

DEXTER VILLAGE PLANNING COMMISSION

October 3, 2005

Regular Meeting

The meeting was called to order at 7:28 PM by Chair Tell at the Dexter Area Senior Citizen Center, 7720 Ann Arbor Street.

**Present:** Phillips, McCormack, Bell, Kowalski, Kimmel, Clugston, Tell, Lovell, Carson

**Approval of Minutes**

-Moved Kimmel support Bell to approve the minutes from September 6, 2005 Regular Meeting as presented  
Voice Vote: Unanimous                      Motion Carried

**Approval of Agenda**

-Moved Carson, support Kowalski to approve the agenda as presented.  
Voice Vote: Unanimous                      Motion Carried

**Public Hearings**

- A. Ordinance Amendment-Article 15, Village Commercial District
  - 1. Opening of the hearing at 7:30 pm
  - 2. Presentation by Allison Bishop, Community Development Manager
  - 3. Opening of the hearing to the floor-none
  - 4. Consideration of the matter by the Commission-The Planning Commission discussed the proposed changes to Article 15, Village Commercial District
  - 5. The hearing was closed at 7:36 pm

-Moved Carson, support McCormack per Section 23.06, Criteria for Amendment to the Zoning Ordinance Text and the Public Hearing held by the Planning Commission on October 3, 2005, the Planning Commission has determined that Article 15, Village Commercial District, has language that needs to be clarified due to conflicts in implementation of the sections and the amendments would promote the implementation of the goals and objectives of the Master Plan, specifically residential objective #5, new construction should be done in a way that recognizes Village characteristics and is incorporated into the fabric of the Village and objective #10, preserve and enhance the older, small town character of the village, including the promotion of the visual compatibility of buildings in size, setbacks and architectural features, and the provisions for design transitions between different types of buildings. Therefore, the Planning Commission recommends that the Village Council adopt the attached Article 15 ordinance amendments as discussed at the meeting.

Ayes: Phillips, McCormack, Bell, Kowalski, Kimmel Clugston, Tell, Lovell, Carson

Nays: none

Motion carried

- B. Ordinance Amendment-Article 15(A), Central Business District
  - 1. Opening of the hearing at 7:36 pm
  - 2. Presentation by Allison Bishop, Community Development Manager
  - 3. Opening of the hearing to the floor-none
  - 4. Consideration of the matter by the Commission-The Planning Commission discussed the proposed changes to Article 15(A) Central Business District
  - 5. The hearing was closed at 7:38 pm

-Moved Kowalski, support Kimmel per Section 23.06, Criteria for Amendment to the Zoning Ordinance Text and the Public Hearing held by the Planning Commission on October 3, 2005, the Planning Commission has determined that Article 15A, Central Business District, has language that needs to be clarified due to conflicts in implementation of the sections and the amendments would promote the implementation of the goals and objectives of the Master Plan, specifically residential objective #5, new construction should be done in a way that recognizes Village characteristics and is incorporated into the fabric of the Village and objective #10, preserve and enhance the older, small town character of the village, including the promotion of the visual compatibility of buildings in size, setbacks and architectural features, and the provisions for design transitions between different types of buildings. Therefore, the Planning Commission recommends that the Village Council adopt the attached Article 15A, ordinance amendments as discussed at the meeting.

Ayes: Carson, Lovell, Tell, Clugston, Kimmel, Kowalski, Bell, McCormack, Phillips

Nays: none

Motion carried

- C. Ordinance Amendment-Heritage Overlay Zoning District
  - 1. Opening of the hearing at 7:38 pm
  - 2. Presentation by Allison Bishop, Community Development Manager
  - 3. Opening of hearing to the floor
    - a. Terry Braciszewski, 8838 Hendrick Dr, Brighton MI 48116
    - b. Paul Cousins, 7648 Forest, Dexter MI 48130
  - 4. Consideration of the matter by the Commission-The Planning Commission discussed the Ordinance Amendment to the Heritage Overlay Zoning District.
  - 5. The hearing was closed at 7:46 pm

-Moved Bell, support Kowalski to postpone the Public Hearing until December 5, 2005, to repost the public hearing for the Ordinance Amendment-Heritage Overlay Zoning District.

Ayes: Kimmel, Carson, Phillips, Lovell, McCormack, Tell, Bell, Kowalski, Clugston

Nays: none

Motion Carried

- D. Zoning Map Amendment-Heritage Overlay Zoning
  - 1. Opening of the hearing at 7:46 pm
  - 2. Presentation by Allison Bishop, Community Development Manager
  - 3. Opening of the hearing to the floor-none
  - 4. Consideration of the matter by the Commission-The Planning Commission discussed the Zoning Map Amendment-Heritage Overlay Zoning
  - 5. The hearing was closed at 7:49 pm

-Moved Bell, support Clugston to postpone the Public Hearing until December 5, 2005, to repost the public hearing for the Ordinance Amendment-Heritage Overlay Zoning District.

Ayes: Kowalski, Clugston, Carson, Bell, Tell, Phillips, Lovell, McCormick, Kimmel,

Nays: none

Motion Carried

#### **Pre-Arranged Citizen Participation**

none

#### **Reports of Officers**

- A. Chairman Report-Ray Tell
  - a. Town Hall meeting follow-up, the meeting only went to 8:30 pm. Most people who support were from outlying areas.
- B. Planning Commissioners and Council Ex-officio Reports,
  - Ex-officio Carson talks about October 17, 2005, the Chelsea Area Planning Commission is inviting several other Planning Commissions from other areas to hold a regional meeting.
  - No other reports given

#### **Citizens Wishing To Address the Commission**

none

#### **Old Business**

- A. Consideration of: Ordinance Amendment-Article 2, Definitions
  - Moved Tell, support Phillips per Section 23.06, Criteria for Amendment to the Zoning Ordinance Text and the Public Hearing held by the Planning Commission on August 1, 2005, the Planning Commission has determined that Article 2, Definitions has two (2) conflicting definitions for Floor Area and Floor Area Gross and therefore recommends that the Village Council adopt the following definitions for Floor Area and that the current definitions be removed:
    - 1. **Floor Area, Gross-** The total constructed area of a building. This area is computed by measuring to the outside finished surface of permanent outer building walls or from the centerline of walls separating two (2) buildings without any deductions except as noted. All enclosed floors the building, including basements, garages (heated), mechanical equipment floors, penthouses, balconies, mezzanines, enclosed porches, accessory buildings attic floors space providing head room of at least 7'6"(whether or not floor has been installed) and the like are calculated.

2. **Floor Area, Gross (for the purposes of computing parking only)**-Gross floor area shall be the sum of the horizontal area of each story of the building, measured from the exterior surfaces of the exterior walls. Gross floor area shall include all spaces noted above except for: exterior porches, attached garages, attics and basements that cannot accommodate commercial or office operations other than unoccupied incidental storage.

Ayes: Tell, Phillips, McCormack, Lovell Carson, Clugston, Bell, Kimmel, Kowalski

Nays: none

Motion Carried

### New Business

- A. Bishop Business Condominiums-Combined Site Plan Review

-Moved Tell, support Clugston finds that the Lot #39 Bishop Business Condos Combined Site Plan dated 9-6-05 **meets** the required standards and findings for Final Site Plan approval pursuant to Section 21.04 of the Zoning Ordinance and recommends **approval** of the plan.

Ayes: Clugston, Lovell, Kowalski, Tell, Kimmel, Phillips, Bell, McCormack, Carson

Nays: none

Motion Carried

- B. Katie's Restaurant-Preliminary Site Plan Review

-Moved Kimmel, support Carson finds that the Katie's Restaurant Site Plan dated 9-6-05 **meets** the required standards and findings for Preliminary Site Plan approval pursuant to Section 21.04 of the Zoning Ordinance and recommends **approval** of the plan.

The Site Plan is recommended with the following conditions:

1. Approval of the Special Land Use application.
2. Approval of the requested variances.
3. Addressing the outstanding engineering, planning consultant and Fire Department comments.

Ayes: Carson, McCormack, Bell, Phillips, Kimmel Tell, Kowalski, Lovell, Clugston

Nays: none

Motion Carried

- C. Katie's Restaurant Special Land Use Request- Set Public Hearing

-Moved Carson, support Bell to set a public hearing for November 7, 2005 to hear public comment on the special land use request submitted by Katie's Restaurant to permit a restaurant and bar within the C-1 General Business District.

Voice vote: unanimous Motion Carried

- D. Wallace Project-Preliminary Site Plan Review

-Moved Carson, support Bell that the Wallace Project Preliminary Site Plan dated 9-6-05 **fails to meet** the required standards and findings for Final Site Plan approval pursuant to Section 21.04 of the Zoning Ordinance and recommends **denial** of the plan.

Fails to meet Village Zoning Ordinance requirements regarding items of the CBD

1. Height
2. Setbacks
3. Stormwater Detention

Ayes: Lovell, Kowalski, Clugston, Bell, Caron, Tell, McCormack, Kimmel, Phillips

Nays: none

Motion Carried

- E. Dexter Commerce Center Minor Amendment Request

-Moved Kowalski, support Bell to determine that the requested amendment from AR Brouwer for Dexter Commerce Center Phase 3 to add an eight (8) foot sidewalk/drive to the rear of unit #5 only for loading and unloading activities related to a catering business be determined as a **minor** amendment. The amendment is minor because it meets the criteria listed in Section 19.13B of the Village of Dexter Zoning Ordinance, due to the potential improvements to the layout and design of the site that will facilitate the occupation of Unit #5 by catering business. The Planning Commission has determined that the proposed change is a minor variation in layout that does not constitute a major change with one contingency:

1. A Letter of Intent for a catering business or lease agreement be submitted to the Community Development Manager Allison Bishop.

Ayes: Bell, Carson, Tell, Lovell, Kowalski, Clugston, Kimmel, Phillips, McCormack

Nays: none  
Motion Carried

- F. Dexter Plaza Site Plan Modification per WCRC  
-Moved Kowalski, support Bell to postpone the determination regarding the corner plaza until a decision is made by the Washtenaw County Road Commission.  
Voice vote: Unanimous Motion Carried

**Proposed Business for Next Agenda**

- A. Katie's Preliminary Site Plan and Special Land Use Public Hearing
- B. Wallace Project Preliminary Site Plan
- C. Bishop Business Condominiums-Combined Site Plan
- D. Article 15(B), ARC Signs and Article 7, Signs-Subcommittee update
- E. Fertilizer, Wetlands, Natural Features Ordinances-still pending
- F. Conditional Rezoning ordinance presentation

**Citizens Wishing To Address the Commission**

None

**Adjournment**

-Moved Bell, support McCormack to adjourn the meeting at 9:10 pm

Respectfully submitted,

Brenda Dirkse  
Recording Secretary

**Filing Approved 11-7-05**