

**CITY OF DEXTER
PLANNING COMMISSION
REGULAR MEETING
MONDAY, JANUARY 3, 2017**

I. CALL TO ORDER AND ROLL CALL

The meeting was called to order at 7:02 PM by ~~Vice-Chairperson Tom Phillips in the absence of the~~ Chairperson Matt Kowalski at the Dexter Senior Center located at 7720 Ann Arbor Street in Dexter, Michigan with roll call.

Matt Kowalski
Jack Donaldson-ab
James Smith

Thomas Phillips
Alison Heatley-ab
Scott Stewart

Jim Carty
Marni Schmid
Tom Stoner

Also present: Michelle Aniol, Community Development Manager; Courtney Nicholls, City Manager; Carol Jones, Interim City Clerk; Laura Kreps, Carlisle Wortman (CWA); Patrick Droze, Orchard, Hiltz & McCliment (OHM); Shawn Keough, Dexter Mayor; Julie Knight, Dexter Council Member; and residents.

II. APPROVAL OF THE MINUTES

1. Regular Meeting minutes – December 5, 2016

Motion Smith; support Carty to approve the minutes of the Regular Meeting of December 5, 2016 with the following corrections:

- Page 2, under Public Hearing correct Vice Chairman Phillips opened to Public Hearing...to Vice Chairman Phillips opened *the* Public Hearing... and under Commissioner Comments, it should read Schmid *as* the ZBA representative not Schmid and the ZBA representative.
- Page 4, Ms. Aniol's report should read Planning Commission will have a massive agenda in January *at* not *ant*.

Unanimous voice vote approval with Commissioners Donaldson and Heatley absent.

III. APPROVAL OF THE AGENDA

Motion Carty; support Schmid to approve the agenda with two corrections:

- IV Public Hearings item C should be Null Tap House not Null Tape House.
- IX New Business, item B should read Doors and Drawers not Doors and Drawer.

Unanimous voice vote approval with Commissioner Donaldson and Heatley absent.

IV. PUBLIC HEARING(S)

A. AP2016. 17-10a SLU Mill Creek Outdoor Adventure Center, Public Hearing to consider special land use request, submitted by Mill Creek Outdoor Adventure Center, LLC, for a tavern, outdoor eating area and commercial outdoor recreation uses at 8180 Main Street. Discussion and possible action to follow public hearing.

Staff – Ms. Aniol gave an overall summary on the Special Land Use for an indoor/outdoor tavern, outdoor eating area and kayak ~~delivery~~livery to be located at 8180 Main Street. She highlighted items to be addressed some of which were already addressed by the applicant. Ms. Aniol also presented her review of the Preliminary Site Plan, and identified specific items that were not provided. Discussion followed on the legality of making a recommendation from the Planning Commission regarding the Special Land Use of the property that is not currently in the City. Ms. Aniol reported that Planning Consultant, Doug Lewan, and City Attorney, Scott Munzel, feels that the Planning Commission can make a recommendation but City Council cannot vote on the recommendation until the property annexation is finalized.

Laura Kreps of CWA and Patrick Droze of OHM both stated that there is some items that need to be addressed in the Preliminary Site Plan, but this can be done with the Final Site Plan approval.

Applicant – Steve Brouwer announced the withdrawal of the ice skating rink for the site. There were some issues previously in obtaining a liquor license with the site in two different municipalities and are working on this issue through the annexation. Also they are working with the County Road Commission to line up the drive with Dexter Chelsea Road and have met with the MDEQ as to the location of the launch site. There can be a launch in the city but not in the township. The owners plan to clean up the creek banks as much as possible.

Public Hearing – Chairman Kowalski opened the Public Hearing on the Special Land Use at 8180 Main Street at 7:36 PM. No public comments were offered. There was one written comment from Kyle Marsh in support of the project. Mr. Kowalski closed the Public Hearing at 7:37 PM.

Motion Carty; support Smith based on the information provided by the applicant, and reflected in the minutes of the January 3, 2017 Planning Commission meeting, and pursuant to Section 8.03, Special Land Use review standards, the Planning Commission finds the proposed tavern, outdoor seating area, and commercial outdoor recreation center at 8180 Main Street meets the requirements for special use approval.

Therefore, the Planning Commission recommends that City Council approve AP2016.17-10a Application for Special Land Use, submitted by Mill Creek Outdoor Recreation Center, LLC, subject to the following conditions:

1. The Planning Commission determining the following:
 - a. proposed uses are compatible with the existing residential neighborhood to the northwest of the subject site;

- b. proposed uses are compatible with the intent of the Master Plan and intent of the VC zoning district;
 - c. information related to how potential off-site impacts will be mitigated is sufficient;
2. Approval of the Washtenaw County Road Commission and MDEQ;
 3. Approval of the new drinking water well by Washtenaw County;
 4. CWA SLU review dated, December 5, 2015;
 5. Staff SLU review dated, December 22, 2016;
 6. Annexation approval by Webster and Scio Townships;
 7. The applicant shall connect to the City's sanitary sewer system and pay the required connection fees;
 8. If the existing well fails, another well location cannot be found on the property, and the property owner requests to connect to the City water system, the property owner shall be responsible for all charges related to constructing a new water main and connecting the property to the water system;
 9. Preliminary site plan approval; and
 10. Removal of the seasonal ice skating rink and the rock climbing wall from the site plan.

Commissioner Comments:

Carty – I think this is a good project and I like what we have seen, but I don't like the character of the rock wall on the site.

Smith – Asked about the owner's business plan regarding campers during seasonal day camps (Mr. Brouwer addressed the term camp as a means to educate the community on the creek and not camping on the river bank.) I would also like to see a recycling area at the proposed concession area.

Kowalski – Asked the applicant if it is a major issue to remove the rock wall from the Special Land Use. (No it is not.)

Vote:

Ayes: Carty, Phillips, Schmid, Smith, Stewart, Stoner, and Kowalski

Nays: None

Absent: Donaldson and Heatley

Motion carries

1. AP2016.17-10b PSP Mill Creek Outdoor Adventure Center, consider preliminary site plan submitted by Mill Creek Outdoor Adventure Center, LLC, for a tavern, outdoor eating area and commercial outdoor recreation uses at 8180 Main Street.

Motion Carty; support Phillips based on the information provided by the applicant and reflected in the minutes of this meeting, the Planning Commission finds AP2016, 17-10b PSPR 8180 Main Street, Mill Creek Outdoor Adventure Center Preliminary Site Plan, dated October 5, 2016 meets the requirements of Section 19.04, and recommends approval to City Council subject to the following conditions:

1. CWA PSP review, dated December 5, 2016;
2. OHM PSP review, dated November 28, 2016;
3. DAFD PSP review, dated November 30, 2016;
4. Staff PSP review, dated December 22, 2016;
5. Annexation approval by Webster and Scio Townships;
6. Approval of the Washtenaw County Road Commission and MDEQ;

7. Approval of the new drinking water well by Washtenaw County;
8. The applicant shall connect to the City's sanitary sewer system and pay the required connection fees;
9. If the existing well fails, another well location cannot be found on the property, and the property owner requests to connect to the City water system, the property owner shall be responsible for all charges related to constructing a new water main and connecting the property to the water system;
10. Special Land Use approval;
11. Removal of seasonal ice skating rink and the rock climbing wall from the site plan; and
12. Issues from the Preliminary Site Plan to be addressed before City Council reviews the PCP.

Commissioner Comments:

Phillips – I think the items missing from the PCP are minor and can be resolved. We will see a final site plan review.

Vote:

Ayes: Phillips, Smith, Stoner, Carty, Schmid, Stewart, and Kowalski

Nays: None

Absent: Donaldson and Heatley

Motion carries

B. AP2016. 17-18 PUD-AP Grandview Commons PUD, Public hearing to consider a major amendment to the approved Area Plan for Grandview Commons Planned Unit Development (PUD), located at the southwest corner of Grand Street and Baker Road, submitted by MMB Equities, LLC. Discussion and possible action to follow public hearing.

Staff – Ms. Aniol explained the major amendment request for Grandview Commons to amend the Approved Area Plan that will allow for the demolition of the industrial building and house over three phases.

Public Hearing - Chairman Kowalski opened the Public Hearing on the Grandview Commons PUD at 8:04 PM. Dustin Wise of 8444 Parkridge, Dexter inquired about the issue of replacement trees in the site plan. He would like to see the City Council stay with the recommendations for the number of trees and at the recommended cost. There was also a written comment from Kyle Marsh in support of the project. Mr. Kowalski closed the Public Hearing 8:06 PM.

Motion Carty; support Stoner based on information provided by the applicant and reflected in the minutes of this meeting, the Planning Commission finds AP2016. 17-18 Application to Amend Approved Area Plan for Grandview Commons Planned Unit Development (PUD, dated December 5, 2016 meets the requirement of Section 19.13 and recommends approval to City Council, subject to the following conditions:

1. Staff review, dated December 22, 2016;
2. CWA review, dated December 13, 2016;
3. OHM review, dated December 20, 2016; and
4. Administrative review and approval of an Amendment to Development Agreement.

Vote

Ayes: Stoner, Stewart, Smith, Schmid, Phillips, Carty and Kowalski

Nays: None

Absent: Donaldson and Heatley

Motion carries

C. AP2016. 17-19 Null Tap House Expansion, Public hearing to consider special land ~~sue-use~~ approval extension of the expansion of the tasting room to include a dining area, located at 2319 Bishop Circle West, submitted by Northern United Brewing Company.

Staff – Ms. Aniol explained the previous approval of the Special Land Use in November of 2015 and that it has now lapsed. The owners were not aware the Special Land Use extension had expired and are coming back to the Planning Commission for the Tasting Room expansion. The same conditions for approval are the same with a slight modification due to issues with the Cambrian System.

Applicant – Jon Carlson of NUBCo explained the issues they have had with the Cambrian System due to damage in a vehicle accident. They look to be able to go online with the system in April and they are aware that they will not be legally allowed to open the expansion until the system comes online hopefully in the summer or fall.

Public Hearing – Chairman Kowalski opened the Public Hearing at 8:22 PM. No Public comments were offered, but one written letter of support from Kyle Marsh was received in support of the project. Mr. Kowalski closed the Public Hearing at 8:23 PM.

Commissioner Comments

Kowalski – Will there be outdoor seating? (The applicant stated he would like to have this but know he will need to come back before the Planning Commission to do so.) Will there be bike racks? The applicant said yes there will.

Motion Phillips; support Carty based on the information provided by the applicant and reflected in the minutes of the January 3, 2017 Planning Commission meeting. and pursuant to Section 8.03, Special Land Use review standards, the Planning Commission finds the proposed expansion of the tasting room to include a dining area at 2319 Bishop Circle East meets the requirements for special use approval.

Therefore, the Planning Commission recommends that City Council approve AP2016. 17-19 Application for Special Land Use, submitted by Northern United Brewing Company (NUBCo), 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. The applicant may obtain preliminary zoning compliance for the expansion of the tasting room, in accordance with Section 22.03 of the Zoning Ordinance; however, sewer discharge level must be at or below permitted levels, prior to the issuance of the final zoning compliance.

Vote:

Ayes: Stewart, Schmid, Carty, Stoner, Smith, Phillips and Kowalski

Nays: None
Absent: Donaldson and Heatley
Motion carries

V. PRE-ARRANGED PARTICIPATION

None

VI. REPORTS

A. Chairman Report – Matt Kowalski

None

B. Planning Commissioners and Council Ex-Officio Reports

Commissioner Carty:

- Changing the order of voting and my seat is messing me up tonight!

C. Committee Reports

None

D. Community Development Office Reports – Michelle Aniol

Ms. Aniol reported on the following:

- A recent proposed Senate Bill has been passed by the House and Senate sent to the Governor and he has not signed as of yet. He has 14 days from December 28th. It is a DDA TIF reform measure that allows libraries to opt out of millage capture when the next millage vote comes up, however, if a city or municipality increases the DDA district, the library can opt out immediately. This is quite relevant to the City because of the issuing a redevelopment liquor license for Mill Creek Outdoor Adventure as they would have to come into the DDA district. Paul McCann of the Dexter District Library stated that they do not want to be a cause of issues with development in Dexter.
- Will be holding a pre-application meeting for Rainbow Child Care located on Dexter Ann Arbor Road.
- Peters Building has submitted a letter to the City for annexation of the Sloan Kingsley property on Baker Road.

VII. CITIZENS WISHING TO ADDRESS THE COMMISSION

Chet Hill of 7550 Fourth Street, Dexter stated that he came to tonight's meeting because of his curiosity of the Mill Creek Outdoor Adventure project, however, he does not like the proposed building on the site. He thinks that the site deserves something special since it is the entry way to the City.

VIII. OLD BUSINESS

A. AP2016. 17-05 PUD-FSP Grandview Commons, consider final site plan for a 76-unit mixed residential development, at the southwest corner of Grand Street and Baker Road.

Staff – Ms. Aniol reviews the Grandview Commons final site plan. The plan has the same number of units and layout as proposed. Ms. Aniol highlighted the following areas: replacement trees, landscape modifications, Baker Road corridor overlay, pedestrian circulation and reviews by CWA, OHM and DAFD. There were no additional comments from Laura Kreps of CWA and Patrick Droze of OHM. Discussion followed on recommendations by the Planning Commission regarding the tree replacement donation, the revised landscape plan and color scheme on the building elevations of red or brown.

Motion Phillips; support Smith based on the information provided by the applicant and reflected in the minutes of its January 3, 2017 meeting, the Planning Commission finds AP2016. 17-05 PUD-FSP Grandview Commons Final Site Plan, revision dated December 7, 2016; Elevation and Floor Plans, revision dated, October 10, 2016; Landscape Plan, revision dated, December 14, 2016; and Truck Turning Plan, revision dated, December 14, 2016 meets the requirements of Section 21.04, sub-section E.3, and recommends **approval** to City Council, in accordance with the provisions set forth in Article 19, PUD Planning and Development Regulations for Planned Unit Development Districts, in the City of Dexter Zoning Ordinance, and subject to the following conditions:

1. The Planning Commission recommends a tree replacement donation of \$250 per tree;
2. The revised alternative landscape plan is acceptable;
3. Townhouses shall all be the same color scheme; remainder of the project may be mixed, red and brown;
4. CWA review, dated December 13, 2016 and November 15, 2016;
5. OHM review, dated December 21, 2016;
6. DAFD review, dated December 9, 2016;
7. Staff review comments 6.f and g. as cited herein, subject to administrative review and approval by staff, the City Engineer and DAFD;
8. Approval of Amendment to the Approved Area Plan for Grandview Commons;
9. Administrative review and approval, by staff and the City Attorney, of the Development Agreement; and
10. Administrative review and approval, by staff and the City Attorney, of the Master Deed, Bylaws and Condominium Subdivision Plan (Exhibit B Drawing).

Commissioner Comments;

Kowalski – I like the addition of sidewalks and access to the public path. I also like the buffer and landscaping

Carty – Asked to the developer, when would you like the industrial use of the property to end? Applicant responded probably next year.

Vote:

Ayes: Carty, Phillips, Schmid, Smith, Stewart, Stoner, and Kowalski

Nays: None

Absent: Donaldson and Heatley

Motion carries

IX. NEW BUSINESS

A. AP2016. 17-14, Mill Creek Terrace Final Site Plan Approval Extension,

Consider 5th extension of final site plan approval for Mill Creek Terrace, located at 150 Jeffords St., submitted by Guenther Homes.

Staff – Ms. Aniol reviewed the site plan approval extension proposed by Guenther Building.

Applicant – Natalie Ceccolini of Guenther Building explained that they got the property under contract in October of 2016 which was too late to get a plan submitted before the approval expired. Thus they are asking for the 5th extension for one year. She also stated there is some issue with the boundaries.

Motion Schmid; Support Stewart based on the information provided by the applicant and reflected in the minutes of this meeting, the Planning Commission finds AP2016. 17-15 FSP-AE Final Site Plan Approval Extension for Mill Creek Terrace plan dated October 24, 2007 meets the requirements set forth in Section 21.04(E)9, Extension of Time Limits.

Let it further be resolved that the Planning Commission recommends approval of an extension of the Final Site Plan for Mill Creek Terrace, until December 1, 2017, to City Council, subject to the following Conditions:

1. The applicant provides sufficient rationale for the requested extension;
2. Special Land Use approval;
3. The project shall meet OHM recommendations in its November 20, 2014 review letter, and further subject to the following:
 - a. The conditions cited in its November 1, 2007 correspondence, plus:
 - i. References and proposed work shown for the DDA improvements that have since been completed can be eliminated from the plan;
 - ii. Infrastructure elements not completed as a part of the Jeffords/Forest DDA project such as the sanitary sewer, water supply and fire suppression shall be shown with pavement removal limits denoted;
 - iii. Construction schedule information should be updated (sheet G9, 12 and G9B.12); and
 - iv. Plan notes referring to MDOT standards/special details shall be updated to reference current details.
4. DAFD has also recommended approval of the extension request in its November 23, 2014 review letter, subject to the comments of its September 24, 2007 review letter, which included the following:
 - a. The incorporation of fire hydrant location and fire department connections, as set forth in the City Engineering Standards, and
 - b. Requirements of the Fire Protection Ordinance, including Knox box, addressing, minimum roadway widths, fire land signage, portable fire extinguishers, fire suppression, fire alarm systems and kitchen fire suppression systems.

Vote:

Ayes: Phillips, Smith, Stoner, Carty, Schmid, Stewart, and Kowalski

Nays: None
Absent: Donaldson and Heatley
Motion carries

B. AP2016. 17-16, CSP Doors and Drawers, consider combined preliminary and final site plan for a 6,000 square foot addition at 2467 Bishop Circle West, submitted by AR Brouwer, on behalf of Charles and Rosemary Manitz.

Staff – Ms. Aniol explained the requested addition and the parking required by the applicant. Ms. Aniol noted that the site plan is fairly complete with only a few minor deficiencies.

Ms. Kreps from CWA noted the parking request and illumination levels. Mr. Droze of OHM highlighted the stormwater.

Applicant – Steve Brouwer spoke on behalf of the owners, Charles and Rosemary Manitz about the lighting on the building and will try to come up with the required figures on illumination. He also addressed the need Doors and Drawers has for the extra parking.

Motion Smith; support Phillips based on the information provided by the applicant and reflected in the minutes of the January 3, 2017 meeting, the Planning Commission finds AP2016. 17-17 CSP Doors and Drawers Combined Site Plan, dated December 5, 2016 meets the requirements of Section 21.04, sub-section E.3, and recommends approval to City Council, subject to the following conditions:

1. Twenty eight parking spaces, as shown on the plan, shall be permitted;
2. The proposed landscape alternative, as shown shall be permitted, provided an alternative evergreen species is substituted for the white pines shown on the plan;
3. CWA review, dated December 13, 2016;
4. OHM review, dated December 22, 2016; and
5. DAFD review, dated December 18, 2016

Vote

Ayes: Stoner, Stewart, Smith, Schmid, Phillips, Carty and Kowalski

Nays: None

Absent: Donaldson and Heatley

Motion carries

X. PROPOSED BUSINESS FOR NEXT AGENDA

A Regular Meeting, Monday, February 6, 2017 – 7:00 PM:

1. TBD

XI. CITIZENS WISHING TO ADDRESS THE COMMISSION

None

XII. ADJOURNMENT

Motion Schmid; support Smith to adjourn at 9:39 PM.

Unanimous voice vote approval with Commissioners Donaldson and Heatley absent.

XIII.COMMUNICATONS

None

Respectfully submitted,

Carol J. Jones
Interim Clerk, City of Dexter

Approved for Filing, as amended: February 6, 2017