

**SUPERIOR CHARTER TOWNSHIP  
PLANNING COMMISSION  
FEBRUARY 28, 2018  
APPROVED MINUTES  
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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.

Discussion followed regarding several existing and proposed site elements that may require regulatory flexibility from the Township Board of Trustees. These limited deviations included: altering the existing ground sign, use of the Plymouth Road Right-of-Way, parking that encroaches into the front yard setback, and tree replacement.

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. It was noted that if the applicant wishes to deviate from the requirements of the Zoning Ordinance, an Area Plan Amendment application would allow for an opportunity to show that such deviations are warranted.



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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.

Discussion followed regarding an area plan and relative merits of Area Plan Amendment and the time the process would take versus the potential difficulty of the applicant to meet the requirements of Final Site Plan.

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:

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.

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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.

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

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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 Brennen 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.

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.

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02-12 POLICY DISCUSSION

None.

02-13 ADJOURNMENT

A motion was made by Commissioner Brennan supported by Commissioner Sani-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

DRAFT