

**SUPERIOR CHARTER TOWNSHIP  
PLANNING COMMISSION  
OCTOBER 26, 2016  
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10-1 CALL TO ORDER

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

10-2 ROLL CALL

The following members were present: Brennan, Findley, Gardner, Guenther, McGill, Phillips and Steele. Also present were Rodney Nanney, Township Planner, and Rick Mayernik, Building/Zoning Administrator.

10-3 DETERMINATION OF QUORUM

A quorum was present.

10-4 ADOPTION OF AGENDA

A motion was made by Clerk Phillips and supported by Commissioner Findley to adopt the agenda as amended, changing Item 8, 16-04, to read 16-03, and Item 11, 16-03, to read 16-04. The motion carried.

10-5 APPROVAL OF MINUTES

A. MINUTES OF THE SEPTEMBER 28, 2016 MEETING

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

10-6 CITIZEN PARTICIPATION

There was no Citizen Participation.

10-7 CORRESPONDENCE

A motion was made by Commissioner Gardner and supported by Commissioner Brennan to receive the memorandum from Tom Freeman, Chair of the Dixboro Design Review Board regarding their 2017 meeting dates.

Clerk Phillips noted that Planning Commission meeting dates for 2017 would be taken to the next Board of Trustees Meeting. Motion to receive the correspondence was made by Commissioner Brennan and supported by Commissioner Gardner.

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10-8 PUBLIC HEARINGS, DELIBERATIONS AND ACTIONS

A. STPC#16-03 Text Amendments 1) Revisions to Adult Foster Home Regulations/Standards; 2) Add phragmites as a regulated invasive species.

Motion by Commissioner Brennan, second by Commissioner Gardner to open the public hearing.

There were no public comments.

Motion by Commissioner Findlay, second by Commissioner Brennan to close the public hearing.

Rodney Nanney, Township Planner, stated that the Board of Trustees passed a resolution stating that phragmites are an invasive species and it should be added to the list of invasive species in the Township Zoning Ordinance.

Regarding adult foster care, the Township Attorney requested the definitions be updated in the Township Zoning Ordinance. He also requested that congregate care facilities, which have twenty or more adults, be included in the definition list. Previously, adult foster care and day care were merged in the Zoning Ordinance, now they are separate.

Clerk Phillips asked if a congregate care facility would be more of a commercial use rather than a use permitted in zoning district R-7. Mr. Nanney stated that the use aligned with a nursing home and senior housing, which are conditional uses, but are uses allowed in the R-7 zoning district.

Mr. Mayernik asked Mr. Nanney, regarding a conditional use in the R-7 district, if a Planned Community (PC) would be suitable for an adult foster care location. Mr. Nanney replied that it would be possible, or the applicant could seek rezoning of the parcel to R-7.

Chairman Guenther stated that the Zoning Ordinance notes premises should be maintained with the visible characteristic of a single-family dwelling. He inquired how that was enforceable with a three or four story building. Mr. Nanney replied that the Zoning Ordinance does provide standards for single-family dwellings that would give the Planning Commission guidance.

Discussion regarding day care licensing and the requirements of the State of Michigan followed.

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Motion by Clerk Phillips, supported by Commissioner Brennan that the Planning Commission recommends approval of Ordinance No. 174 with a draft date of September 22, 2016 with the addition of “Local zoning approval is required prior to issuance of a license under 17.03.5.d, Adult Foster Care Congregate Facility.”

The motion carried with the following vote:

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

10-9 REPORTS

A. Ordinance Officer

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

B. Building Inspector

A motion was made by voice vote 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.

10-10 OLD BUSINESS

There was no Old Business.

10-11 NEW BUSINESS

- A. 16-04 Fleming Creek Mixed Use Development, 5400 Plymouth Rd. (Old Roger Monk's/Lord Fox). Major/minor change determination; minor site plan review.

Jeremy Ziegler, applicant, explained the highlights of the development including building aesthetics. Mr. Ziegler also discussed landmark trees on the property and an existing overflow parking lot, both of which are

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planned on being kept. Exterior lighting was mentioned with the possibility of keeping the existing poles and updating the lights to comply with Township regulations.

Mr. Ziegler added that extensive work is being done to the exterior of the building, especially the second half, which should revitalize the building without detracting from the historical façade.

Rodney Nanney, Township Planner, stated that the project came in as a minor site plan because the addition is under 1000 sq/ft and it is part of the Village Center District. It was also noted that chapter nine of the Master Plan is the area plan for the entire Dixboro area. He added that the Commissioners are deciding whether the development is a major or minor site plan change and if it is a significant change to the Dixboro area.

Mr. Nanney read through the Planner's Report dated October 14, 2016. He explained that the Commissioners can accept the overflow parking lot as presented by the applicant, or they can request changes such as gravel or paving. The report recommended that the applicant replace the existing lighting and made notes related to landscaping that need to be detailed on future plans that were not detailed on this plan.

The Planners Report found that the site plan does satisfy minimum requirements for minor site plan approval. He added that if the Commissioners feel there is a need for more detail, they can require that the applicant provide a more detailed final site plan. It was noted that the applicant still needs Road Commission approval for work done in the road right-of-way, but that is a final site plan item.

Jacob Rushlow, Township Engineer, provided the Commissioners with a review of the site plan and noted items that should be included with the final site plan such as a stormwater management narrative and outside agency approvals.

He also noted that due to the proximity to Fleming Creek, OHM would like to see more Best Management Practices implemented. Mr. Rushlow added that the applicant is not grading a large area, but because they are grading within 500 feet of Fleming Creek, they need to have a Soil Erosion Control Permit.

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Chairperson Guenther read a memo submitted by Tom Freeman, Chair of the Dixboro Design Review Board. The Board met on June 2, 2016 and reviewed the proposal for the development.

Commissioner Gardner noted that he supports the plan being a minor change, and is also supportive of the concept. He asked the applicant if the building was a historical structure.

Mr. Ziegler stated that it is an older building but it is not considered historic. He noted several items that would be kept to preserve the integrity of the building.

Commissioner Gardner asked what made the applicant decide to put the office in the front and the restaurant in the back of the building.

Mr. Ziegler stated that you seem to gravitate toward the side that the restaurant is on. He also explained that there is a long ramp so you don't feel like you're going around the back of the building to get into the restaurant. It was also noted that the primary parking for the restaurant would stay in the front of the building.

Clerk Phillips noted that he has visited the site and there are many landscaping possibilities. He stated that he agrees with Mr. Nanney's comments in the Planner's Report regarding lighting.

Mr. Nanney stated that the Zoning Ordinance breaks down the requirements for different types of site plans, but if the site plan is accepted as a minor site plan the Planning Commission can request something that isn't required for a minor site plan in the Zoning Ordinance.

Commissioner Steele asked if access to the overflow parking currently exists.

Mr. Ziegler stated that a strip of asphalt is the current access to the overflow parking.

Chairman Guenther stated that he supports the project, but that there is a fair amount of information missing. He added that the information could be submitted with the final site plan. He also stated that it would not make sense to asphalt the overflow parking lot, but questioned the ability of the parking lot hold up to traffic.

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Clerk Phillips inquired about the piece of property located within the right-of-way. It was determined that the triangular piece is an extension of the right-of-way.

Discussion regarding the right-of-way and the Washtenaw County Road Commission followed.

Commissioners agreed that the overflow parking lot should be left in its current state.

Chairman Guenther noted items in the Planner's Report that the applicant was missing from the submittal.

The applicant asked if screening was a requirement.

Mr. Nanney stated that screening acts as a barrier from headlights and is also important from a safety standpoint.

Commissioner Gardner stated that revised plans will need to be submitted and is in favor of treating the submittal as a preliminary site plan.

Mr. Nanney stated that the Planner's Report states what is needed from the applicant that was not previously provided.

Mr. Rushlow stated that minor site plans would still have the engineering review and Building Department review. He went on to explain what he would be looking for in the final site plan.

It was determined that the parking spaces that are in the road right-of-way could be left alone.

Motion by Clerk Phillips, supported by Commission Gardner for the Superior Township Planning Commission to approve STPC#16-04, Fleming Creek Mixed Use Development, 5400 Plymouth Rd. (old Roger Monk's/Lord Fox). Major/minor change determinations; minor site plan review, plan dated September 12, 2016, as a preliminary site plan, finding that the petition and plan complies with the requirements of section 2.118, Village Center District; Article 7; Article 10, specifically sections 10.07 and 10.10 of the Superior Township Zoning Ordinance. This approval is made with the understanding that the issues identified in the planner's report dated October 14, 2016 and the Engineer's Report

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dated October 26, 2016 shall be satisfactorily addressed in the final site plan. Also, other than the information and issues identified in the reports, no other additional final site plan required information listed in section 10.07 of the Superior Township Zoning Ordinance is needed on the final site plan.

Yes: Brennan, Findley, Gardner, Guenther, McGill, Phillips, Steele.

No: None.

Absent: None.

Abstain: None.

**B. STPC #16-05 Sutton Ridge Preliminary Site Plan**

Kellie McIvor, Redwood, explained changes that were made to the plan. She noted changes to the landscaping, roofing and pathways, and also noted that the maintenance garage is back on the site plan.

Mr. Nanney stated that the Board of Trustees ultimately decided to approve the area plan in August. The Board of Trustees included two conditions to be addressed in the final site plan: a traffic study and an updated "as approved" version of the area plan. Mr. Nanney also noted that there were some signage issues that needed to be addressed. Overall, the plan meets the requirements for preliminary site plan.

Mr. Rushlow read through the report from OHM and noted some things for the applicant to take into consideration.

Clerk Phillips inquired about the wetlands in the area.

Ms. McIvor stated that they do not need DEQ approval because the site is under a third of an acre, but they will need to mitigate.

Discussion followed regarding the title and master deed.

Clerk Phillips stated that development agreements are approved by the Township Board of Trustees and are required before the issuance of any permits.

Commissioner McGill asked if the models of the units were the same as the Planning Commission saw last year.

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Ms. McIvor stated that the buildings are actually more dressed up and the interior has changed slightly to make it more marketable.

Commissioner McGill also asked about the emergency exit in the rear of the development.

Ms. McIvor stated that the exit area grows grass and it looks like a turnaround area, so people will not be driving through it.

Commissioner McGill inquired about the Bromley park area as well as the private road in that area.

Ms. McIvor stated that they are committed to keeping their residents off of the county road.

Mr. Rushlow discussed the permitting process through DEQ.

Motion by Clerk Phillips, supported by Commissioner Gardner for the Superior Township Planning Commission to approve STPC#16-05, Sutton Ridge Preliminary Site Plan, plan dated September 27, 2016. The Planning Commission has found that the petition complies with section 2.115, PC District; Article 7 Special District Regulation; Article 10 Site Plan Review, specifically sections 10.07 and 10.10 of the Superior Township Zoning Ordinance. This approval is conditional upon the following:

- Issues identified in the Engineer's Report dated October 18, 2016 and the Planner's Report dated October 17, 2016 are satisfactorily addressed with the final site plan submittal.

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

10-12 POLICY DISCUSSION

Commissioner Gardner thanked Clerk Phillips for his service to the Township.



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10-13 ADJOURNMENT

A motion was made by voice vote to adjourn at 10:00 p.m. The motion carried.

Respectfully submitted,  
David Phillips, Planning Commission Secretary

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