

**THE CHARTER TOWNSHIP OF CHESTERFIELD  
PLANNING COMMISSION  
January 29, 2013**

A regular meeting of the Charter Township of Chesterfield Planning Commission was held on Tuesday, January 29, 2013 at 7:00 p.m. at the Township Hall located at 47275 Sugarbush, Chesterfield MI 48047.

**1. CALL TO ORDER:**

Mr. Miller called the meeting to order at 7:01 p.m.

**2. ROLL CALL:**

Present: Frank Eckenrode  
Jerry Alexie  
Rick LaBelle  
Paul Miller  
Joe Stabile  
Carl Leonard  
Brian Scott DeMuynck

Excused: Jim Moran  
Ray Saelens

Others: Pat Meagher, Community Planning & Management

**3. APPROVAL OF THE AGENDA:**

**Motion** by Mr. Miller, supported by Mr. DeMuynck to approve the agenda as presented.

**All Ayes**                      **Motion Carried**

**4. SUBCOMMITTEE REPORT:** (Committee will report items under Reviews)

**5. PUBLIC HEARING:** None

**6. REVIEWS:**

**A. WPI PROPOSED NEW WALL SIGN – SGN #2013-05: WPI, 27295 Luckino Drive, Chesterfield, MI., 48047 – Proposed new all sign located at above address.**

**Motion** by Mr. LaBelle, supported by Mr. Miller to approve Sign #2013-05.

**All Ayes**                      **Motion Carried**

**B. WPI PROPOSED NEW DIRECTIONAL SIGN – SGN #2013-06: WPI, 27295 Luckino Drive, Chesterfield, MI., 48047 – Proposed new all sign located at above address.**

**Motion** by Mr. LaBelle, supported by Mr. Alexie to approve Sign #2013-06 contingent upon the applicant keeping the directional sign to a maximum of four square feet. This includes a two foot variance because the ordinance only allows two square feet and rather than having two directional signs, which would be permitted, it was determined that one directional sign could be allowed at four square feet.

**All Ayes Motion Carried**

- C. ARNOLD TOOL PROPOSED ADDITION – SITE PLAN #2013-03: Hallmark Development, 48000 Structural Dr., Chesterfield, MI., 48051 – Proposed addition to existing manufacturing building located at 48200 Structural Drive.**

**Motion** by Mr. LaBelle, supported by Mr. DeMuyne to approve Site Plan #2013-03.

**All Ayes Motion Carried**

**7. APPROVAL OF MINUTES OF PRIOR MEETINGS:**

**Motion** by Mr. Miller, supported by Mr. LaBelle to approve the minutes from January 15, 2013.

**All Ayes Motion Carried**

**8. COMMUNICATIONS: None**

**9. NEW BUSINESS: None**

**10. OLD BUSINESS:**

- A. JAWAD PROPOSED REZONING- PETITION #325: Eddie Jawad, 46820 North Road, Macomb, MI., 48042 – Requesting to rezone property located on the west side of Gratiot, south of 21 Mile Road at 46895 Gratiot from C-1 (Local Commercial) to C-3 (General Commercial). Public Hearing held 1-15-13**

**Motion** by Mr. LaBelle, supported by Mr. Miller to deny the rezoning of Petition #325 because it is inconsistent with the surrounding buildings and the residential area behind it.

**Ayes:** Mr. Eckenrode, Mr. Alexie, Mr. LaBelle, Mr. Miller, Mr. Stabile, Mr. Leonard, Mr. DeMuyne.

**Nays:** None

**Motion Carried**

The applicant, Eddie Jawad, addressed the board. He said that denying this petition was the planning commission's right, but for the last six years, he has tried to do something with that building and there is not much that can be put into a building that is zoned C-1. Mr. Jawad explained that there is a restaurant and gas station next door and several businesses across the street that are operating under the C-3 zoning guidelines. He stated that the property behind him was rezoned as C-3 six years ago.

Mr. Jawad told the commission that last week, somebody wanted to put a fireworks retail store or a used clothing store inside that building, whereas he is trying to put in a nice restaurant.

Mr. Jawad stated that if the planning commission denies his petition to rezone he will fight it. He said he will develop that building somehow or someday and explained that he does not feel it is right to deny his rezoning because everything around him is operating as C-3.

Mr. Jawad asked the commission why they would allow a restaurant one door away to be demolished and rebuilt, but would not allow him to do the same with his building.

Mr. Demuynck stated that the building was redone, but it was not demolished. He explained and commissioners agreed, that when that building changed from Eastowne Lounge to Wintergarden Tavern it was never demolished.

Mr. Jawad asked if there was an empty piece of property on the Wintergarden site would building that restaurant be allowed under C-1 zoning.

Mr. Meagher replied that it would not be allowed under today's C-1 zoning guidelines.

Mr. DeMuynck explained that the surrounding properties were under a pre-existing ordinance.

Mr. Jawad said that every time he has sent somebody who was interested in leasing the building to the building department they were told it needed to be rezoned C-3.

Mr. Jawad said he is trying to put in a restaurant and not something out of the ordinary. He stated that if his request is denied it will become a legal issue and end up in court if it has to, because he does not feel it is right.

Mr. Jawad said he could put a fireworks retail store in that building.

Mr. DeMuynck explained that he would prefer to see fireworks stores rather than tents. He said that during his eight years on the township board he has been an advocate against selling fireworks in tents. He stated that he would rather see them have a store front.

Mr. DeMuynck reminded the applicant that there are codes to follow outlining what type of business can go into a building or area.

Mr. Jawad said that codes are common sense.

Mr. Miller reminded the applicant, as previously discussed, that there are a lot of uses allowed in C-1.

Mr. Jawad said that he wants to put a restaurant there.

Mr. DeMuynck read the following directly from the minutes of January 15<sup>th</sup>:

“a number of businesses (are) allowed in a C-1 zoning district including: office, hardware store, variety, grocery, meat/fish market, fruit/vegetable market, retail bakeries, drug stores, beauty shop, shoe repair, video rental, dry cleaning, pick-up services and more.”

Planning commissioners confirmed that what was written in the previous minutes was correct and discussed during the last meeting.

Mr. Jawad said he does not want to do any of the stated permitted uses with the building.

Mr. Meagher reminded everyone that tonight's decision is just a recommendation and it will go to the Township Board for a final decision.

**11. PLANNER'S REPORT:** None

**12. COMMENTS FROM THE FLOOR:** None

**13. PROPOSALS FOR NEXT AGENDA:**

Mr. LaBelle asked about pre-planning volunteers for the next meeting.  
Both Mr. Eckenrode and Mr. Leonard agreed to participate.

**14. ADJOURNMENT:**

**Motion** by Mr. Miller, supported by Mr. DeMuyck to adjourn the meeting at 7:16 p.m.

**All Ayes**

**Motion Carried**

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Rick LaBelle, Secretary

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Amanda Willard, Recording Secretary