

**SUPERIOR CHARTER TOWNSHIP PLANNING COMMISSION  
SUPERIOR TOWNSHIP HALL  
3040 N. PROSPECT, YPSILANTI, MI 48198  
AGENDA  
MARCH 28, 2018  
7:30 p.m.**

*7:30 p.m. Pre-Application Conference – Vibrant Life Senior Living Facility, 1900 Prospect Road.*

1. CALL TO ORDER
2. ROLL CALL
3. DETERMINATION OF QUORUM
4. ADOPTION OF AGENDA
5. APPROVAL OF MINUTES
  - A. Approval of the February 28, 2018 regular meeting minutes
6. CITIZEN PARTICIPATION
7. CORRESPONDENCE
8. PUBLIC HEARINGS, DELIBERATIONS AND ACTIONS
9. REPORTS
  - A. Ordinance Officer
  - B. Building Inspector
10. OLD BUSINESS
  - A. STPC #18-05 Fleming Creek Zoning Ordinance Amendment – Discussion
11. NEW BUSINESS
12. POLICY DISCUSSION
13. ADJOURNMENT

Thomas Brennan III, Commission Secretary  
3040 N. Prospect, Ypsilanti, MI 48198

Laura Bennett, Planning Clerk  
734-482-6099

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2-1 CALL TO ORDER

Chairperson Guenther called the regular meeting to order at 7:30 p.m.

2-2 ROLL CALL

The following members were present: Brennan, Findley, Gardner, Guenther, McGill, Sanii-Yahyai, and Steele. Also present were Rodney Nanney, Township Planner and George Tsakoff, Township Engineer.

2-3 DETERMINATION OF QUORUM

A quorum was present.

2-4 ADOPTION OF AGENDA

A motion was made by Commissioner Brennan and supported by Commissioner Sanii-Yahyai to adopt the agenda as presented. The motion carried.

2-5 APPROVAL OF MINUTES

A. Minutes of the October 25, 2017 Meeting

A motion was made by Commissioner Findley and supported by Commissioner Brennan to approve the minutes as presented. The motion carried.

2-6 CITIZEN PARTICIPATION

There was no Citizen Participation.

2-7 CORRESPONDENCE

A. Notice of Intent to Plan from Van Buren Charter Township

A motion was made by Commissioner Steele and supported by Commission McGill to receive the Notice of Intent to Plan from Van Buren Charter Township. The motion carried.

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2-8 PUBLIC HEARINGS, DELIBERATIONS AND ACTIONS

A. STPC #18-02 Dixboro House Restaurant Conditional Use Permit

1. Public Hearing

Motion by Commissioner Gardner, supported by Commissioner Brennan to open the public hearing. The motion carried.

Bree Stilwell, Marketing and Business Development Director speaking on behalf of Sava Farah, CEO, stated that there are plans to restore the existing structure and property and preserve some of the elements that are original to the building. Ms. Stilwell also noted that there will be additional dining and outdoor space added to the site.

Jan Van Schoick, 3213 Creston Circle, stated that she owns two lots in the Glenborough subdivision that back up to the restaurant, one of which includes a portion of the path that goes over Fleming Creek. She noted that she has concerns about noise coming from the proposed outdoor eating area.

Ms. Stilwell responded that increasing walkability throughout the Village area is important and look forward to the path along Fleming Creek being utilized. She added that there will be no amplified sound outside of the restaurant if approved for an outdoor dining area.

Paula Weber, 5347 Plymouth-Ann Arbor Road, stated that she lives across from the restaurant. She commented that she is glad the applicant plans on keeping the intent of the restaurant. She spoke about traffic near the site and explained that when the building was the Roger Monks restaurant there was never an issue with traffic nor noise.

Kelly Carter, 7486 Plymouth Road, inquired about the Conditional Use Permit portion of the applicant's site plan.

Rodney Nanney stated that outdoor seating was a legal nonconforming use at the previous restaurants that occupied the site. Now, under the revised Zoning Ordinance, outdoor seating is allowed only with a Conditional Use Permit. He added that the Conditional Use Permit process allows developers to get out from under the restrictions of the Zoning Ordinance.

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Motion by Commissioner Brennan, supported by Commissioner Steele to close the public hearing. The motion carried.

2. Deliberation

Rodney Nanney, Township Planner, reviewed the Planner's report dated February 20, 2018.

Commissioner Guenther added that only the Conditional Use Permit is being considered under the current agenda item. Other standards will be considered for the site's preliminary site plan.

Commissioner McGill inquired about potential wedding parties at the restaurant.

Ms. Stilwell stated that there is space to support small wedding ceremonies and would be open to the restaurant being offered as a reception area.

Commissioner Gardner asked the hours and days of operations.

Ms. Farah stated that proposed hours are 8:00 a.m. to 10:00 p.m. and 8:00 a.m. to midnight on weekends. She added that she would like the restaurant to offer breakfast, lunch and dinner service.

Commissioner Guenther asked about standards in the Zoning Ordinance relating to hours of operations.

Mr. Nanney replied that there is nothing specific.

Commissioner Guenther asked the applicant about amplified music on the inside of the restaurant.

Ms. Farah replied that they have no intention of hosting regular programming. Perhaps they would have the occasional fundraiser, but there is no interior space dedicated for such programming.

Commissioner Guenther inquired about lighting plans for the outdoor area as well as signage at the site.

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It was noted that there would be down-lighting along the sidewalk and parking area. The applicant stated that she would like to maintain the current sign as much as possible but perhaps make it smaller.

3. Action

Motion by Commissioner Brennan, supported by Commissioner Findley, to approve STPC #18-02, Dixboro House Restaurant Conditional Use Permit for **the restaurant facility serving alcoholic beverages**, finding that it complies with the applicable Zoning Ordinance requirements, including Section 11.06 (Conditional Use Standards), subject to the following conditions:

1. The applicant shall incorporate all revisions and corrections noted in the Township Planner's conditional use permit report dated February 20, 2018 into a revised preliminary site plan submittal or Area Plan Amendment application.
2. The hours of operation for the restaurant serving alcoholic beverages shall be limited to: Sunday through Thursday 8:00 a.m. until 10:00 p.m. and Friday and Saturday 8:00 a.m. until 12:00 a.m.
3. Use of the outdoor wedding and small event space shall be limited in character and land use intensity to an accessory use, secondary and subordinate to the principal restaurant facility, with details subject to Planning Commission review and approval as part of a revised preliminary site plan submittal.

Roll Call:

Yes: Brennan, Findley, Gardner, Guenther, McGill, Sanii-Yahyai, Steele.

No: None.

Absent: None.

Abstain: None.

The motion carried.

Motion by Commissioner Brennan, supported by Commissioner Sanii-Yahyai, to approve STPC #18-02, Dixboro House Restaurant Conditional Use Permit for **the expanded outdoor eating area**,

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finding that it complies with the applicable Zoning Ordinance requirements, including Section 11.06 (Conditional Use Standards), subject to the following conditions:

1. The applicant shall incorporate all revisions and corrections noted in the Township Planner's conditional use permit report dated February 20, 2018 into a revised preliminary site plan submittal or Area Plan Amendment application.
2. The hours of operation for the outdoor eating area shall be limited to: Sunday through Thursday 8:00 a.m. until 10:00 p.m. and Friday and Saturday 8:00 a.m. until 12:00 a.m.

Roll Call:

Yes: Brennan, Findley, Gardner, Guenther, McGill, Sanii-Yahyai, Steele.

No: None.

Absent: None.

Abstain: None.

The motion carried.

2-9 REPORTS

A. Ordinance Officer

A motion was made by Commissioner Sanii-Yahyai and supported by Commissioner Steele to receive the report. The motion carried.

B. Building Inspector

A motion was made by Commissioner Findley and supported by Commissioner Sanii-Yahai to receive the report. The motion carried.

C. Zoning Administrator

A motion was made by Commissioner Brennan and supported by Commissioner Gardner to receive the report. The motion carried.

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2-10 OLD BUSINESS

A. STPC #18-01 RFC Holdings, LLC - Preliminary Site Plan

Adam Finch updated the Commissioners on the project and stated that comments have been received from the Washtenaw County Water Resources Commission, Washtenaw County Road Commission and the Washtenaw County Health Department.

Mr. Nanney reviewed the Planner's report dated February 09, 2018.

George Tsakoff, Township Engineer, reviewed the Engineer's report dated February 16, 2018.

Motion by Commissioner Findley, supported by Commissioner Steele, to approve STPC #18-01 RFC Holdings, LLC Preliminary Site Plan dated 1/24/2018, finding that it is consistent with the approved RFC Financial Planners Area Plan dated 10/13/2017 and applicable Zoning Ordinance requirements, including Section 10.07 (Required Site Plan Information) and Section 10.10 (Standards for Site Plan Approval), subject to the following conditions:

1. The applicant shall incorporate all revisions and corrections noted in the Township Planner's report dated February 9, 2018 and the Township Engineer's report dated February 16, 2018 into the final site plan submittal for this project.
2. The applicant shall remove the Zoning Ordinance Modification Requests from sheet C.101 of the Preliminary Site Plan.

Roll Call:

Yes: Brennan, Findley, Gardner, Guenther, McGill, Sanii-Yahyai, Steele.

No: None.

Absent: None.

Abstain: None.

The motion carried.

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02-11 NEW BUSINESS

A. STPC #18-04 Glen Oaks Cooperative Office Addition – Preliminary Site Plan

David Friedrichs stated that the cooperative has been operating for many years out of one of the condos (which takes it off of the market). Building a separate 800 square foot office building would return the current unit being used as an office, to a residence.

Mr. La'al presented a model of the layout of the proposed office building. He also discussed the layout of the existing homes.

Mr. Nanney reviewed the Planner's report dated February 10, 2018.

Mr. Tsakoff reviewed the Engineer's report dated February 18, 2018.

Commissioner Gardner asked if the new office space could handle the occupancy of all 42 residences.

Mr. La'al stated that the new space could comfortably handle 14 occupants, but could hold more with spillover into the office.

Mr. Friedrichs added that the meetings are usually held outdoors and does not expect many indoor meetings.

Commissioner Guenther stated that he would like to see a description of the meeting room as well as a statement that the meeting space is limited to the use of residents and will not be rented out to outside agencies.

Motion by Commissioner Brennan, supported by Commissioner Gardner, to approve STPC #18-04 Glen Oaks Cooperative Office Preliminary Site Plan dated 1/31/2018, finding that it complies with the applicable Zoning Ordinance requirements, including Section 10.07 (Required Site Plan Information) and Section 10.10 (Standards for Site Plan Approval), subject to the following conditions:

1. The applicant shall incorporate all revisions and corrections noted in the Township Planner's report dated February 10, 2018 and the Township Engineer's report dated February 19, 2018 into the final site plan submittal for this project).



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2. The applicant shall incorporate a description of use of the facility in Final Site Plan, including the capacity of meeting room and the use of the basement.

Roll Call:

Yes: Brennan, Findley, Gardner, Guenther, McGill, Sani-Yahyai, Steele.

No: None.

Absent: None.

Abstain: None.

The motion carried.

**B. STPC #18-03 Dixboro House Restaurant – Preliminary Site Plan**

David Kubiskie, David Arthur Consultants, Inc., discussed parking on the site.

Mr. Nanney reviewed the Planner's report dated February 21, 2018.

Mr. Tsakoff reviewed the Engineer's report dated February 21, 2018.

Commissioner Guenther asked if the Preliminary Site Plan could be approved with conditions. He also asked if the applicant could proceed with an Amended Area Plan.

Mr. Nanney replied that the applicant has two options: bring everything into compliance with the current zoning ordinance or submit an Area Plan Amendment.

Mr. Kubiske stated that the Area Plan Amendment is appealing. He added that there are some trees that need to be removed and there is no real place to put replacement trees required by the ordinance.

Motion by Commissioner Findley, supported by Commissioner Brennan, to approve STPC #18-03, Dixboro House Restaurant Preliminary Site Plan dated 1/30/2018, finding that it complies with the applicable Zoning Ordinance requirements, including Section 10.07 (Required Site Plan Information) and Section 10.10 (Standards for Site Plan Approval), subject to the following conditions:

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1. The applicant shall incorporate all revisions and corrections noted in the Township Planner's conditional use permit report dated February 20, 2018 to the extent required for preliminary site plan approval, and preliminary site plan report dated February 21, 2018, and the Township Engineer's report dated February 21, 2018, into the final site plan submittal for this project.
2. Nonconforming site elements, including but not limited to parking, access, landscaping, signage, and exterior lighting, shall conform to the applicable requirements of Zoning Ordinance No. 174, with revisions detailed on the final site plan submittal.

Yes: Brennan, Findley, Gardner, Guenther, McGill, Sanii-Yahyai, Steele.  
No: None.  
Absent: None.  
Abstain: None.

The motion carried.

C. STPC #18-05 Fleming Creek Zoning Ordinance Amendment – Discussion

Mr. Nanney presented the proposed changes to amend Article 10 (Site Plan Review), Article 14 (Special Development Regulations), and Article 17 (Definitions) of the Superior Charter Township Zoning Ordinance No. 174 to reference the existing process for design review of Dixboro area development projects; and to add provisions establishing a process whereby the regional Fleming Creek Advisory Council may evaluate new commercial and residential developments with proximity to Fleming Creek and provide advisory recommendations to the Planning Commission about safeguards and best practices to protect the water resources of Fleming Creek.

It was decided that the text would be brought back to the March 28, 2018 Planning Commission meeting for further discussion after additional text amendments had been made.

D. Election of Officers for 2018

A motion was made by Commissioner Brennan and supported by Commissioner Findley to open the nominations for Chairperson. The motion carried by voice vote.

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A motion was made by Commissioner Steele and supported by Commissioner Findley to elect David Guenther as Chairperson for 2018. There were no other nominations. The motion to elect David Guenther as Chairperson of the Superior Township Planning Commission for 2018 passed with the following vote:

Yes: Brennan, Findley, Gardner, McGill, Sanii-Yahyai and Steele.  
No: None.  
Absent: None.  
Abstain: Guenther.

The motion carried.

A motion was made by Commissioner Brennan and supported by Commissioner Sanii-Yahyai to close the nominations for Chairperson. The motion carried by voice vote.

A motion was made by Commissioner Brennan and supported by Commissioner Findley to open the nominations for Vice Chairperson. The motion carried by voice vote.

A motion was made by Commissioner McGill and supported by Commissioner Brennan to elect Jay Gardner as Vice Chairperson for 2018. There were no other nominations. The motion to elect Jay Gardner as Vice Chairperson of the Superior Township Planning Commission for 2018 passed with the following vote:

Yes: Brennan, Findley, Guenther, McGill, Sanii-Yahyai and Steele.  
No: None.  
Absent: None.  
Abstain: Gardner.

The motion carried.

A motion was made by Commissioner Brenner and supported by Commissioner Findley to close the nominations for Vice Chairperson. The motion carried by voice vote.

A motion was made by Commissioner Brennan and supported by Commissioner Sanii-Yahyai to open the nominations for Secretary. The motion carried by voice vote.

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A motion was made by Commissioner Steele and supported by Commissioner Findley to elect Thomas Brennan as Secretary for 2018. There were no other nominations. The motion to elect Thomas Brennan as Secretary of the Superior Township Planning Commission for 2018 passed with the following vote:

Yes: Findley, Gardner, Guenther, McGill, Sanii-Yahyai and Steele.  
No: None.  
Absent: None.  
Abstain: Brennan.

The motion carried.

A motion was made by Commissioner Brennan and supported by Commissioner Findley to close the nominations for Secretary. The motion carried by voice vote.

E. Adoption of 2018 Meeting Schedule

Motion by Commissioner Sanii-Yahyai, supported by Commissioner Gardner to adopt the 2018 Planning Commission Meeting Schedule. The motion carried.

02-12 POLICY DISCUSSION

None.

02-13 ADJOURNMENT

A motion was made by Commissioner Brennan supported by Commissioner Sanii-Yahyai to adjourn at 9:56 p.m. The motion carried.

Respectfully submitted,  
Thomas Brennan III, Planning Commission Secretary

Laura Bennett, Recording Secretary  
Superior Charter Township  
3040 N. Prospect Rd.  
Ypsilanti, MI 48198 (734) 482-6099

# **Superior Township Monthly Report**

## **February/ March 2018**

### **Resident Debris/ Complaints:**

8884 Nottingham - Wood pieces on Extension - **(Tagged)**  
1288 Stamford - Debris on Extension - **(Tagged for Removal)**  
8746 Barrington - Chest & drawers on Extension - **(Tagged)**  
8394 Glendale - Cardboard on Extension - **(Tagged)**  
1843 Hamlet - Bags of carpet on Extension - **(Tagged)**  
9245 Abbey Ln. - Pillows on Extension - **(Tagged)**  
1595 Stephens - Furniture on Extension - **(Tagged for Removal)**  
8806 Nottingham - T.V. on Extension - **(Tagged)**  
1645 Devon - Chair on Extension - **(Tagged for Removal)**  
1520 Wiard Rd. - Debris on Extension - **(Tagged for Removal)**  
1560 Wiard Rd. - Debris on Extension - **(Tagged)**  
1984 Kenwyck dr. - Debris on Extension - **(Tagged for Removal)**  
1834 Norfolk - Debris on Extension - **(Tagged)**  
8587 Buckingham - Recycle & Refuse on Extension - **(Tagged)**  
1940 Andover - Basketball hoop in street - **(Tagged for Removal)**  
Dixboro Ln. & Plymouth - Recycle & Refuse containers left in street on Extension - **(Tagged)**

### **Vehicle Complaints:**

8300 Warwick Ct. - Vehicle on flat - **(Tagged)**  
7946 Halle - Vehicle on flat - **(Tagged)**  
8689 Nottingham - Vehicle w/ no tags - **(Tagged)**  
1527 Harvest Ln. - Vehicle parked on lawn - **(Tagged)**  
1765 Dover Ct. - Vehicle w/ expired tags - **(Tagged)**  
9843 High Meadow - Wrecked vehicle on driveway - **(Tagged)**

### **Illegal Dumpings:**

Napier & Cherry Hill - Organ & seat dumped - **(Office notified)**  
Geddes & Harris Rd. - Red sofa dumped - **(Office notified)**  
Geddes & Harris Rd. - Dresser dumped over weekend - **(Office notified)**

### **Dog Complaints:**

1579 Harvest Ln. - Dog poop not cleaned up - **(Tagged)**  
9843 High Meadow - Dog barking late at night - **(Tagged)**

**SUPERIOR TOWNSHIP BUILDING DEPARTMENT**  
**MONTH-END REPORT**  
**February 2018**

| Category                               | Estimated Cost             | Permit Fee                | Number of Permits |
|--|----------------------------|---------------------------|-------------------|
| <b>Com/Multi-Family Other Building</b> | <i>\$15,000.00</i>         | <i>\$200.00</i>           | <i>1</i>          |
| <b>Com/Multi-Family Renovations</b>    | <i>\$163,964.00</i>        | <i>\$1,165.00</i>         | <i>1</i>          |
| <b>Electrical Permits</b>              | <i>\$0.00</i>              | <i>\$4,399.00</i>         | <i>26</i>         |
| <b>Mechanical Permits</b>              | <i>\$0.00</i>              | <i>\$3,739.25</i>         | <i>24</i>         |
| <b>Plumbing</b>                        | <i>\$0.00</i>              | <i>\$3,301.00</i>         | <i>17</i>         |
| <b>Res-Other Building</b>              | <i>\$49,270.00</i>         | <i>\$300.00</i>           | <i>3</i>          |
| <b>Totals</b>                          | <b><i>\$228,234.00</i></b> | <b><i>\$13,104.25</i></b> | <b><i>72</i></b>  |

SUPERIOR TOWNSHIP BUILDING DEPARTMENT  
YEAR-TO-DATE REPORT

January 2018 To Date

| Category                               | Estimated Cost               | Permit Fee                | Number of Permits |
|--|------------------------------|---------------------------|-------------------|
| <b>Com/Multi-Family Other Building</b> | <i>\$106,391.00</i>          | <i>\$495.00</i>           | <i>3</i>          |
| <b>Com/Multi-Family Renovations</b>    | <i>\$168,964.00</i>          | <i>\$1,755.00</i>         | <i>3</i>          |
| <b>Com-Other Non-Building</b>          | <i>\$4,690.00</i>            | <i>\$300.00</i>           | <i>2</i>          |
| <b>Electrical Permits</b>              | <i>\$0.00</i>                | <i>\$13,506.00</i>        | <i>61</i>         |
| <b>Mechanical Permits</b>              | <i>\$0.00</i>                | <i>\$15,389.55</i>        | <i>83</i>         |
| <b>Plumbing</b>                        | <i>\$0.00</i>                | <i>\$7,718.00</i>         | <i>43</i>         |
| <b>Res-Additions (Inc. Garages)</b>    | <i>\$77,775.00</i>           | <i>\$506.00</i>           | <i>2</i>          |
| <b>Res-Manufactured/Modular</b>        | <i>\$400,000.00</i>          | <i>\$1,200.00</i>         | <i>8</i>          |
| <b>Res-New Building</b>                | <i>\$1,248,010.00</i>        | <i>\$5,561.00</i>         | <i>4</i>          |
| <b>Res-Other Building</b>              | <i>\$99,861.00</i>           | <i>\$800.00</i>           | <i>8</i>          |
| <b>Res-Other Non-Building</b>          | <i>\$68,000.00</i>           | <i>\$150.00</i>           | <i>1</i>          |
| <b>Res-Renovations</b>                 | <i>\$65,000.00</i>           | <i>\$508.00</i>           | <i>2</i>          |
| <b>Totals</b>                          | <b><i>\$2,238,691.00</i></b> | <b><i>\$47,888.55</i></b> | <b><i>220</i></b> |

**SUPERIOR CHARTER TOWNSHIP  
WASHTENAW COUNTY, MICHIGAN**

**ORDINANCE NO. 174-\_\_\_**

[An ordinance to amend Article 10 (Site Plan Review), Article 14 (Special Development Regulations), and Article 17 (Definitions) of the Superior Charter Township Zoning Ordinance No. 174 to reference the existing process for design review of Dixboro area development projects; and to add provisions establishing a process whereby the regional Fleming Creek Advisory Council may evaluate new commercial and residential developments with proximity to Fleming Creek and provide advisory recommendations to the Planning Commission about safeguards and best practices to protect the water resources of Fleming Creek, by authority of the Public Act 110 of 2006 (being MCL 125.3101 et. seq., as amended).]

**NOTE: For purposes of this review, the changes highlighted below in ~~striketrough~~ and underlined text reflect revisions to the initial 12/29/2017 draft in response to the Planning Commission's direction. The changes to Section 10.04 previously highlighted in the 12/29/2017 draft have been incorporated into this revised draft without highlighting.**

**Also, please note that Section 14.12 is intended to be an entirely new section for the Ordinance.**

**SUPERIOR CHARTER TOWNSHIP, WASHTENAW CO., MICHIGAN, HEREBY ORDAINS:**

**ARTICLE 10  
SITE PLAN REVIEW**

[DELETE AND REPLACE subsection "A" (Application Submittal and Technical Review) of Section 10.04 (Applications for Site Plan Approval) in its entirety to INSERT provisions for additional evaluation of Fleming Creek and Dixboro area projects and DELETE the outdated provisions for county review of site condominium developments, as follows:]

**Section 10.04 Applications for Site Plan Approval.**

Any person with a legal interest in a lot may apply for site plan approval. If the applicant is not the fee simple owner of the property, the applicant shall submit a statement signed by all of the owners consenting to the application for site plan approval.

**A. Application Submittal and Technical Review.**

Application shall be made by filing all completed forms and sixteen (16) full-size copies of the site plan drawing(s) with the Township Clerk, and payment of required review fees and escrow deposits to the Township Treasurer.

1. Any application or site plan that does not satisfy the information requirements of this Article shall be considered incomplete, and shall be returned to the applicant.
2. The Township Clerk, upon receipt of all required application materials, shall forward the site plan and application materials to the Planning Commission, with copies to the Township Planner and other designated Township officials and consultants.
  - a. A preliminary site plan for RESIDENTIAL USES or COMMERCIAL USES on a lot within 500 feet of Fleming Creek shall be forwarded to the Fleming Creek Advisory Council per Section 14.12 (Fleming Creek Area Developments).



- b. A minor or preliminary site plan for a lot located in the Dixboro community, as defined in the adopted Growth Management Plan, shall be forwarded to the Dixboro Design Review Board per Section 14.04 (Design Review).
- 3. Each final site plan shall be prepared by an architect, community planner, engineer, landscape architect, or land surveyor registered or licensed in the State of Michigan and shall bear the professional seal of the preparer.

**ARTICLE 14  
SPECIAL DEVELOPMENT REGULATIONS**

[INSERT a new Section 14.12 entitled “Fleming Creek Area Developments,” as follows:]

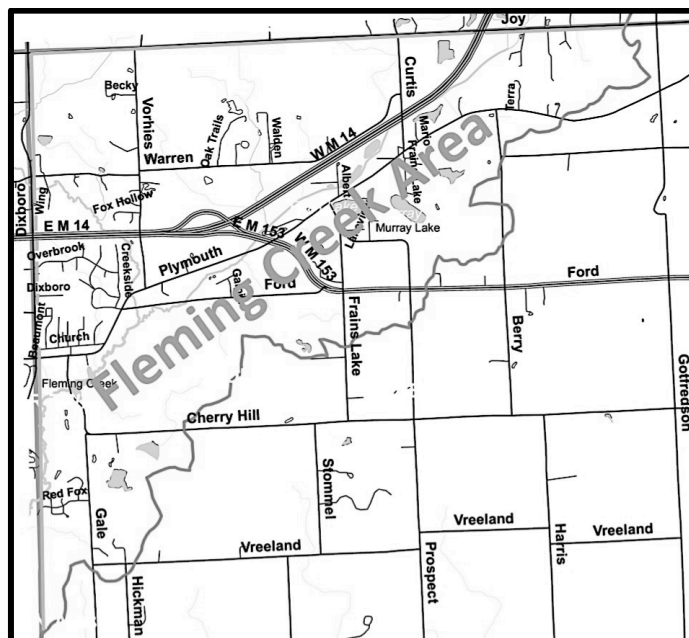
**Section 14.12 Fleming Creek Area Developments.**

The intent of this Section is to provide for additional evaluation of new development projects for RESIDENTIAL USES or COMMERCIAL USES on land with proximity to Fleming Creek. This Section is not intended to stifle creativity in site design, or to restrict development that conforms to the requirements of this Ordinance.

**A. Scope.**

The Fleming Creek Advisory Council may evaluate and make advisory recommendations to the Planning Commission regarding development plans for new RESIDENTIAL USES or COMMERCIAL USES on sites located within 500 feet of Fleming Creek, ~~which is within the defined as the~~ triangular-shaped “Fleming Creek Area” bound by the west and north Township boundaries and a connecting line set back 500 feet from the south/east bank of Fleming Creek.

Development plans subject to this Section shall include applications for preliminary site plan or preliminary condominium site plan approval per Article 10 (Site Plan Review); and applications for tentative approval of a preliminary plat per the requirements of the Township’s Subdivision Ordinance (Ord. No. 42). The defined Fleming Creek Area is depicted on the following map for reference:



## B. Evaluation of Development Projects.

The Township Clerk shall promptly transmit a copy of the application and plans for any development project subject to this Section to the Fleming Creek Advisory Council, along with an invitation to provide written comments or advisory recommendations to the Planning Commission within 65 calendar days following the date the Clerk received the associated application.

1. Where a Council member is determined to have a conflict of interest associated with the project, a summary of the conflict and any Council actions taken in response should be noted in the communication to the Planning Commission.
2. ~~The Planning Commission shall, in reviewing a development project subject to this Section, consider~~ Any Fleming Creek Advisory Council comments or advisory recommendations ~~made~~ received by the Township Clerk in accordance with this Section shall be forwarded to the Planning Commission for consideration as part of the review process for the development project.
3. The Planning Commission may defer consideration of the Council's comments or advisory recommendations to review of a final site plan, final condominium site plan or final approval of a preliminary subdivision plat for the development project upon determination that the project has limited potential to adversely impact water resources in Fleming Creek.

## ARTICLE 17 DEFINITIONS

[REVISE Section 17.03 (Definitions) to ADD new definitions for "Dixboro Design Review Board," "Fleming Creek Advisory Council," and "Master Plan" as follows:]

### Section 17.03 Definitions.

Whenever used in this Ordinance, the following words and phrases shall have the meaning ascribed to them in this Section:

- 56a. **Dixboro Design Review Board.** The advisory committee established by Section 14.04 (Design Review) of this Ordinance to provide advisory recommendations to the Planning Commission regarding the quality of design of Dixboro community buildings and sites subject to redevelopment, expansion or new construction.
- 80a. **Fleming Creek Advisory Council.** A regional committee established by joint action of Ann Arbor, Salem, and Superior townships, with assistance from the Washtenaw County Water Resources Commissioner and Huron River Watershed Council, to advise residents, property owners, and township officials, boards, and commissions about safeguards and best practices to protect the water resources of Fleming Creek.
- 125b. **Master Plan.** See "**Growth Management Plan.**"