kehrer (Yes).

MOTION PASSED.

- b. **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 the Preliminary Site Plan and Special Land Use Application from Zawiyah Foundation LLC to use the existing building located at 5718 Whittaker Road for worship and prayer for the Zawiyah Foundation.

Mr. Fletcher Reyher informed the Planning Commission that Zawiyah Foundation LLC was present at the January 14, 2025, meeting and the request for preliminary site plan and special land use was postponed for the applicant to address certain items that the commissioners had requested.

At the January 14, 2025, meeting the Planning Commission had requested the following:

- Applicants plan once their members grow from the current 12 to 19 when the maximum occupancy of the current building configuration is 19 persons.
- The applicant to address the deficient number of trees and shrubs in their landscaping plan.
- The applicant to install an eight-foot-wide safety path along the street frontage, instead of the five-foot proposed sidewalk.
- The applicant to provide documentation that no loading/ unloading zone is needed for their use.

Mr. Fletcher Reyher informed the Planning Commission that Zawiyah Foundation LLC did provide a response letter to these specific requests and have revised their plans.

Ms. Elmiger informed the Commission that she reviewed the project, and the applicant had provided additional information as requested. The applicant has stated that they would present a request to the Planning Commission in case they do outgrow the space (requesting the expansion of the building). The applicant has proposed the increase of trees/ shrubs adding landscaping to the site (west side of the property; residential side). The applicant has provided a three-foot extension; the current five-foot-wide sidewalk will be extended to eight feet, which meets the ordinance requirement. The applicant has provided documentation on not having the requirement for the loading zone.

Commissioner Kehrer inquired about the large tree at the front that could tamper with the power lines/ utilities; Ms. Elmiger stated that the tree was a hackberry, and the Commissioners could request the applicant to modify the landscaping.

Sebastian Robbins (representing Zawiyah Foundation) shared about increasing the five-foot sidewalk to eight-foot sidewalk, which was modified. The applicant made changes to the landscaping as requested (the green barrier towards the neighboring residents) and the need for a loading zone is not required. The increase in members is most likely not to occur but if it does happen and an expansion of the building is needed, it would be brought to the Planning Commission.

Commissioner Peterson inquired about the type of organization/ parking lot; Sebastian Robbins stated that Zawiyah means corner, a place for prayer (Sufi Organization); opened for five daily prayers. The property currently has ten parking lots plus a dedicated handicap parking space. Usually there are about six people at a prayer session.

Commissioner Peterson inquired about the future plans in case of an expansion; Ms. Elmiger informed Commissioner Peterson that the foundation cannot have more than 19 people and the parking lot is available only for 12 vehicles, any expansion would require the applicant to present a request to the Planning Commission.

MOTION: Ms. El-Assadi **MOVED** to approve 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, as the proposal meets the criteria in Article 10, Special Land Use with the following conditions:

- The applicant shall address all outstanding comments from reviewing agencies prior to Final Site Plan Approval. The applicant shall revise all plan sheets to reflect the results of this evening's discussion.
- The applicant shall obtain all applicable internal and outside agency permits prior to construction.
- All vehicles must be parked in the designated spaces in the parking lot, as outlined in the plans dated November 19, 2024, and included in tonight's Packet. Parking in undesignated spaces or on unpaved areas outside of the

designated spaces is prohibited. The construction of an additional car park is prohibited without the required Township review and approval.

- The building is limited to an occupant load of nineteen (19) people, as shown on the plans in tonight's packet.
- Change of shade tree at the front to ornamental trees/ shrubs that will not grow taller than the lowest utility line out front (the tree below the power line) and any other conditions based upon the planning commission discussion.

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); Ms. Peterson (Yes); Ms. Kehrer (Yes).

MOTION PASSED.

- c. **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 approve the Preliminary Site Plan 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, with the following conditions:

- The applicant shall address all outstanding comments from reviewing agencies prior to Final Site Plan Approval. The applicant shall revise all plan sheets to reflect the results of this evening's discussion.
- The applicant shall obtain all applicable internal and outside agency permits prior to construction.
- All vehicles must be parked in the designated spaces in the parking lot, as outlined in the plans dated November 19, 2024, and included in tonight's Packet. Parking in undesignated spaces or on unpaved areas outside of the

- designated spaces is prohibited. The construction of additional parking is prohibited without the required Township review and approval.
- The building is limited to an occupant load of nineteen (19) people, as shown on the plans in tonight's packet.
 - Change of shade trees at the front to ornamental trees/ shrubs that will not grow taller than the lowest utility line out front (the tree below the power line) and any other conditions based upon the planning commission discussion.

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); Ms. Peterson (Yes); Ms. Kehrer (Yes).

MOTION PASSED.

- d. **ELECTION OF OFFICERS FOR 2025 CALENDER YEAR – AT THE FIRST REGULAR MEETING EACH YEAR, THE PLANNING COMMISSION SHALL SELECT FROM ITS MEMBERSHIP A CHAIRPERSON, VICE CHAIRPERSON, AND SECRETARY.**

Mr. Fletcher Reyher, Planning and Development Coordinator, informed the Planning Commissioners that they would need to elect a Chairperson, a Vice Chairperson and a secretary (at the first regular meeting each year). February 25, 2025, was the first meeting with all members present.

Ms. Peterson nominated Ms. Elizabeth El-Assadi as Chair; Ms. Elizabeth El-Assadi accepted the nomination.

Ms. Peterson nominated Mr. Sinkule as Vice Chair; Mr. Sinkule accepted the nomination.

Mr. Larry Doe nominated Mr. Daryl Kirby as Secretary.

MOTION: Ms. Peterson **MOVED** to nominate Ms. Elizabeth El-Assadi as Chair; Mr. Bill Sinkule as Vice Chair and Mr. Larry Doe nominated Mr. Daryl Kirby as Secretary for the year of 2025 Planning Commission.

The **MOTION** was **SECONDED** by Ms. Tyson.

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

MOTION PASSED.

- **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**

Ms. Peterson informed the Planning Commission of the upcoming second senior budget meeting from Washtenaw County.

- **ZONING BOARD OF APPEALS REPRESENTATIVE REPORT**

None to Report

- **TOWNSHIP ATTORNEY REPORT**

None to Report

- **PLANNING DEPARTMENT REPORT**

None to Report

- **OTHER BUSINESS**

Mr. Fletcher Reyher informed the Planning Commission that this was his last Planning Commission meeting with Ypsilanti Township since he has accepted a new role with Dexter Township.

- **ADJOURNMENT**

MOTION: Ms. El-Assadi **MOVED** to adjourn at 7:20 pm. The **MOTION** was **SECONDED** by Ms. Peterson and **PASSED** by unanimous consent.

Respectively Submitted by Minutes Services