

**CITY OF DEXTER
PLANNING COMMISSION
REGULAR MEETING
MONDAY, NOVEMBER 2, 2015**

I. CALL TO ORDER AND ROLL CALL:

The meeting was called to order at 7:00 PM by Planning Commission Chairman Kowalski at the Dexter Senior Center located at 7720 Ann Arbor Street in Dexter, Michigan with roll call.

Matt Kowalski
Jack Donaldson
James Smith

Thomas Phillips
Alison Heatley
Scott Stewart

Jim Carty
Marni Schmid
Tom Stoner-AB

Also present: Michelle Aniol, Community Development Manager; Carol Jones, Interim City Clerk; Donna Fisher, City Council Member; residents and media.

II. APPROVAL OF THE MINUTES

1. Regular Meeting – October 5, 2015

Motion Smith; support Donaldson to approve the minutes of the Regular Meeting of October 5, 2015 as posted.

Unanimous voice vote approval with Commissioner Stoner absent.

III. APPROVAL OF THE AGENDA

Motion Carty; support Smith to approve the agenda with the change in date on the minutes from 2014 to 2015 and the inclusion of updated materials for the Public Hearing on the NUBCo request and the Hotel Hickman request.

Unanimous voice vote approval with Commissioner Stoner absent.

IV. PUBLIC HEARING(S)

A. SLU #2015-03 Northern United Brewing Company

Public Hearing to consider a special land use request for an expansion of the existing tasting room to include a dining area at Northern United Brewing Company, located at 2319 Bishop Circle E. Discussion and possible action following the Public Hearing.

Staff Report:

Ms. Aniol explained the special land use and reviewed the conclusion regarding this use. She also provided updated information from the City's Attorney.

The Public Hearing was opened by Planning Commission Chairman Matt Kowalski at 7:14 PM.

Paul Bishop, 5510 Vaughn Road, Dexter spoke of being the Village President when the Industrial Park was developed. He feels that the proposed Special Use request from NUBCo is not compatible with the use of the Industrial Park and that the City needs to protect the other business ownership's in the park. He stated that there are other places in Dexter to open a restaurant and that a restaurant should not be in the Industrial Park. Changing the zoning doesn't make it proper.

Paul Cousins, 7648 Forest, Dexter stated that NUBCo could put a restaurant in some places in Dexter but that is not compatible with the type of business they have. They are a very good business and generous with their donations to the community. What is being asked is to revamp what they currently have, not changing what they have. Mr. Cousins mentioned that he had talked to other business owners in the park and they feel that this proposal is a good idea. He also spoke of being in the Chicago area and visiting a brew pub that was located in an industrial park.

Kyle Marsh of 7820 Fourth Street, Dexter spoke about the original zoning of the Industrial Park as a closed area and that has since changed. Also the activity during the day in the park is concentrated around the manufacturing businesses, but the evening is different and activity at a tasting room would not conflict with the traffic and activities during the day time.

Chairman Kowalski closed the Public Hearing at 7:25 PM.

Motion Phillips; support Carty based on the information provided by the applicant and staff at the November 2, 2015 Planning Commission meeting and pursuant to Section 8.03, Special Land Use review standards, the Planning Commission recommends that the City Council approve the Special Land Use application for an expansion of the tasting room at Northern United Brewing Company (NUBCo), located at 2319 Bishop Circle E, to include a dining area for food service, subject to the following conditions:

1. The total area of the tasting room and proposed dining area shall not exceed 15% of the gross floor area of the NUBCo facility.
2. Sewer discharge must be at or below permitted levels.

Discussion:

Commissioner Carty mentioned a "We Love Dexter" story that had 36 favorable responses to NUBCo's plan. Have not had any one from the Industrial Park comment negatively on this proposal. He felt that we have a chance to develop a sense of place for the Dexter community and that NUBCo is a good corporate citizen and business

Ayes: Phillips, Carty, Donaldson, Heatley, Schmid, Stewart, Smith and Kowalski.

Nays: None

Absent: Stoner

Motion carries

B. TAZO #2012-01 Text Amendment to the Zoning Ordinance

Public Hearing to consider text amendments to the following sections of the Zoning Ordinance:

1. Amend Article II, Definitions, Section 2.02 Definitions to add a definition of microbrewery and amend the definition of a tasting room.
2. Amend Article XVII, RD Research and Development District, Section 17.03, Special Uses to add microbrewery facility as a special land use.

Staff Report:

Ms. Aniol reviewed the updated amendments to 17.03 Special Land Use and 17.02 Permitted Principal Uses.

The Public Hearing was opened by Planning Commission Chairman Matt Kowalski at 7:41 PM.

Ted Tear, 8090 Huron Street, Dexter inquired if NULL has a liquor license. (They do.)

Chairman Kowalski closed the Public Hearing at 7:42 PM.

Motion Phillips; support Carty pursuant to Section 23.07, Criteria for Amendment to the Zoning Ordinance Text and the Public hearing held by the Planning Commission on November 2, 2015, the Planning Commission recommends the text amendments to Council for approval. The amendments are modified as follows:

1. Section 17.02, Special Land Uses in the RD Research & Development District; add a tasting room as a special land use as follows:
 - F. Tasting Room, subject to the following provisions:
 1. A tasting room shall be an accessory use to a wine, beer and/or other alcoholic beverage manufacturing facility, licensed as such by the State of Michigan.
 2. The square footage of the tasting room shall not exceed 15% of the gross floor area of the principal facility.
2. Section 17.02 Permitted Principal Uses in the RD Research & Development District, add wine, beer and other alcoholic beverage manufacturers as follows:
 - D. Manufacturing of wine, beer and /or other alcoholic beverages.

Ayes: Phillips, Carty, Donaldson, Heatley, Schmid, Stewart, Smith and Kowalski.

Nays: None

Absent: Stoner

Motion carries

C. SLU #2015-04 Outdoor Seating Area 8054 Main Street

Public Hearing to consider a special land use request for an outdoor seating area at 8054 Main Street. Discussion and possible action following the Public Hearing.

Staff Report:

Ms. Aniol introduced the applicant, Scott Thomas from Hotel Hickman their request for a dining pavilion between their current property and the former Dexter Flower Shop on which Mr. Thomas has a purchase agreement. Mr. Thomas explained the development of the concept for the pavilion.

The Public Hearing was opened by Planning Commission Chairman Matt Kowalski at 7:56 PM.

There was no one in the audience who spoke at the Public Hearing. Chairman Kowalski closed the Public Hearing at 7:57 PM.

Motion Smith; support Donaldson based on the information provided at the November 2, 2015 Planning Commission meeting and pursuant to Section 8.03, Special Land Use review standards, the Planning Commission recommends that the City Council approve the Special Land Use application for the Outdoor Seating at the 8054 Main Street location.

The Special Land Use permit is granted with the following condition:

1. City Council approval of an air-rights easement.

When asked by the Commission, the applicant indicated he was not interested in pursuing a liquor license or moving his operations from 8050 Main Street.

Ayes: Phillips, Carty, Donaldson, Heatley, Schmid, Stewart, Smith and Kowalski.

Nays: None

Absent: Stoner

Motion carries

D. RZ #2015-01 Rezoning First Street Park

Public Hearing to consider a city initiated rezoning of vacant property located on First Street (08-08-05-235-006), at the intersection with Edison Street, from R-3 Multiple Family Residential to PP, Public Park. Discussion and possible action following the Public Hearing.

Staff Report:

Ms. Aniol provided background information on the development of the First Street Park. The following questions were asked by Commissioners:

- Has City Council vacated a part of First Street? (They are considering it.)
- Why is the industrial triangle portion not included in the rezoning? (Not a part of the park.)
- Originally the request was for a small storage for the park, why has it changed? (The request is still the same as proposed for a shed/shelter.)
- Has this park space been given to the Dexter Ringers? (No it can be used by others.)

The Public Hearing was opened by Planning Commission Chairman Matt Kowalski at 8:10 PM.

Donna Fisher, 3035 Inverness Street, Dexter stated that she agrees that First Street Park is essentially a park given to the Dexter Ringers in what initially started as a request to clean up the area. Originally the request from the Ringers was for a shed to hold equipment but there wasn't a good space to place it. She also questioned the uses of this area for horseshoe tournaments and the amount of parking required.

Chairman Kowalski closed the Public Hearing at 8:13 PM.

Motion Carty; support Donaldson based on the information provided at the November 2, 2015 Planning Commission meeting and pursuant to Section 23.05, Criteria for Amendment of the Official Zoning Map, the Planning Commission recommends that the City Council deny the request to rezone a portion of First Street park (08-08-05-235-006), located on the east side of the First Street ROW, from R-3 Multiple Family Residential to PP Public Park.

Discussion:

Commissioner Phillips – The industrial parcel should be included in the rezoning. Maybe a postponement motion for more information would be the better option.

Commissioner Donaldson – Agree on denying or postponing to get more information on the I-1 piece of property. Does the Parks & Recreation Commission (PaRC) have any other use planned for this area? (Not at present.)

Commissioner Kowalski – How does this piece fit in with the PaRC's master plan? What is the intent?

Commissioner Schmid – If denied can't they come back with a change in their plan?

Motion Smith; support Phillips to table the motion to request additional information.

Ayes: Phillips, Heatley, Schmid, Stewart, Smith and Kowalski

Nays: Carty and Donaldson

Absent: Stoner

Motion carries

V. PRE-ARRANGED PARTICIPATION

None

VI. REPORTS

A. Chairman Report – Matt Kowalski

None

B. Planning Commissioners and Council Ex-Officio Reports

Commissioner Schmid – The Art Selection Committee met last week to discuss the piece of art donated by the Lions Club. The committee would like to have

some recommended sites before coming before the City Council but there seems to be some disagreement among the Lions Club.

Commissioner Carty – Recently I changed jobs and work in Detroit. I have had three different people tell me about how much they enjoy the community of Dexter and the Border to Border Trail.

C. Community Development Office Reports – Michelle Aniol

Ms. Aniol provided her report in the packet. In addition she provided the following updates:

- Attended the eCities Luncheon along with Mayor Keough and Ms. Nicholls where Dexter was among 18 cities that received a 5 Star award.
- Question – Anything new to report on the Mill Creek Sports building? (Have heard nothing but the price has come down.)

VII. CITIZENS WISHING TO ADDRESS THE COMMISSION

None

VIII. OLD BUSINESS

A. None

IX. NEW BUSINESS

A. None

X. PROPOSED BUSINESS FOR NEXT AGENDA – DECEMBER 7, 2015

A. Worksession

1. Zoning Ordinance Update
2. Open House to present amendments to Master Plan regarding gas and oil drilling operations.

B. Regular Meeting

1. Public Hearing to consider amendments to the Master Plan regarding gas and oil drilling operations.
2. CIP Update

XI. CITIZENS WISHING TO ADDRESS THE COMMISSION

Ted Tear, 8090 Huron Street, Dexter spoke of a real problem of people running the stop sign at the corner of Broad and Huron Streets, especially bicyclists, and requesting a speed bump there. He also mentioned that nothing will happen along railroad property with the 100 mile trains coming through; regarding the Strawberry Alarm Clock, should go back and deny the application for many reasons; in his opinion, Ms. Aniol is running the community, Planning

Commission and Council; and Ann Arbor has a skate park, why can't Dexter have a horseshoe park.

Donna Fisher, 3035 Inverness Street, Dexter thanked the Planning Commissioners for the work that they do.

Kyle Marsh, 7820 Fourth Street, Dexter spoke of moving into the city two months ago and has noticed that since there is not stop sign at Edison and Fourth Streets, the vehicle speed picks up. Maybe another sign denoting speed should be posted.

XII. ADJOURNMENT

Motion Smith; support Donaldson to adjourn at 8:51 PM.

Unanimous voice vote approval with Commissioner Stoner absent.

XIII. COMMUNICATIONS

None

Respectfully submitted,

Carol J. Jones
Interim Clerk, City of Dexter

Approved for Filing: _____

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STAFF REPORT

To: Chairman Kowalski and Planning Commissioners
Courtney Nicholls, City Manager

From: Michelle Aniol, Community Development Manager

Date: December 7, 2015

Future Development Discussion

- Staff had a conversation with Steve Brouwer regarding the status of his Grand St/Baker Rd property. One of the things he needed to know is what the density would be for the property. Staff looked in the master plan and discovered the following:
 - Ground floor retail with office and/or multiple family uses on the upper floors is identified as appropriate uses in the Downtown – Mixed Use Future Land Use category. However, density for the multiple family uses has not been established. Additionally, the Central Business District (CBD) is identified as the ONLY compatible zoning district to the Downtown – Mixed Use Future Land Use category, but a minimum floor area for residential use has not been established for the CBD.
 - Single and multiple family residences are identified as appropriate uses in the Village Commercial Future Land Use category, and the Village Commercial (VC) District is identified as the ONLY compatible zoning district to the Village Commercial Future Land Use category. The MP does not establish density for the Village Commercial Future Land Use category and the ZO does not establish a minimum floor area for single or multiple residential uses in the VC District.
 - For context, the Village Residential Future Land Use category has a density of 4 to 6 dwelling units per acre. Isn't it logical to conclude that the density for Downtown – Mixed Use Future Land Use categories would be greater than the density for the Village Commercial Future Land Use category and the density for the Village Commercial Future Land Use category would be greater than the density for the Village Residential Future Land Use category?

Staff consulted with PC Chair Kowalski and Planning Consultant, Doug Lewan. In the short term we believe that Article 19, Planned Unit Development (PUD) is an option. According to Section 19.03, sub-section A.1 the PC/City has the ability to make a determination regarding density in cases where a parcel is not zoned for residential use immediately prior to a PUD rezoning request. Density determination is based on existing and planned residential densities in the surrounding area, the availability of utilities and services, and the natural features and resources of a subject site. In addition to the Master Plan, the Planning Commission could consider the information in the Target Market Analysis when making density determination. You can access the document on the City's website, by going to the DDA page (<http://dextermi.gov/downtown-development-authority>).

- On Friday, November 27th staff received a zoning inquire regarding tattoo shops. The caller was interested in a property in the CBD Central Business District. According to Section 15(A).02, Permitted Uses in the CBD, personal service establishments, such as barber shops, beauty salons, and dry cleaners; including repair shops for watches, bicycles, jewelry, and other such item are permitted uses. Staff considers tattoo shops as personal service establishments.

Tattoo shops are classified as personal establishments by the North American Industry Classification System (NAICS). Other businesses classified as personal service establishment by NAICS include barber shops, beauty salons, nail salons, massage parlors/therapy, day spas, etc. The NAICS is the standard used by Federal statistical agencies in classifying businesses for the purpose of collecting, analyzing and publishing statistical data related to the US business economy.

When staff briefed City Council a concern was raised that if tattoo shops are not specifically listed as a permitted (or special) land use, why wouldn't the Planning Commission use the process set forth in

Section 3.07 to determine compatibility and conditions by which use may be permitted. Staff consulted with PC Chair Kowalski and Planning Consultant, Doug Lewan; both supported staff's interpretation.

Staff did subsequent research and determined that as the zoning administrator she interpreted the ordinance to include a tattoo shop as a personal service establishment, therefore, if Council wasn't comfortable with that interpretation they would need to agree (via a formal vote) to request an interpretation from the Zoning Board of Appeals. If the Zoning Board determined that a tattoo shop was not a personal service establishment, then the Planning Commission could consider it under Section 3.07.

Development Updates

- A.R. Brouwer submitted an application for interior remodel and change of tenant for Suite A at 7444 Dexter Ann Arbor Road (i.e. Bluewater Office Building). Suite A was formerly used by Morning Star Day Care. The renovation will be for a new medical office, for pediatricians Drs. Turke and Thomashow.
- A.R. Brouwer hosted a groundbreaking event on Friday November 20, 2015 for the new home of Dexter Family Dentistry (i.e. Dan Hoey Medical Office Building).
- The RFQ Committee has completed reference checks on Foremost Development and Home Renewal Systems, LLC. The Committee has requested each developer come in for a one-on-one interview with the Committee.
- Staff received an application for land division of a platted lot of record at 3040 Hudson Street. The Community Development Manager reviews land division applications for tentative approval and the City Assessor reviews the application for final approval. Final approval is pending payment of winter 2015 taxes. Staff worked with the new City Assessor to develop a new land division application. A copy is included with this report.

Miscellaneous Updates

- City Council took affirmative action on three (3) cases that were recommended by the Planning Commission. Copies of the Notice of Decision and/or Notice of Adoption are included with this report.

NOTICE OF DECISION

To: Mayor Keough and City Council
Chairman Kowalski and Planning Commission
Courtney Nicholls, City Manager

cc: Jon Carlson, Applicant

From: Michelle Aniol, Community Development Manager

Re: SLU #2015-03 Northern United Brewing Company Special Land Use Request
Decision

Date: November 25, 2015

PLANNING COMMISSION RECOMMENDATION

On November 2, 2015 based on the information provided by the applicant, staff's review and consultation with the City Attorney, and following a duly noticed public hearing, the Planning Commission voted unanimously to recommend special land use approval for an expansion of the existing tasting room to include a dining area for food service, at Northern United Brewing Company, located at 2319 Bishop Circle E to City Council, subject to the following conditions:

1. The total area of the tasting room and proposed dining area shall not exceed 15% of the gross floor area of the NUBCo facility, and
2. Sewer discharge must be at or below permitted levels.

CITY COUNCIL ACTION

On November 23, 2015, based on the Planning Commission's recommendation, information provided by the applicant and staff, and pursuant to Section 8.03, Special Land Use review standards, the Dexter City Council **APPROVED** the Special Land Use application for an expansion of the tasting room at Northern United Brewing Company (NUBC), located at 2319 Bishop Circle E, to include a dining area for food service, subject to the following conditions:

1. The total area of the tasting room and proposed dining area shall not exceed 15% of the gross floor area of the NUBC facility; and
2. Sewer discharge must be at or below permitted levels.

Please feel free to contact me if you have any questions regarding the decision.

Thank you.
Respectfully submitted,

Michelle Aniol
Community Development Manager
City of Dexter

**CITY OF DEXTER
WASHTENAW COUNTY, MICHIGAN
ORDINANCE 2015-01**

NOTICE OF ADOPTION OF AMENDMENT TO THE ZONING ORDINANCE

AN ORDINANCE AMENDING THE 1995 CITY OF DEXTER ZONING ORDINANCE BY INCORPORATING AN AMENDMENT TO ARTICLE XVII, RD RESEARCH AND DEVELOPMENT ZONING DISTRICT.

The City Council of the City of Dexter hereby ordains:

SECTION 1: *The City of Dexter 1995 Zoning Ordinance is amended by REVISION of Section 17.02, Permitted Principal Uses in the RD Research and Development District to add wine, beer and other alcoholic beverage manufacturers and to recodify previous sub-section D – N, accordingly, as follows:*

D. Manufacturing of wine, beer and/or other alcoholic beverages.

The full text has been omitted from this notice due to its length, but it is available for review at the City Offices, 8123 Main Street, Dexter, MI 48130 from 9:00 am to 5:00 pm on business days and on the City's website at www.dextermi.gov.

SECTION 2: *The City of Dexter 1995 Zoning Ordinance is amended by REVISION of Section 17.03, Special Land Uses in the RD Research and Development District to add a tasting room as a special land use, as follows:*

F. Tasting Room, subject to the following provisions:

1. A tasting room shall be an accessory use to a wine, beer and/or other alcoholic beverage manufacturing facility, licensed as such by the State of Michigan.
2. The square footage of the tasting room shall not exceed 15% of the gross floor area of the principal facility.

The full text has been omitted from this notice due to its length, but it is available for review at the City Offices, 8123 Main Street, Dexter, MI 48130 from 9:00 am to 5:00 pm on business days and on the City's website at www.dextermi.gov.

SECTION 3: INCONSISTENCIES REPEALED. Any and all other ordinances or resolutions or parts thereof in conflict herewith are hereby repealed.

SECTION 4: SEVERABILITY. Should any section, clause or paragraph of this Ordinance be declared by court of competent jurisdiction to be invalid, the same will not affect the validity of the ordinance as a whole or part hereof other than the part declared to be invalid.

SECTION 5: SAVING CLAUSE. That nothing in this Ordinance shall be construed to affect any suit or proceeding impending in any court, or any rights acquired, or liability incurred, or any cause or causes of action acquired or existing, under any act or ordinance hereby repealed; nor shall any just or legal right or remedy of any character be lost, impaired or affected by this Ordinance.

SECTION 6: EFFECTIVE DATE. The provisions of this amendment are hereby ordered to take effect seven (7) days following its publication in a newspaper of general circulation within the City. This Ordinance is hereby declared to have been adopted by the City Council of the City of Dexter in a meeting duly called and held on November 23, 2015.

STATE OF MICHIGAN

COUNTY of WASHTENAW

I, CAROL J. JONES, Clerk of the City of Dexter, County of Washtenaw, Michigan, do hereby certify that at a regular meeting of the Dexter City Council, held at Dexter Senior Center, 7720 Ann Arbor Street, Dexter, MI 48130, in said City at 7:30 PM, on the 23rd Day of November 2015, that the above Ordinance was ADOPTED after a Public Hearing and Recommendation by the City of Dexter Planning Commission and that the following members were present:

Jim Carson, Donna Fisher, Julie Knight, Zach Michels, Jim Smith, Ray Tell, Councilmembers, and Shawn Keough, Mayor.

That upon motion made by Tell and seconded by Carson, said Ordinance was ADOPTED on the following roll call vote:

Ayes: Fisher, Knight, Michels, Smith, Tell, Carson, and Keough

Nays: None

Absent: None

I further certify that on the 2nd day of December 2015, I caused a summary of the regulatory effect of said Ordinance to be published in The Sun Times News, a newspaper circulated in the City of Dexter, and that said Ordinance and the record of publication was duly recorded in the Book of Ordinances of the City of Dexter and is available for public use and inspection at the offices of the City of Dexter. The Ordinance shall take effect seven (7) days after publication.

**CITY OF DEXTER,
WASHTENAW COUNTY, MICHIGAN**

Carol J. Jones, Clerk

DATED: November 25, 2015
PUBLISHED: December 2, 2015
EFFECTIVE: December 9, 2015

NOTICE OF DECISION

To: Mayor Keough and City Council
Courtney Nicholls, City Manager

cc: Scott Thomas, applicant

From: Michelle Aniol, Community Development Manager

Re: SLU #2015-04 Outdoor Seating Special Land Use Request- 8054 Main St.

Date: November 25, 2015

PLANNING COMMISSION RECOMMENDATION

Based on the information provided at the November 2, 2015 Planning Commission meeting and pursuant to Section 8.03, Special Land Use review standards, the Planning Commission, in a unanimous vote, recommended approval the Special Land Use application for the Outdoor Seating at the 8050 Main Street location, to City Council, subject to Council granting approval of an air-rights easement.

COUNCIL ACTION

On November 23, 2015, based on the recommendation by the Planning Commission and pursuant to Section 8.03, Special Land Use review standards, City Council **APPROVED** the Special Land Use application for the Outdoor Seating at the 8054 Main Street.

The Special Land Use permit is granted with the following conditions:

1. The encroachment of the pavilion overhang shall be eliminated.

Please feel free to contact me if you have any questions regarding the decision.

Thank you.

Respectfully submitted,

Michelle Aniol
Community Development Manager
City of Dexter



Michigan

OFFICE OF COMMUNITY DEVELOPMENT

8140 Main Street • Dexter, Michigan 48130-1092 • (734) 426-8303 • Fax (734) 426-5614

P15

STAFF UPDATE

To: Chairman Kowalski and Planning Commission
Courtney Nicholls, City Manager

From: Michelle Aniol, Community Development Manager

Re: RZ #2015-01 Rezoning First Street Park (08-08-05-235-006) – Additional Information

Date: November 25, 2015

On November 2, 2015, following a public hearing to consider the above referenced rezoning of a portion of First Street Park from R-3 Multiple Family to PP Public Park, Commission Carty, with support by Commission Donaldson, made a motion to deny the rezoning request. Following the Planning Commission's discussion, Commission Smith, with support by Commission Phillips made a motion to table the main motion and request additional information. The Planning Commission voted on the Smith/Phillips motion, which passed with a 6-2 vote.

ADDITIONAL INFORMATION

- On February 22, 1988, the City (then Village) entered into an Exchange Agreement with Edward and Donna Palmer in which the Palmer's conveyed 0.94 acres of property to the Village in exchange for Village vacating a portion of First Street, a public alley and an easement area. This exchange of property facilitated the development of Cottonwood Condos. Staff had OHM transcribe the legal description and discovered that a portion of First Street, from Cottonwood Condos to its terminus behind the Adair Printing building had already been vacated or abandoned. Please see attached survey.
- On June 22, 1998 Village Council designated the 0.94 acres, formerly known as the Palmer Property, as Village park land. It should be noted, this designation did not mean land use approval had been granted.
- On April 3, 2006 the Parks Commission requested special land use approval for the 0.94-acre Village owned property, previously designated as Village parkland, for park use. The property was zoned R-3, Multiple Family Residential. Park use was a special land use in the R-3 Zoning District. The purpose of the request was due to the Dexter Ringers asking the Parks Commission if the group could construct horseshoe pits in the park. Staff noted in her memo the following:
 - Any conditions of approval would be placed on the Parks Commission
 - The Parks Commission would have to work with the Dexter Ringers to meet the conditions of approval
 - Additional funding requests would have to be made to the Village Council, if desired by the Parks Commission
- On April 3, 2006 the Planning Commission recommended that Village Council approve the Special Land Use application submitted by the Parks Commission to officially designate First Street Park and to permit the Dexter Ringers to construct horseshoe pits at the park, subject to the following conditions:
 - The hours of operation of First Street will be from dawn to dusk;
 - The DPW to install a "private property – no trespassing" sign at the Cottonwood Condos property line; and

- The Parks Commission should consider adding a split rail fence along the railroad tracks and should work with the Dexter Ringers to determine how the bathroom situation is to be addressed. A fence and bathroom should be added to the Park Commission's CIP. The Planning Commission also granted a request to waive landscaping requirements, in accordance with Article VI, Landscaping.
- On April 10, 2006 Village Council voted to approve the recommendation from the Planning Commission to grant special land use approval for the end of Edison Street (i.e. First Street Park).
- On April 18, 2006 Mr. Cousin's, representing the Dexter Ringers, updated the PaRC regarding improvements the Ringers had made to the Park, including leveling the grade, brush trimming/clearing, debris removal, as well as the installation of ten (10) horseshoe pits and two (2) eight (8) foot picnic tables for anyone to use. He stated future plans included adding some bird houses, garbage cans and trees. It was at this time that the PaRC was asked to supply a porta-john. The PaRC voted unanimously to approve the rental of a porta-john for a period of 5 months beginning June 1st.
- During a budget worksession on May 1, 2013, the Village Council discussed the "need for improvements to Horseshoe Park"; the "need for seed money to begin building a shelter and storage facilities," and estimated the cost between \$3,000 and \$5,000.
- On May 21, 2013 the Community Development Manager (at that time) updated the Parks and Recreation Commission regarding clean-up of "Horseshoe Park", following up on an apparent discussion at the PaRC's April 2013 meeting. In addition, the PaRC was provided with a rendering of a 20' x 20' shelter on a concrete slab.
- On May 22, 2013 Village Council discussed "improvements to Horseshoe Park", during a budget worksession.
- On June 10, 2013 Village Council discussed "improvements to Horseshoe Park" during its public hearing to consider the budget for FY 2013-14.
- On June 24, 2013 Village Council, in a 3-2 vote, approved \$5,000 for the First Street Park shelter.
- On November 17, 2009 the PaRC voted unanimously to allow a split rail fence without a gate and a sign not to exceed 24" x 36" advertising the Dexter Ringers to be built by the Dexter Ringers Horseshoe Club.

Based on the information found in our records, as well as a conversation with Donna Palmer it appears that a portion of First Street has already been vacated. The exact date/time period in which the vacation may have occurred is not known at this time. According to the City Assessor, it would take a title search to determine when the vacation or abandonment became official. Consequently, the request for council to vacate a portion of First Street has been withdrawn.

Although the property on First Street was dedicated as parkland in 1998, the property was not identified in the 2003 Park and Recreation Facilities Master Plan. The first time First Street Park appears in a Park and Recreation Master Plan is 2009, which is logical considering it received special use approval as a park in 2006.

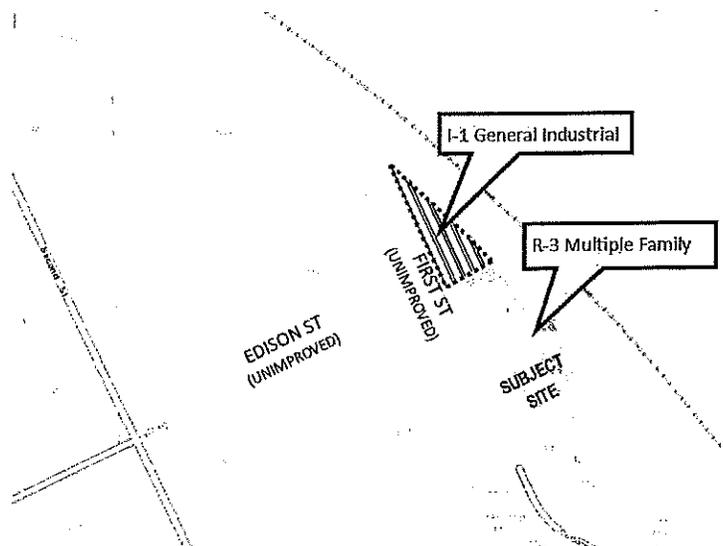
According to the 2009 P&R Master Plan, First Street Park was classified as a "mini-park", and was developed "as a horseshoe throwing park." A mini-park is the smallest park type and typically services an area with a 0.25-mile radius. Mini-parks usually range between 0.25 – 0.5 acres per 1000 people and specialize in a particular age group, such as tot lots. In this case, a horseshoe throwing park. Mini-parks typically range between 0.05 and 1 acre in size.

There is conflicting information regarding improvements to First Street Park. The First Street Park CIP worksheet for FY 2009-2014 indicates the Park was added to the Capital Improvements Plan (CIP) in 2005. However, a review of the 2005-2009 CIP did not confirm. First Street Park improvements show up in FY 2007-2012, FY 2008-2013 and 2009-2014 CIPs. According to the minutes of the January 19, 2010 PaRC meeting, the Commission decided to remove the First Street Park improvements project from the FY 2010-2015 CIP. The minutes did not include any reason(s).

Improvements to Horseshoe Park (a/k/a First Street Park) were added back into the FY 2014-2019 CIP to reflect Council's decision to fund a shelter for FY 2014-15.

REZONING UPDATE

As you will recall, the City initiated the rezoning for consistency with the use of the property and to facilitate future park improvements. However, Parcel 08-08-05-235-006 is split zoned as I-1 General Industrial and R-3 Multiple Family Industrial. The map below shows the current zoning districts. Only the portion zoned R-3 was publicly noticed for rezoning to PP Public Park. Consequently, the Planning Commission must conduct another public hearing to include the vacated portion of First Street, as well as the portion of the park zoned I-1.



Principal permitted uses in the R-3 Multiple Family zoning district includes a variety of attached, mixed density dwellings, such as duplexes, townhouses, rowhouses, and garden apartments, activity center buildings for the elderly, family day care homes, child care centers, day care centers and family foster care homes, and adult foster care homes, adult foster care small group homes and adult day care. Special land uses include public swimming pools, parks, playgrounds, and playfields, places of worship, public and private pre, primary and secondary schools, colleges and universities, boarding and rooming houses, government/community-owned facilities, funeral homes, adult congregate care facilities and bed and breakfast inns.

Permitted uses in the I-1 Limited Industrial zoning district includes research oriented and light industrial park uses, manufacturing compounding, process, or treatment of such products as bakery goods, candy, cosmetics, dairy products, food products, drugs, perfumes, pharmaceutical toiletries, and frozen food lockers, assembly of merchandise such as electrical appliances, electronic or precision instruments and articles of similar nature, packaging of previously prepared materials, but not including the bailing of discards, old iron or other metal, wood, lumber, glass, paper, rags, cloth, or other similar material, Printing, lithographic, blueprinting, commercial laundries, dry cleaning establishments, wholesale business, ice and cold storage plants, lumber, fuel and feed supply yards, and other similar uses, light manufacturing industrial uses which by the nature of the materials, equipment, and processes utilized are to a considerable extent clean, quiet and free from any objectionable or dangerous nuisance or hazard including any of the following goods or materials: drugs; jewelry; musical instruments; sporting goods; glass products; small household appliances; electronic products; printed matter; baked and dairy products; advertising display; tents and awnings; brushes and brooms; cameras and photographic equipment and supplies; wearing apparel; leather products and luggage but not including tanning; products from such finished materials as plastic, bone, cork, feathers, felt, fiber, paper, glass, hair, horn, rubber, shell, or yarn, research and testing

facilities, automobile repair garages such as body shops, and paint shops for autos and other vehicles, construction and farm equipment sales, accessory uses, buildings or structures, and essential service structures. Special land uses include, restaurants/cafeteria facilities and child care facilities for employees in a separate building, bus, taxi and rail terminals, open air display for sale of manufactured products, warehousing and material distribution centers and contractors' establishments, light-metal cutting, essential service buildings, radio, television microwave and cellular phone towers, and wholesale businesses, not including junkyards or used auto wrecking establishments or business handling wastes, coal yards, junk; the incubation, raising or storing of poultry; the slaughtering of animals or, poultry; and those businesses which are offensive by reason of odor, dust smoke or vibration to the surrounding neighborhood.

As stated previously, the City owns the subject site and granted special use approval for use as a park in 2006. Under the current R-3 zoning, a 40-foot front yard setback and a 50-foot rear yard setback are required for buildings or structures. Rezoning the subject site to PP Public Park reduces the front and rear yard requirement and would allow placement of shelter and other potential future improvements, in terms of convenience and practicality.

Action Requested:

Schedule a public hearing for January 4, 2016 to consider rezoning First Street Park from R-3 Multiple Family and I-1 Limited Industrial Districts to PP, Public Park.

Please feel free to contact me prior to the meeting if you have any questions. Thank you.



Michigan

OFFICE OF COMMUNITY DEVELOPMENT

8140 Main Street • Dexter, Michigan 48130-1092 • (734) 426-8303 • Fax (734) 426-5614

STAFF MEMO

To: Chairman Kowalski and Planning Commissioners
Courtney Nicholls, City Manager

From: Michelle Aniol, Community Development Manager

Re: DDA CIP Updates

Date: December 7, 2015

Attached to this memo you will find the DDA Worksheets to be updated, based on input from the DDA.

PROJECT NAME: Jeffords Street Extension / Phase 2 Riverwalk (Forest to Grand)

PROJECT ID: 1.10

PRIORITY: DESIRABLE

PROJECT TYPE: Road Construct/Streetscape

TOTAL COST: \$485,000

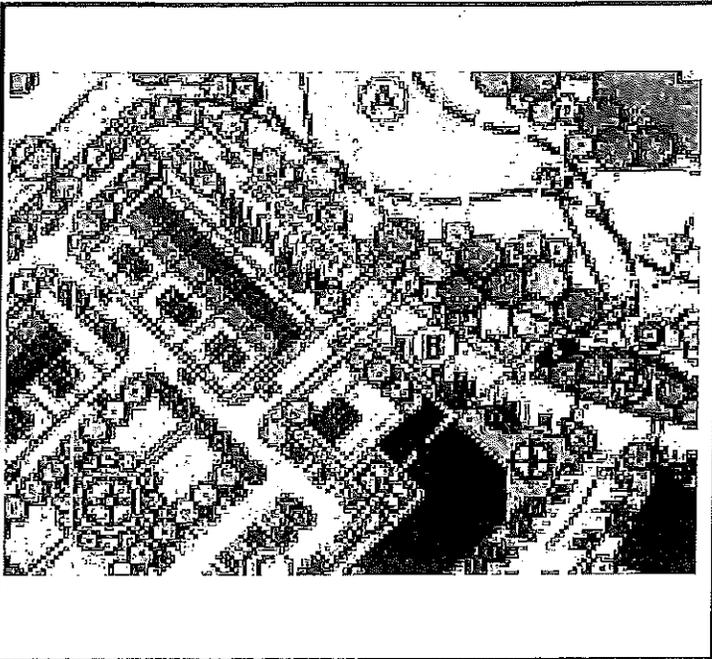
SUBMITTED BY: DDA

YEARS IN CIP (Beginning year): 8 (2007)

DESCRIPTION:

Extension of Jeffords Street along Mill Creek Park, including parking, streetscape, lighting, plazas, walkways etc. Riverwalk construction from Forest Street to Grand Street. Existing infrastructure and wetland and floodplain impacts must be carefully considered.

LOCATION MAP: Broad St between Forest and Grand



PROJECT JUSTIFICATION:

Value Indicates the degree to which the project will help to: 0=Not Applicable 1=Somewhat Important 2=Important 3=Very Important

2	Protect health, safety, lives of citizens
3	Maintain or improve public infrastructure, facilities
2	Reduce energy consumption, impact on the environment
3	Enhance social, cultural, recreational, aesthetics opportunities
2	Improve customer service, convenience for citizens
12	TOTAL SCORE

BENEFICIAL IMPACTS:

Creation of a waterfront road, parking and additional access around downtown. Completion of trail circulation within Mill Creek park. Impact to existing infrastructure

MASTER PLAN AND/OR STUDY REFERENCE:

DDA Development Plan and Mill Creek Park Master Plan

SCHEDULE:

	Start		End	
	Month	Year	Month	Year
Study:		2008		2009
Design/Acquisition:		2010		2013
Construction:		2017		2018

SCHEDULE JUSTIFICATION:

Roadway construction should be considered when a redevelopment plan is in place. Cost sharing with a developer should be considered. Partial completion of riverwalk to take place in 2011, removal and replacement ay be necessaet. MDNRE permitting require; justification will determine project feasibility.

separate to id it's tied to DDP/CO redvelop

PROJECT COST DETAIL:

Road Construction	DDA Funding/Private	\$400,000
Riverwalk	DDA	\$85,000

EXPENDITURES (in thousands)

Funding Source	Prior Yrs	FY15-16	FY16-17	FY17-18	FY18-19	FY19-20	Beyond FY20	TOTALS
DDA/Private				\$400				\$400
DDA				\$85				\$85
								\$0
TOTALS	\$0	\$0	\$0	\$485	\$0	\$0	\$0	\$485

add language to address dumpster issue in 109

PROJECT NAME: Downtown Capital Maintenance

PROJECT ID: 1.11

PRIORITY: IMPORTANT

PROJECT TYPE: Infrastructure

TOTAL COST: \$50,000

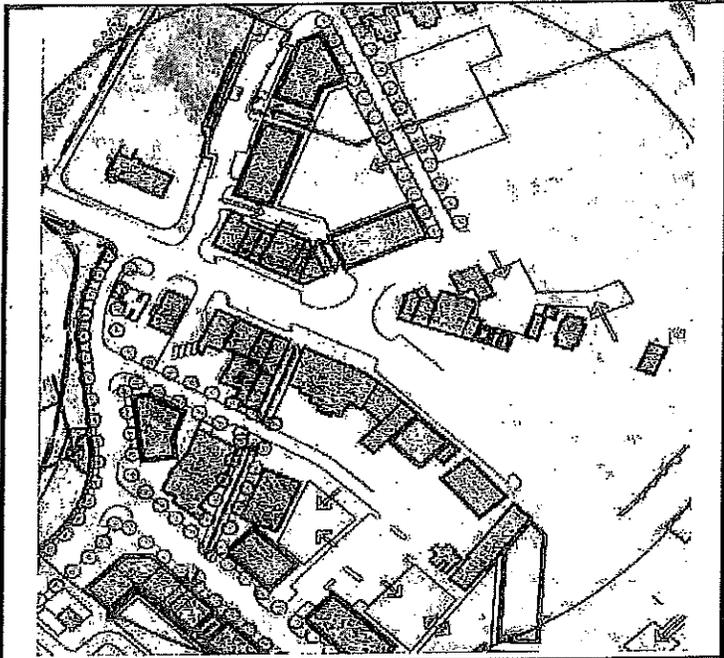
SUBMITTED BY: DDA

YEARS IN CIP (Beginning year): 5 (2010)

DESCRIPTION:

Projects within the downtown that require annual funding allocations to maintain DDA, including paver projects, concrete pad replacement, dumpster issues, etc., as needed.

LOCATION MAP:



PROJECT JUSTIFICATION:

Value indicates the degree to which the project will help to: 0=Not Applicable 1=Somewhat Important 2=Important 3=Very Important

3	Protect health, safety, lives of citizens
3	Maintain or improve public infrastructure, facilities
3	Reduce energy consumption, impact on the environment
3	Enhance social, cultural, recreational, aesthetics opportunities
3	Improve customer service, convenience for citizens
15	TOTAL SCORE

BENEFICIAL IMPACTS:

Maintenance of infrastructure and downtown needs.

MASTER PLAN AND/OR STUDY REFERENCE:

DDA Development Plan

SCHEDULE:

SCHEDULE JUSTIFICATION:

	Start		End	
	Month	Year	Month	Year
Study:		ongoing		
Design/Acquisition:		ongoing		
Construction:		ongoing		

Plans should be made to allocate funding annually to address maintenance needs and other issues that occur within the downtown.

PROJECT COST DETAIL:

DDA Funding annually

\$50,000

many need to add \$ for

EXPENDITURES (in thousands)

Funding Source	Prior Yrs	FY15-16	FY16-17	FY17-18	FY18-19	FY19-20	Beyond FY20	TOTALS
DDA Funding		50	TBD				\$50	\$50
								\$0
								\$0
								\$0
TOTALS	\$0	\$0	\$0	\$0	\$0	\$0	\$50	\$50

PROJECT NAME: Property Acquisition Payback

PROJECT ID: 1.12

PRIORITY: DESIRABLE

PROJECT TYPE: Redevelopment

TOTAL COST: \$164,000

SUBMITTED BY: DDA

YEARS IN CIP (Beginning year): 3 (2012)

DESCRIPTION:

8087 AND 8077 Forest Street property purchase made in 2011 when both properties became available. Future use to be coordinated with redevelopment of 3045 Broad Street (Tupper Properties).

LOCATION MAP: Properties on Broad St between Forest and Gra



PROJECT JUSTIFICATION:

Value indicates the degree to which the project will help to: 0=Not Applicable 1=Somewhat Important 2=Important 3=Very Important

2	Protect health, safety, lives of citizens
2	Maintain or improve public infrastructure, facilities
2	Reduce energy consumption, impact on the environment
2	Enhance social, cultural, recreational, aesthetics opportunities
2	Improve customer service, convenience for citizens
10	TOTAL SCORE

BENEFICIAL IMPACTS:

Redevelopment preparation.

MASTER PLAN AND/OR STUDY REFERENCE:

DDA Development Plan

SCHEDULE:

SCHEDULE JUSTIFICATION:

	Start		End		Buildings have been demolished and redevelopment will likely occur as part of the redevelopment of 3045 Broad Street (i.e. DAPCO/Tupper Properties). DDA to repay City for property purchase when DDA funds are available.
	Month	Year	Month	Year	
Study:		2011		2011	
Design/Acquisition:		2011		2011	
Construction:		2011		2011	

PROJECT COST DETAIL:

8087 Forest and 8077 Forest DDA Funding \$164,000

EXPENDITURES (in thousands)

Funding Source	Prior Yrs	FY15-16	FY16-17	FY17-18	FY18-19	F19-20	Beyond FY20	TOTALS
DDA Funding							\$164	\$164
								\$0
								\$0
								\$0
TOTALS	\$0	\$0	\$0	\$0	\$0	\$0	\$164	\$164

reduce as approp.

↳ 20K? check w/ Tom or Marce

PROJECT NAME: DTE Sub-Station Decommission/Relocation (Part of DAPCO Redevelopment)

PROJECT ID: 1.14

PRIORITY: IMPORTANT

PROJECT TYPE: Redevelopment

TOTAL COST: \$350,000

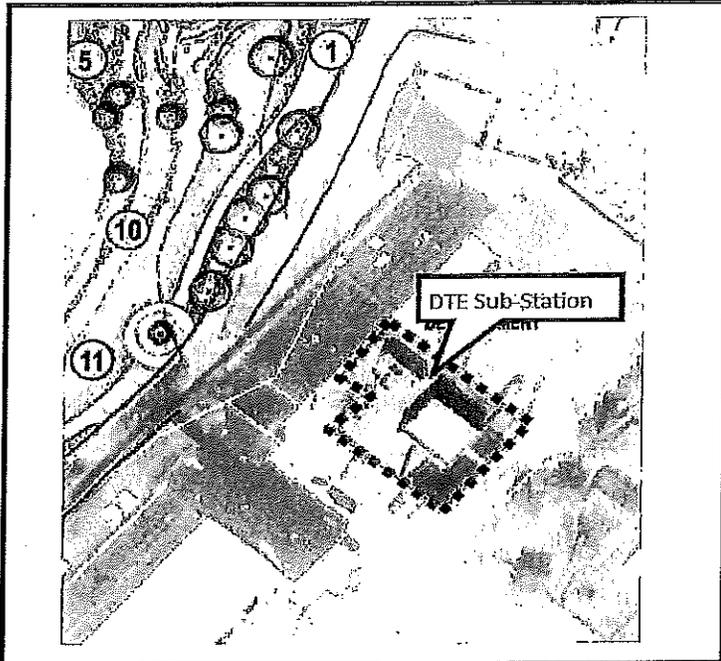
SUBMITTED BY: DDA

YEARS IN CIP (Beginning year): 1 (2014)

DESCRIPTION:

Decommission and/or relocation of DTE Sub-station on Broad Street to facilitate redevelopment of 3045 Broad Street (DAPCO Redevelopment ID1.01).

LOCATION MAP: Broad Street between Forest and Grand



PROJECT JUSTIFICATION:

Value indicates the degree to which the project will help to: 0=Not Applicable 1=Somewhat Important 2=Important 3=Very Important

3	Protect health, safety, lives of citizens
3	Maintain or improve public infrastructure, facilities
3	Reduce energy consumption, impact on the environment
3	Enhance social, cultural, recreational, aesthetics opportunities
2	Improve customer service, convenience for citizens
14	TOTAL SCORE

BENEFICIAL IMPACTS:

Removal of a electric sub-station and re-routing of high tension power lines in preparation for redevelopment and increased tax capture through potential public/private partnership. Enhancement of park riverwalk.

MASTER PLAN AND/OR STUDY REFERENCE:

DDA Development Plan and OHM/Bird Houk CDBG Planning Grant Study; OHM/Houk Conceptual Site Plan and Design Standards; MEDC RRSites Study; Additional Planning and Infrastructure Study

SCHEDULE:

SCHEDULE JUSTIFICATION:

	Start	End	
	Month	Year	Month
Study:		2008	2012
Design/Acquisition:		2012	2015
Construction:		2015	2017

Discussion underway to DTE Energy to decommission site in 2015.

PROJECT COST DETAIL:

DDA	\$350,000
DTE	TBD
City	TBD
Grants	TBD

EXPENDITURES (in thousands)

Funding Source	Prior Yrs	FY15-16	FY16-17	FY17-18	FY18-19	FY19-20	Beyond FY20	TOTALS
DDA Funding								\$0
City		\$300						\$300
DTE		TBD						\$0
Grants (CDBG)		TBD						\$0
TOTALS	\$0	\$300	\$0	\$0	\$0	\$0	\$0	\$300

*City front
\$700K will
pay back
over time*

need to update - talk w/ Courtney

