

**THE CHARTER TOWNSHIP OF CHESTERFIELD
PLANNING COMMISSION
May 14, 2013**

A regular meeting of the Charter Township of Chesterfield Planning Commission was held on Tuesday, May 14, 2013 at 7:00 p.m. at the Township Hall located at 47275 Sugarbush, Chesterfield MI 48047.

1. CALL TO ORDER:

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

2. ROLL CALL:

| | |
|--------------------------|--------------------|
| Present: Frank Eckenrode | Excused: Jim Moran |
| Jerry Alexie | |
| Rick LaBelle | |
| Paul Miller | |
| Ray Saelens | |
| Joe Stabile | |
| Carl Leonard | |
| Brian Scott DeMuynck | |

Others: Pat Meagher, Community Planning & Management

3. APPROVAL OF THE AGENDA:

Motion by Mr. Miller, supported by Mr. LaBelle to approve the agenda with the addition of:

1) Under Planners Comments, Manteuffel Chiropractic.

All Ayes **Motion Carried**

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

5. PUBLIC HEARING:

A. VOX CHURCH-SLU#2013-06: Vox Church, 26950 23 Mile Rd., Chesterfield, MI 48051, Requesting Special Land Use for a church/place of worship, property located at 26950 23 Mile Rd, Chesterfield, MI 48051. Public hearing was set on April 9, 2013.

Motion by Mr. Miller, supported by Mr. Alexie to open the Public Hearing on VOX Church – SLU #2013-06 at 7:16 p.m.

All Ayes **Motion Carried**

Mr. LaBelle asked the applicants to go over the church schedule.

Matt Woodburn, pastor of VOX Church, said that the church's main gathering time is Sunday

morning at 10AM. He said that currently they hold Sunday service at L'Anse Creuse High School North (LCHSN) and have office hours on weekdays from 9AM-5PM in another location. There may also be small groups/classes that meet in the evenings, Mr. Woodburn said.

Mr. LaBelle confirmed with the applicant that the church would have people on the second floor of the building during the work week.

Mr. Woodburn said that there would be people in the office area on weekdays, but not occupying the large spaces in the facility.

Services would not be held on weekdays, but they would be held on Sundays, said Mr. Woodburn.

Mr. LaBelle asked about how the church would accommodate weddings and funerals so that industrial use was not taking place at the same time.

Mr. Woodburn explained that right now weddings and funerals are done at other facilities. He said that they may hold weddings in the facility on a Saturday. Funerals would be difficult because of the second floor and as a minister, Mr. Woodburn said, he would probably continue to do funerals at a funeral home or other type of facility.

Mr. Stabile inquired as to how the church came upon the industrial building to share.

Mr. Woodburn described the history of VOX Church in the area. He said that the church launched publicly 2 ½ years ago out of a large church located in Port Huron and began holding services at Carkenord Elementary and then moved to their current location at LCHSN. With growth in membership, the church began to look for a semi-permanent facility, because they do not have the ability to build yet, Mr. Woodburn said.

He explained that they began to look for space that could accommodate VOX Church and might allow more access to the church offices by housing both in one location. Mr. Woodburn said the church offices were located on Gratiot while the church was in the school, and the administration wanted to bring both together so they did not have rent going to two different places.

Mr. Woodburn said that although this site is a second-floor facility, it will work out for the church because their membership is very young and the elevators are right there.

Mr. Stabile asked about their membership numbers.

The church has about 250 people including children and about that many attend Sunday service, Mr. Woodburn said.

Mr. Leonard asked if the church would only have one service on Sundays.

Mr. Woodburn said that the layout of this facility will allow for an increase in membership that could accommodate about 100+ more people. He said the church is looking at a seven-year lease and growth is something that has been considered.

Mr. Leonard asked the applicant about what type of industrial activity takes place during the work week.

Mr. Woodburn has observed most of the industrial activity taking place on the back side of the

building. The church currently rents office space and there is no overlap of people or parking, he said.

Mr. Leonard asked the applicant how they would adapt, if, the business were to change and a different type of operation utilizing more shifts, more days of operation or more employees moved into the industrial area.

Mr. Woodburn said the church would work with that business and the owners to ensure good rapport and compatibility for everybody. He said that VOX Church is in the in-between stages and understood that, as such, this would not be just their block or property. Mr. Woodburn described their experience of holding church in a school building where a swim meet and basketball practice would take place during services and the church would adjust and still have their needs met.

According to Mr. Woodburn, the only potential issue might be the parking, but in its current location the church only occupies about 60-80 spots. He said that the industrial area is toward the back and has a separate parking area. Mr. Woodburn said VOX Church could occupy the spaces in the front and on the side.

Mr. Woodburn said the church is considering signing a seven-year lease with the ability to move out after five years.

Mr. Stabile said he is not usually in favor of using property that is industrial for other uses. He said that the commission has had special land use requests to use industrial property for other uses, but does not remember one where they would be sharing it.

Mr. Meagher made the applicant aware that there was a church on 23 Mile and Fairchild that occupied an industrial building and everything was fine in the winter, but when the summer came the doors all opened in the surrounding businesses and the church had a horrible time during triple shifts with odor and noise. He said the church brought its complaints to the Township and there was nothing the Township could do for them.

Mr. Saelens reminded the applicant that the current businesses may not be the same ones there a month from now.

Tricia Sommers, owner of Phoenix Contracting and the building addressed the commission.

Ms. Sommers stated that the church office space would adjoin the space they would be using for worship. She described the building itself as made of precast concrete that provides a very good noise barrier. The majority of the building is occupied by Phoenix Contracting and it is primarily used for storage of construction materials, Ms. Sommers said.

According to Ms. Sommers, the offices of Phoenix Contracting occupy the first floor of the building and hours of operation are Monday-Friday from 8AM-5PM. She said that her business does not use the space on the weekends and they only employ six people.

Ms. Sommers said that there is also a metal fabrication company with five years remaining on its lease that occupies about 1/3 of a shop area. They have a small office with their own office entrance and any of the doors that would be open in the summertime are located on the rear side of the building about 150 feet away from the church entrance, she explained.

Ms. Sommers said that that they operate a family business and are flexible people who would just like to keep everyone happy. She said they are not interested in causing problems and her family attends VOX Church.

Mr. Meagher asked if the church has any right to move out, in the event that a use change causes an inherent problem.

Ms. Sommers said that the lease has not been signed yet and she would be willing to stipulate in the lease that the church could move out if use changes.

At this time, the church does have the parking space for growth, said Ms. Sommers.

Mr. Meagher said that the commission could make a motion contingent upon the applicant showing evidence that they meet the parking requirements.

Mr. Meagher also said that the letter received today from Phoenix Contracting outlined quite a few of the items of concern, but that it did not hit the ordinance basis for parking calculations. However, he thought the applicant could address that pretty easily.

Mr. Miller confirmed with Ms. Sommers that there would not be any industrial use permitted on Sundays or when any other church service is scheduled.

Ms. Sommers said it is their intent not to allow any industrial use on Sundays or when any other church service is scheduled.

Motion by Mr. Miller, supported by Mr. Alexie to close the Public Hearing on VOX Church - SLU #2013-06 at 7:35 p.m.

All Ayes Motion Carried

Motion by Mr. Miller, supported by Mr. Alexie to table VOX Church - SLU #2013-06 until the next meeting.

All Ayes Motion Carried

6. REVIEWS:

- A. RE/MAX FIRST OF CHESTERFIELD-SGN#2013-36 (FACING CHESTERFIELD RD.): MRJ Sign company, LLC., 256 Narrin St., Ortonville, MI 48462-Proposed Sign resurface of a Ground/Monument “tenant panel” sign, located at: 50475 Gratiot Ave., Chesterfield, MI 48051.**

Motion by Mr. LaBelle, supported by Mr. Alexie to approve Sign #2013-36.

All Ayes Motion Carried

- B. RE/MAX FIRST OF CHESTERFIELD-SGN#2013-37 (FACING GRATIOT AVE): MRJ Sign company, LLC., 256 Narrin St., Ortonville, MI 48462-Proposed Sign resurface of a Ground/Monument**

“tenant panel” sign, located at: 50475 Gratiot Ave., Chesterfield, MI 48051.

Motion by Mr. LaBelle, supported by Mr. Alexie to approve Sign #2013-37.

All Ayes Motion Carried

C. SASH, LLC.-SGN#2013-38: SASH, LLC. 49236 Gratiot Ave., Chesterfield, MI 48051-Proposed resurface/replacement of a wall sign, located at 49236 Gratiot Ave., Chesterfield, MI 48051.

Motion by Mr. LaBelle, supported by Mr. Saelens to approve Sign #2013-38.

All Ayes Motion Carried

D. FAMOUS FOOTWEAR-SGN#2013-39: Allied Signs, Inc., 33650 Giftos, Clinton Twp., MI 48035-Proposed wall sign resurface, located at 51530 Gratiot Ave., Chesterfield, MI 48051.

Motion by Mr. LaBelle, supported by Mr. Leonard to approve Sign #2013-39 contingent upon the applicant reducing the size of the sign to 64 square feet.

All Ayes Motion Carried

Mr. LaBelle said that the applicant has agreed to reduce the sign to 64 square feet.

E. FAMOUS FOOTWEAR-SGN#2013-40: Allied Signs, Inc., 33650 Giftos, Clinton Twp., MI 48035 Proposed sign resurface of a ground/monument sign, located at 51530 Gratiot Ave., Chesterfield, MI 48051.

Motion by Mr. LaBelle, supported by Mr. Leonard to approve Sign #2013-40.

All Ayes Motion Carried

7. APPROVAL OF MINUTES OF PRIOR MEETINGS:

Motion by Mr. Miller, supported by Mr. Saelens to approve the minutes from April 23, 2013.

All Ayes Motion Carried

8. COMMUNICATIONS: None

9. NEW BUSINESS:

A. TRIPLE R.D., LLC.-PROPOSED REZONING-PETITION #326: Triple R.D., LLC, 21600 Quinn Rd., Clinton Twp., MI 48035-Requesting to rezone property which is vacant which is located on the

south side of 26 Mile Rd. and east of Bates from M-1 (Light Manufacturing) to M-2 (Heavy Industrial). Set Public Hearing for June 11, 2013.

Motion by Mr. Miller, supported by Mr. LaBelle to set the Public Hearing for Triple R.D., LLC – Proposed Rezoning Petition #326. The Public Hearing will be set for June 11, 2013.

All Ayes Motion Carried

10. OLD BUSINESS:

A. VIP LOGISTICS PROPOSED ADDITION-SITE PLAN#2013-02: Erik Heiderer, 44045 Gratiot, Clinton Twp., MI 48036-Requesting a proposed addition to an existing building, located at 29400 25 Mile Rd, Chesterfield, MI. Item was Tabled on 01/15/2013.

Motion by Mr. Miller, supported by Mr. Alexie to table Site Plan #2013-02 for up to one month as requested by the applicant.

All Ayes Motion Carried

B. PANERA BREAD-DRIVE THRU ADDITION-SLU#2013-04: ArcVision/Samantha Igou 1950 Craig Rd. #300, St Louis, MO 63146, Requesting Special Land Use for a drive-thru, property located at 51490 Gratiot, Chesterfield, MI 48051. Public hearing was held on April 23, 2013.

Motion by Mr. Miller, supported by Mr. DeMuyne to table Special Land Use #2013-04 until June 11, 2013 as requested by the applicant.

All Ayes Motion Carried

C. EMERALD RIDGE FARMS, LLC.-PROPOSED HORSE FARM-SLU#2013-05: Richard Schaller 49495 Gratiot, Chesterfield MI 48051-Requesting Special Land Use for a Horse Farm, property located on the northeast side of New Haven Rd., between 26 Mile & I- 94. Public hearing was held on April 23, 2013.

Motion by Mr. Miller, supported by Mr. DeMuyne to approve Special Land Use #2013-05.

All Ayes Motion Carried

Bill Thompson, a representative of Emerald Ridge Farms, gave the precise location of the horse farm and said it would be used for boarding horses.

Mr. Thompson said that the variances have been approved by the Zoning Board of Appeals and approval has also been obtained from the Township Board.

Mr. Meagher stated that with the approval of the variances, the applicant has met all of Community Planning and Management's requirements.

The owner, Rick Schaller, addressed commissioners' concerns regarding waste on the property. He said that the manure will be hauled away and that there is an odor, but the smell does not go beyond the horses themselves.

Mr. Schaller said that he will be adhering to all of the guidelines for agricultural practices.

**D. CHESTERFIELD HOTELS, LLC./FAIRFIELD INN & SUITES SITE PLAN-SITE#2013-07:
Chesterfield Hotels, LLC., 1130 E. Square lake Rd., Bloomfield Hills, MI 48304-Requesting Site update with screening and lighting plans for a hotel, located at parcel #09-31-151-019, Marketplace Blvd., Chesterfield MI.**

Motion by Mr. Miller, supported by Mr. Alexie to approve Site Plan #2013-07 contingent upon the applicant using a variety of trees in the back, but still meeting the same basic intent. Additionally, the applicant must maintain or replace the fence.

All Ayes

Motion Carried

Mr. Meagher explained that this request was previously approved subject to the applicant submitting their screening and lighting plans to the planning commission for approval. He said that the lighting meets the ordinance and at this time, the screening appears to be the best that it can be.

Rich VanDever, the engineer on the project, answered commissioner's questions regarding the vinyl fence and the berm.

Mr. VanDever said that the vinyl fence on the property will be maintained or replaced, but that it will have to be taken down during construction.

Commissioners agreed that as a condition of approval the fence must be maintained.

Mr. VanDever agreed that the fence would be maintained.

Mr. VanDever explained that there would be a berm along most of the back of the property.

Commissioners asked if a couple of different varieties of trees could be planted in case one species of tree were to be attacked by a bug.

Mr. VanDever agreed that a similar variety of trees that are all similar in size would be planted.

11. PLANNER'S COMMENTS:

Manteuffel Chiropractic

Mr. Meagher explained that Manteuffel Chiropractic is located at 28880 24 Mile Rd. He said that they have gone through the approval process and it was recommended by Anderson, Eckstein and Westrick (AEW) that they do not put a dumpster in now because it would have to be moved during the expansion phase.

Mr. Meagher also said that the applicant has checked with Rizzo Services and street side curb

pick-up is permissible.

Motion by Mr. Miller, supported by Mr. Stabile to reapprove the Manteuffel Chiropractic Site Plan with the removal of the dumpster pad.

All Ayes

Motion Carried

12. COMMENTS FROM THE FLOOR:

Both Mr. DeMuyndck and Mr. Eckenrode said that they will be unable to attend the next meeting.

13. PROPOSALS FOR NEXT AGENDA:

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

14. ADJOURNMENT:

Motion by Mr. Miller, supported by Mr. DeMuyndck to adjourn the meeting at 7:47 p.m.

All Ayes

Motion Carried

Rick LaBelle, Secretary

Amanda Willard, Recording Secretary