

SUMMIT TOWNSHIP PLANNING COMMISSION
August 18, 2015

MEMBERS PRESENT: Raymond McQuillan, Chairman; Jack Shelby, Secretary; Richard Erhardt, Todd Emmons, Township Board Liaison; Stephen Artz; George Gancsos Jr.; John Worden, Summit Township Zoning Administrator

MEMBERS ABSENT: Allan Hooper, Natalie Stopyak

The meeting was called to order by Raymond McQuillan, Chairman, on Tuesday, August 18, 2015 at 7:00 p.m. in the Township Hall meeting room at 2121 Ferguson Road.

A motion was made and supported to make George Gancsos Jr. acting secretary for the purpose of signing the July 21, 2015 minutes for Natalie Stopyak. The motion carried unanimously.

A motion was made by Steve Artz, supported by Richard Erhardt, to approve the Tuesday, July 21, 2015 minutes as written. The motion carried unanimously.

Case #15-07-0015 – Site Plan Review – Seven Brothers Enterprises, LLC – 911 East South Street, Jackson, Michigan

A public hearing was held on the request of applicant Seven Brothers Enterprises, LLC of 911 East South Street for a Site Plan review for property located at 915 East South Street (Parcel I.D. 460-13-12-302-003-00 & 460-13-12-302-05-00).

Patrick Dunigan of 911 East South Street spoke on behalf of the applicant. The request is to demolish a 31,893 sq. ft. block building and replace with a 12,500 sq. ft. pre-engineered metal building. The metal building will be for maintenance of their construction equipment.

Steve Artz asked: 1) is there any storage of flammable materials 2) will there be any storage tanks in the building and 3) will there be hazardous waste.

Patrick Dunigan replied: 1) only motor oil used in their vehicles, 2) no storage tanks inside, 3) hazardous waste is hauled off site by a private hazardous waste company.

A motion was made by George Gancsos Jr., supported by Richard Erhardt to recommend to the Township Board approval of the Site Plan contingent upon compliance with the letter and recommendations of the Jackson County Department of Transportation, Jackson County Drain Commissioner and Summit Township Fire Department.

The motion carried unanimously.

Case #15-08-0017 – Conditional Use Permit – Sam and Norma Musharbash of 5263 Thames Ct., Jackson, Michigan.

A public hearing was held on the request of Sam Musharbash of 5263 Thames Ct. owner and applicant of the property located at 2608 Kibby Road for a Conditional Use Permit for a Micro-Brewery to be located in two units of the Kibby Cobb Plaza. The property is zoned Local Commercial (C-1).

Ray McQuillan, Chairman, read a letter from Judith A. Benn of 1522 Kensington Drive stating reasons for her objection to the request noting that it is a residential neighborhood with small children, unsafe environment for children with increase in traffic. Also a letter from David and Denise Templin of 2428 Dawn Street stating their concerns for the increase traffic onto Dawn Street from the rear of the Plaza, the large number of children on bikes and people walking. They also asked questions concerning parking, hours of operation and live entertainment.

The applicant, Sam Musharbash, stated that he has had discussions with many of the neighbors and they have been supportive of the project.

The proprietor of the Mad Mitten Brewing Company, Drew Derr, stated that the facility is not a bar, serves craft beer only, some entertainment and no alcoholic products will be served that they do not make on site. The micro-brewery will occupy the last two suites in the Plaza and will have hours of operation Monday – Thursday 10:00 a.m. to 10:00 p.m., Friday and Saturday Noon to midnight and Sunday Noon to 9:00 p.m.

Ray McQuillan explained that the application is for a Conditional Use Permit and that the Planning Commission may impose certain conditions, should a motion be made to recommend approval of the request.

George Gancsos Jr. asked if there will be entertainment.

Drew Derr replied there will be T.V., primarily sports channels, touch tune juke box and some live entertainment; acoustical and blues.

Jack Shelby asked if the blues include some electrical instruments.

Drew Derr replied yes and the stage will face the other stores and will not face the streets to limit the noise from carrying outside. The sound decibels will be quiet low.

Ray McQuillan asked what the parking requirement is.

Sam Musharbash replied there is currently 39 parking spaces and that 33 spaces are required.

George Gancsos Jr. asked about traffic flow.

Sam Musharbash replied they will have signage to keep customers from exiting onto Dawn Street and have them exit onto Kibby Road. The back of the building will be for employee parking as well as, deliveries for the market.

Steve Artz asked if a gate could be installed to stop traffic from exiting onto Dawn Street.

Sam Musharbash replied that a gate is not allowed due to emergency vehicles.

Richard Erhardt stated that the Site Plan appears to have 4 exits for the building.

Sam Musharbash replied yes, because two suites will be combined. The rear doors will be for emergency exit only and private use.

Todd Emmons asked what the seating capacity will be.

Sam Musharbash replied 120- 150

John Worden stated, that based on the floor area, the seating capacity appears to be 100 but that the seating will be determined by the Building Inspector and based on 15 sq. ft. per person with tables and chairs and 7 sq. ft. for seating at the bar.

Todd Emmons asked why the drive at the back cannot be blocked since there are currently three means of ingress and egress being Kibby, Cobb and Dawn Roads.

Sam Musharbash replied that blocking the back ingress and egress would be acceptable to him as it would keep the customers in the front and employees and deliveries in the back.

John Worden stated that if the driveway to Dawn St. becomes a greater problem the issue could be revisited at a later date.

Judith Been, 1522 Kensington Dr., spoke in opposition. She grew up on Cobb Rd. stating that the Kibby Cobb

market was originally a hardware store and was against the addition of the Plaza. She also stated that when bars open in an area property values will go down and that there are a lot of young people in the area that will be influenced by the open drinking and that there is already a liquor store there and open drinking is worse.

Drew Derr stated that only craft beer will be served and no hard liquor.

Judith Been stated that alcohol destroys life and it always starts with beer. Children will be killed in accidents when people leave the bar. There is already too much traffic, property values have already dropped due to the plaza. It will not generate more taxes because the tax base will drop due to property values dropping, and there are many other areas, including abandoned buildings in Jackson, that would be better suited for a bar than a residential area.

Adam Stachnik, 1200 East Lane, spoke in support of the project and stated that the plaza is in a state of disrepair and a new business will improve the building. Also the plaza is already there and that will not change with or without a new business and it will clean up the plaza and make it more usable.

Nancy Biddle, 2419 Dawn, spoke in opposition to the project and agrees with the neighbors that spoke before her noting that the owners told her that it is not a bar, but it does contain a bar. Children and grandchildren are in the neighborhood and traffic is already bad and new business will make it worse.

Tony Sherock, 14163 Grand View, spoke in support of the project stating that 21 and 22 year olds typically do not go to brew pubs. Brew pubs are generally an older, more responsible crowd and the brewery will become a destination point for people.

Sam Musharbash stated that large delivery trucks will not be used to make deliveries to the brew pub. Large delivery trucks are for the market which has about 10 deliveries per week. The brew pub is not a party place but a gathering place for people to enjoy beer. Most vehicle traffic that cuts through the parking lot are people that live in the neighborhood behind the plaza. He also stated that he will clean up the landscaping in the back of the building and he is committed to do what he can to make the place cleaner and safer.

Drew Derr commented that he has heard from many people in the neighborhood that they are in support of the project.

Steve Artz asked John Worden if there is a noise ordinance in place.

John Worden replied yes.

Ray McQuillan explained the Summit Township Planning Commission is an advisory board that makes recommendations to the Township Board and the request can have conditions placed on a motion. There may be a Special Township Board meeting that will be held at 8:00 a.m. in the morning. A date has not been determined. Anyone interested in attending can go to the Township website to find the date and time or they can call the Township Offices. If a Special Township Board meeting is not held then the next meeting will be held on the 4th Tuesday in September (September 22, 2015).

A motion was made by George Gancsos Jr., supported by Steve Artz, to recommend to the Township Board approval of the Conditional Use Permit with the following conditions: 1) Hours of operation Monday – Thursday Noon to 10:00 p.m. 2) Friday – Saturday Noon to Midnight 3) Sunday Noon to 9:00 p.m. 4) Traffic signs to keep customers on the Kibby Road side and employees on the Dawn Street side 5) Clean up landscaping area in the back 6) Place speed bumps at the rear entrance off Dawn Street. The motion was carried unanimously.

Motion by Steve Artz, supported by Richard Erhardt, to adjourn at 7:55 p.m.

The motion carried unanimously.