

**CHARTER TOWNSHIP OF CHESTERFIELD
PLANNING COMMISSION**

July 22, 2014

A regular meeting of the Charter Township of Chesterfield Planning Commission was held on Tuesday, July 22, 2014 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 7:00 P.M.

2. ROLL CALL:

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

Absent: James Moran, *excused*

Others: Patrick Meagher, Community Planning & Management
John Palin, Community Planning & Management

3. APPROVAL OF THE AGENDA

Motion by Mr. Miller to approve the agenda

Supported by Mr. DeMuynck

Ayes: All

Nays: None

Motion Carried

4. SUB COMMITTEE REPORT (Committee will report on items under Review)

5. **PUBLIC HEARINGS:**

- A. **SLU #2014-10: Security Vault Works, Inc., 1777 Expo Lane, Indianapolis, IN Bank of America remote stand alone drive up ATM Kiosk located at 47025 Gratiot in the CVS retail center. Public Hearing Open and Tabled on 7/8/2014**

Mr. LaBelle stated that the applicant has request that the Planning Commission Table SLU #2014-10.

Motion by Mr. LaBelle to Table SLU #2014-10

Supported by Mr. Miller

Ayes: All

Nays: None

Motion Carried

Mr. Meagher asked that it be noted in the record that item A. and B. and no longer in a Public Hearing. He stated that the Public Hearings were closed at the previous meeting.

- B. **SLU #2014-11: Joe Gallagher of “The Sports Academy”, 30845 23 Mile Road, Chesterfield, MI 48047. Proposed outdoor soccer field located outside his facility. Public Hearing open and tabled on 7/8/2014.**

Mr. Saelens stated that he had no questions.

Mr. Alexie had no questions.

Mr. Miller asked if the other seven soccer fields were ever approved by the Township Board or the Planning Commission? He asked why the fields were there without approval?

Joe Gallagher, 30845 23 Mile Road, Chesterfield, MI addressed the Commission.

Applicant replied that he has been there for seven years.

Mr. Miller asked if there was ever any approval for the fields?

Applicant replied that he did not recall.

Mr. DeMuynck asked didn't the applicant just get permission from R. C. Schmidt to use that vacant land?

Applicant replied yes, he leases the land from R. C. Schmidt.

Mr. DeMuynck verified that the applicant did get permission from R. C. Schmidt, but did not get approval from the Board.

Applicant replied that he had approval from R. C. Schmidt, but did not think he had approval from the Board.

Mr. Stabile asked what was approved for inside the building?

Applicant replied indoor sports.

Mr. Stabile asked what kind of sports?

Applicant replied that it was approved for he thought general indoor sports. Soccer is pretty much what makes the place go. They have had some flag football and some lacrosse practice, but the majority of the time it is used for indoor soccer.

Mr. Saelens asked if the applicant had approval for the indoor part of it?

Applicant believed that it was approved.

Mr. Meagher stated that the indoor was granted a Special Land Use probably 7 or 8 years ago.

Mr. Stabile stated that he recalled that it was approved. He commented that normally, he would not have agreed with this use of industrial property for other things, but in this instance it made sense. He mentioned that he did not remember any approval for the outdoor soccer fields.

Motion by Mr. LaBelle to approve SLU #2014-11 contingent on the following items: 1. Proof that the applicant has permission to use the other fields for soccer as they are now using the property, 2. There will be no street parking. All parking will be in parking lots. 3. Petitioner is required to produce affidavits and permission letters from the people that own or lease the businesses with the parking lots stating that the applicant's soccer participants or spectators have permission to use those parking lots. 4. The approval would be for one year and the petitioner will be required to come back in front of the Planning Commission one year from now, at the second meeting of July 2015, for a review.

Supported by Mr. Alexie

Mr. Meagher stated that for clarification the Motion was stating that the Special Land Use would expire unless it is renewed at the second meeting in July.

Mr. LaBelle replied that was correct. He stated that it would have to be renewed at the second meeting in July 2015.

Mr. Stabile stated that the applicant would have to show that the outside fields were approved, but the applicant already told them they were not approved.

Mr. Saelens stated then the applicant would have to come in to get approval for those fields.

Mr. Meagher explained that the applicant would either have to come in to get approval or prove the outdoor fields were already approved, if he plans to continue to use those fields; or the applicant could just stop using those fields.

Mr. Miller stated that there were seven outdoor soccer fields out there.

Applicant replied that he did not know how many fields were out there.

Mr. Miller stated that he went out on the property and counted them.

Applicant commented that he was there for the new field and he was willing to work with the Board. He mentioned that he was confused and did not know where this was going.

Mr. LaBelle stated that he made a motion to approve the applicant's new field behind the building. But during the Public Hearing the applicant expressed that he wanted to continue to use the outdoor fields and the Commission has a problem with that. He explained that he is especially concerned about the street parking for the children's safety. He mentioned that the applicant made a statement that he would regulate the parking and that he would eliminate the street parking. He stated that the Commission was giving the applicant a year to do that. He added that the use of the new soccer field would also be contingent on that. He explained that the Board was also requesting proof that the applicant had permission to use those other fields.

Applicant stated that he already submitted permission letters from business owners that they could use their parking lots.

Mr. DeMuyneck stated that Mr. LaBelle was asking for proof that the applicant had approval from the Planning Commission, when he started seven years ago and signed an agreement with R. C. Schmidt and Sons, to use that property for the outdoor soccer fields; which would be a Special Land Use. He asked Mr. Meagher if he was correct with that statement?

Mr. Meagher answered that basically it would require a Special Land Use. He stated that Mr. LaBelle qualified it by stating that either the applicant had to supply proof that he had approval from the Planning Commission to use those soccer fields, or if the applicant would like to continue to use those outdoor fields he would have to get approval. He reiterated that one way or another over this year, the applicant must either come up with proof that he already was granted a Special Land Use for the outdoor soccer fields, or he needs to get approval for the use of those fields, or they must discontinue the use of those outdoor soccer fields.

Applicant stated that he did not think he had approval for the soccer fields.

Mr. Saelens replied then the applicant needs to get approval.

Applicant stated that he was either going to follow up and get approval for the outdoor soccer fields or stop using them. He asked if he had approval to continue and complete the new outdoor soccer field?

Mr. LaBelle stated that the applicant has one year to facilitate this motion.

Applicant asked so he can continue to put the new field in?

Mr. LaBelle stated that if the applicant wants to continue to use the new field next year the other issues need to be resolved.

Mr. Meagher stated that basically the board is telling the applicant if they go out to the property and they are having an activity where people are parked on the street, when the applicant comes in for a renewal in July of 2015; they are going to retract their approval. He stated that when the applicant mentioned that he is going to direct parking and he has permission to use other parking lots, the Commission feels that proof is in the pudding and if the applicant shows them he is complying; he will be good.

Mr. Miller commented that he was out there last Wednesday night and there were a lot of cars parked on the street.

Mr. LaBelle stated that there were cars parked on the street and people were playing in those outdoor fields and they just had this conversation the prior Tuesday when the applicant promised he would restrict street parking.

Mr. Saelens asked if the affidavit from the parking lots owners enough or would the Planning Commission have to approve that also. He asked wouldn't that take away parking from those buildings?

Mr. Meagher answered that he thought the businesses would have to provide an affidavit of use that those parking spaces were available. He thought that was what Mr. LaBelle was indicating in the motion; not just a letter that the applicant can use the parking, but also that there are spots available.

Mr. Saelens mentioned that the businesses would still have to be compliant and they would not be giving up x amount of parking spaces for the applicant's use.

Mr. LaBelle stated that was the intention of his motion.

Mr. DeMuyndck stated that the businesses have to have parking for their own customers and employees.

Mr. LaBelle stated that was what he was asking for an affidavit from the businesses stating that during the time the applicant was using those lots; the business would not be using the parking. The businesses would still need to meet their parking requirements.

Mr. Meagher stated that basically if they reach a shared parking lot agreement; the applicant would be fine.

Mr. DeMuyndck asked the applicant how he planned to enforce no parking on the streets?

Applicant stated that he has been informing all the players and their parents that they would no longer be able to park in the street. He added that he plans to put up no parking signs along the street. He mentioned that with the new field, he might not even use the other soccer fields anymore.

Mr. DeMuyndck stated that the reason that the Commission does not want any street parking is for the safety.

Ayes: All

Nays: None

Motion Carried

6. REVIEWS:

A. SIGN REVIEW #2014-56: Party City (dba) Halloween City, 35901 Veronica, Livonia, MI 48150. Proposed new wall sign for Halloween City located at 51364 Gratiot.

Mr. LaBelle stated that the applicant has withdrawn his sign application.

Motion by Mr. LaBelle to accept the applicant's withdrawal

Supported by Mr. Saelens

Ayes: All

Nays: None

Motion Carried

B. SIGN REVIEW #2014-57: Metro Detroit Signs,23544 Hoover Road, Warren, MI 48089. Proposed new wall sign located at 27903 23 Mile Road for OptimEyes next door to GNC.

Mr. LaBelle stated that the sign does meet the Township criteria.

Motion by Mr. LaBelle to approve Sign #2014-57

Supported by Mr. Alexie

Ayes: All

Nays: None

Motion Carried

C. SIGN REVIEW #2014-58: Khaled Dagher, 25305 W. Warren Dearborn Heights, MI 48127. Proposed new wall sign for "Lov-a-Burger" (Formally Mediterranean Grill) located at 49660 Gratiot.

Mr. LaBelle stated that the sign does meet the Township requirements.

Motion by Mr. LaBelle to approve Sign #2014-58

Supported by Mr. Stabile

Ayes: All

Nays: None

Motion Carried

7. APPROVAL OF MINUTES FROM PRIOR MEETINGS:

Motion by Mr. Miller to approve the meeting minutes from July 8, 2014

Supported by Mr. DeMuynck

Ayes: All

Nays: None

Motion Carried

8. COMMUNICATIONS:

There were no communications.

9. NEW BUSINESS:

There was no new business.

10. OLD BUSINESS:

There was no old business.

11. PLANNERS REPORT:

Administrative Request #119: Jon Harkins, 7730 Trumble Road, Columbus, MI 48063. Requesting an administrative request to allow the addition of pitched roof to existing car wash which is located at 50950 Sass Road, Chesterfield, MI 48047.

Mr. Meagher stated that basically they are looking to put a metal seam roof on the building out there. It looks like it will be a very attractive addition and certainly a benefit to the community. It would be considered a minor change and they would recommend approval.

Mr. Saelens commented that he goes by there on a regular basis and the property is always nice and clean, they take care of the property and he thinks this would be a nice addition.

Mr. DeMuyneck stated that the applicant also owns the car wash on Gratiot at 24 Mile is very nice, neat and kept clean.

Motion by Mr. Miller to approve Administrative Request #119

Supported by Mr. Saelens

Ayes: All

Nays: None

Motion Carried

12. COMMENTS FROM THAT FLOOR PERMITTED BY THE COMMISSION ON AGENDA OR NON-AGENDA MATTERS.

Mr. Alexie commented that they would just have to keep an eye on the soccer fields.

Mr. LaBelle asked for volunteers for the next preplanning meeting.

Mr. Saelens and Mr. Leonard both volunteered to attend the meeting.

13. PROPOSALS FOR NEXT AGENDA.

There were no proposals for the next agenda.

14. ADJOURNMENT

Motion by Mr. Miller to adjourn at 7:24 PM

Supported by Mr. Saelens

Ayes: All

Nays: None

Motion Carried

Rick LaBelle, Secretary

Grace Mastronardi, Recording Secretary