

**SUPERIOR CHARTER TOWNSHIP
PLANNING COMMISSION
SEPTEMBER 28, 2016
APPROVED MINUTES
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7:00 p.m. Pre-Application Conference – Proposal to develop a mixed use project, including cell tower, on vacant land north of Autumn Woods.

David Dowling from Yukon Building and Land Development, described a proposal to construct retail space and housing along Prospect Rd. and Berkshire. He said he also plans to complete the Autumn Woods Condominium neighborhood and that he said he would like to construct a cell tower on vacant land between Autumn Woods and Berkshire Dr.

The Planning Commission noted that the proposed retail space may not be supported by the Township's Master Plan. There was a discussion about whether or not a credible market analysis could justify a change in land use.

Phillips asked if the Autumn Woods project would be finished. Dowling said it was difficult to get financing for condominium projects. He said he is expecting to be able to market to younger people.

9-1 CALL TO ORDER

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

9-2 ROLL CALL

The following members were present: Brennan, Findley, Gardner, Guenther, and Phillips. McGill and Steele were absent. Also present were Don Pennington and Rodney Nanney, Township Planners, Jacob Rushlow, Township Engineer and Rick Mayernik, Building/Zoning Administrator.

9-3 DETERMINATION OF QUORUM

A quorum was present.

9-4 ADOPTION OF AGENDA

A motion was made by Findley and supported by Brennan to adopt the agenda as amended. The motion carried.

9-5 APPROVAL OF MINUTES

A. MINUTES OF THE MAY 25, 2016 REGULAR MEETING

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A motion was made by Phillips and supported by Gardner to approve the minutes as corrected. The motion carried.

9-6 CITIZEN PARTICIPATION

There was no Citizen Participation.

9-7 CORRESPONDENCE

There was no Correspondence.

9-8 PUBLIC HEARINGS, DELIBERATIONS AND ACTIONS

There were no Public Hearings.

9-9 REPORTS

A. Ordinance Officer

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

B. Building Inspector

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

C. Zoning Administrator

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

9-10 OLD BUSINESS

There was no Old Business.

9-11 NEW BUSINESS

A. STPC#16-02 Humane Society of Huron Valley - Amended Final Site Plan Review.

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Jim Hughes, representing the Humane Society, said the final site plan needed to be amended so that it is divided into two phases. He said Phase 1 are the septic/drainfield improvements and Phase 2 are the parking lot improvements. He said the phases are needed because the Humane Society will not be able to complete all the work on the project at the same time. He said the delay is because the University of Michigan has not given its final approval for use of an easement for the parking lot.

Nanney presented his report dated 9-21-16. He said the original site plan combined two separate projects. He said because of the delay in approvals from the University of Michigan, it is necessary for the projects to be split out so that the drainage improvements can be made before winter. He said a review of the phases finds that they can each stand alone. He said he has no objection to the phasing.

Rushlow reported that OHM did not object to the phasing.

The Planning Commission discussed the implications of approving a plan without all the outside approvals in place. It was agreed that if the Humane Society cannot receive approval from the University of Michigan for use of the easement, Phase 2 would have to be reconfigured and reviewed by the Planning Commission.

A motion was made by Phillips and supported by Gardner that the Superior Township Planning Commission approves STPC#06-02 Humane Society of Huron Valley Amended Final Site Plan dated 8-24-16 finding that the plan meets the requirements of Section 10.09 for phasing a site plan, and contingent on the following: 1) An updated plan in a format acceptable to the Township Planner and Engineer will be submitted within 30 days of this approval; and 2) The applicant receives from the University of Michigan, all necessary authorizations to construct Phase 2.

The motion carried with the following vote:

Yes: Brennan, Findley, Gardner, Guenther and Phillips
No: None
Absent: McGill and Steele
Abstain: None

B. STPC#16-03 Zoning Ordinance Amendments –Adult Foster Care Regulations and Natural Features-Regulated Invasive Species.

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Nanney presented text amendments that were requested by the Township Officials. The first addresses Adult Foster Care regulations and brings the Township's regulations in compliance with the State of Michigan.

Mayernik said need to revise the ordinance became apparent when the Township investigated conditions at the Fairfax Manor facility. He said the facility had recently been used in ways for which it was not originally licensed and the owner felt he did not need licensing for the changed uses. Mayernik said the state Attorney General's office investigated the facility and found that licensing is required. He said currently, the zoning ordinance does not require a license for adult foster care uses. Nanney said the proposed revisions will require a facility to be licensed.

The second amendment adds the plant called phragmites as a regulated invasive species. He said the Township Board adopted a resolution to remove phragmites wherever possible and the Zoning Ordinance provides a regulatory basis for the removal.

9-12 POLICY DISCUSSION

A. Medical Marijuana Update

Nanney described medical marijuana legislation signed into law. He said if the Township wants to provide for the five categories of uses provided by the law, the zoning ordinance will have to be amended.

9 -13 ADJOURNMENT

A motion was made by Findley and supported by Brennan to adjourn at 9:30 p.m. The motion carried.

Respectfully submitted,
David Phillips
Planning Commission Secretary

Deborah L. Kuehn
Recording Secretary
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