

**CHARTER TOWNSHIP OF CHESTERFIELD
PLANNING COMMISSION**

May 26, 2015

A regular meeting of the Charter Township of Chesterfield Planning Commission was held on Tuesday, May 26, 2015 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
Ray Saelens
Jerry Alexie
Frank Eckenrode
James Moran

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. SPECIAL LAND USE #2015-08:** Tom Kellog/Lehner for Robert Grucz, 51825 Gratiot, Chesterfield, MI 48051. Proposed new Medical Suite-Dentistry Office in the industrial district located at 51723 thru 51821 Gratiot. Public Hearing set on April 28, 2015.

Mr. Miller stated that they were going to open the Public Hearing and Table it because the Commission did not receive their packets in time to review the information.

Motion by Mr. Miller to open the Public Hearing on SLU # 2015-08

Supported by Mr. Saelens

Ayes: All

Nays: None

Motion Carried

Jared Slanec, 36600 Heritage, Richmond, MI addressed the board.

Applicant stated that he plans to put a pediatric dental office in front of Delta. They have one in Richmond now called Growing Smiles and they have had a lot of success. He mentioned that pediatric dentistry is going through an evolution where people want to take their children to a pediatric dentist just like they take them to a pediatrician. The facility was designed by a very good architect who has done other offices for them. He stated that this office would be their fourth dental office in the area; there is also one in Romeo and two in Richmond.

Motion by Mr. Miller to Table SLU #2015-08

Supported by Mr. DeMuyneck

Ayes: All

Nays: None

Motion Carried

6. REVIEWS:

- A. SPECIAL LAND USE #2015-06:** Gratiot Chesterfield Properties L.L.C., 27947 Groesbeck Highway, Roseville, MI 48066. Proposed 8,890 square foot Fast-Food Restaurant with drive-thru facility, Retail space & Restaurant located at 27810 23 Mile Road. Public Hearing closed. Tabled May 12, 2015.

Tim Ponton, 27810 23 Mile Road, Chesterfield, MI addressed the board.

Mr. LaBelle asked the applicant if they have reviewed the paperwork from Community Management?

Applicant replied yes.

Mr. LaBelle asked the applicant if they have reviewed the paperwork from AEW?

Applicant stated that he did not receive those comments.

Mr. LaBelle provided the applicant with a copy of the paperwork from AEW.

Applicant stated that they had some extensive discussion the last time they were in front of the Board and there were a number of items they were looking for an approval. He explained after that they went back to the drawing board for about 24 hours and they added the cross access at the front of the site to the White Castle along with the direct access to the rear to Lowe's. He mentioned that in addition to that they actually flip-flopped the users so the National Coney Island is now to the east and that would also occupy the drive-thru space so that would eliminate the chance for a high-intensity fast food user on the end cap there. In addition, they have revised the building to meet the Township's masonry requirements and they have also gone with the one driveway on 23 Mile Road per the Commission's request.

Mr. Miller verified that the applicants have agreed to use clay brick?

Applicant replied yes.

Mr. Saelens asked if the end cap on the west would now be retail?

Applicant stated that the drawings still indicate fast food but they would be willing to make the restaurant a little smaller and change that to retail space as well. He explained that would just limit them as far as flexibility since there are no guaranteed users there.

Mr. Saelens asked if National Coney Island was now going to be 4000 square feet, the space next to it is also going to be 4000 and on the other end the space would be 2000 square feet and would be retail as opposed to fast food?

Applicant stated that the 4000 square feet would be for National Coney Island and the remainder of the building would be retail.

Mr. Saelens asked if that would help with the parking?

Applicant replied yes.

Mr. LaBelle asked if the applicant did the calculations and knew the parking space requirements with the new configuration?

Applicant replied that right now they would have approximately a 10 parking space deficiency.

Mr. DeMuynck asked if the drive-thru now would be for the National Coney Island.

Applicant replied yes.

Mr. DeMuynck asked if the loading area is still at the back in the yellow area?

Applicant responded yes on the southeast side of the property.

Mr. DeMuynck verified if the doors for deliveries would be at the back of the restaurant.

Applicant replied that deliveries would be at the rear of the building and potentially at the side of the building along the west side as well.

Mr. Miller asked which driveway they would be closing on 23?

Applicant replied that they would be closing the driveway to the east.

Mr. Saelens stated that they did a great job with the plans in a short period of time.

Mr. Alexie stated that he had a question about the square footage of the building. He verified that there were 4,000, 4,000, and 1,920 square feet which is a total of 9,920 square feet. He asked if that was correct?

Applicant replied yes.

Mr. Alexie stated that the agenda shows square footage of 8,890.

Applicant explained that he was not sure where that number came from and their request was for 9,920 square feet because the size of the building has never changed.

Mr. Miller commented that as long as the parking is within 9 or 10 spaces, that is much better than 40.

Mr. Stabile asked what kind of traffic they would have in their drive-thru?

Brad Egan, 27810 23 Mile Road, Chesterfield, MI addressed the board.

Mr. Egan replied that they do not have the drive-thru business of a McDonalds or Burger King. National Coney Island is a casual family dining restaurant with table servers, bus boys, and at their 4 or 5 locations that have a drive-thru and the highest drive-thru is at about 20% of their sales. Their business would not be anything like for instance a Taco Bell which does 80% of their business out of a drive-thru window.

Mr. DeMuynck stated that he has been through the drive-thru at National Coney Island on Hall road and there has never been a long line up at the drive-thru window; there might be one or two cars.

Mr. Stabile asked with the parking situation as shown on the plans, how would most people get in and out of the restaurant?

Mr. Egan stated that the site had its limitations. The property is deeper than wider, but he can tell them that from his experience with their other restaurants, the parking configuration is not ideal but people will find their way into the restaurant.

Mr. Miller asked if there would be an entrance at the front and the back of the restaurant?

Mr. Egan replied no there would not be an entrance at the back.

Mr. Stabile asked if they would give it strong consideration with the drive-thru?

Mr. Egan stated that the biggest reason they would like the drive-thru is the proximity to the freeway. It would be a quick off/quick on type of a situation.

Mr. Stabile stated that with the other businesses, he thought a good portion of the parking at the front would be taken by the three units. He commented that it leaves a long way to go to the restaurant if people have to park at the back.

Mr. Miller asked how is it now with what was the Chinese restaurant?

Mr. Egan replied that there was only one entrance at the front.

Mr. Stabile commented that the Chinese restaurant did not have much business.

Mr. Leonard asked if the parking at the rear would increase the drive-thru traffic because of the inconvenience for patrons to get from their car?

Mr. Egan stated that the difference is the clientele from people who go to Tim Hortons or Starbucks or Taco Bell for breakfast. He explained it is very difficult to put two sunny side up eggs, bacon and hash browns in a to-go container and pass it thru a window. He mentioned people want to come in, sit down and have breakfast.

Mr. DeMuyne asked if at the store at 12 and Groesbeck has the majority of the parking is at the back?

Mr. Egan stated that a good majority of the parking is to the north of the building and they also own the north lot behind the 7-11.

Mr. Miller asked if the Gratiot store has a drive-thru?

Mr. Egan replied it does not because they did not have enough room at the north side of the building.

Mr. Alexie stated that the employees would probably park at the back.

Mr. Stabile remarked that someone pointed out the National Coney Island would be like Big Boys, but they have parking at the side?

Mr. LaBelle stated that they would also have parking at the side.

Mr. Saelens commented the Big Boys is a free standing building.

Mr. Stabile asked if the ordinance stated that to have parking at the back, it would have to be a free standing building?

Mr. LaBelle stated that the applicants would have to get a variance for that.

Mr. Meagher stated that any approval tonight by the Planning Commission would be subject to variances being granted by the ZBA.

Mr. Saelens stated so there would be two variances going to ZBA one for parking and one for the drive-thru

Mr. Egan mentioned that there are really not many options for parking with the geometry of the lot.

Mr. Miller commented that in his opinion this is a good design and if they are only short 8 or 9 parking spaces.

Mr. DeMuyneck asked if the access with Lowe's at the back is a done deal?

Mr. Egan stated that they have had discussions with them and they have not come to a full agreement as of yet. He mentioned that when he did speak with them and they were amenable to it.

Mr. Stabile remarked that the applicant makes it sound like there is a possibility it will not happen. He stated that it has to happen.

Mr. Egan explained that until he has a signed cross access agreement document from Lowe's in his hand he is not sure. They do have a cross access agreement with White Castle. He mentioned that the Lowe's cross access agreement was not part of the requirements if he recalls.

Mr. Stabile stated that was what they were asking for?

Mr. Egan replied that he would do everything he can to make it happen, but he cannot dictate what Lowe's is going to do with their property.

Mr. Stabile commented that building has been isolated and this is their chance to get it connected.

Mr. Miller asked why would Lowe's lock them out when people from Starbucks go thru there on a daily basis?

Mr. Egan reiterated that until he has a signed cross access agreement document from Lowe's he does not have the authority to state they will have it for sure.

Mr. Stabile stated that they have heard so many stories about that no man's land and now it have been determined that it belongs to Lowe's

Mr. Meagher explained that it is not a no man's land it is an easement on the Lowe's property.

Mr. Egan stated that he guessed if they did not get the access, they could exercise that easement and go out to Vergote. He explained that they are already guaranteed the access to Vergote, they just are not sure they can get the direct access to Lowe's.

Motion by Mr. LaBelle to approve SLU # 2015-06

Supported by Mr. Miller

Mr. LaBelle added to the motion that the approval was contingent upon the applicants adhering to Community Planning and Management's comments as well as AEW's comments. He stated that they are also looking for an approval from Lowe's to either use an access straight into their parking lot or the applicant will have to somehow use that access road to get into the rear end of the building. He also mentioned that the applicants would have to come back in front of the Commission for signage and the approval is also contingent on approval for variances from ZBA. Furthermore, the approval is contingent on the new square footage of design be designated all retail, no fast food.

Mr. Meagher suggested that it be stipulated that 4,000 would be designated for the restaurant and the remaining square footage would be for retail space.

Mr. LaBelle agreed with that addition to his motion.

Mr. Alexie asked what about using the clay bricks?

Mr. LaBelle stated that was included in the comments from Community Planning.

Mr. Miller continued support.

Ayes: All

Nays: None

Motion Carried

B. CHESTERFIELD COMMONS FINAL PUD REVIEW #2000-20: Flex Properties, LLC, 48455 Diana Court, Shelby Twp., MI 48315. Proposed review and Amendment to Chesterfield Commons PUD. Set Public Hearing for June 23, 2015.

Motion by Mr. LaBelle to set the Public Hearing for PUD #2000-20 for June 23, 2015

Supported by Mr. Miller

Ayes: All

Nays: None

Motion Carried

C. HAPPY'S PIZZA PROPOSED GROUND SIGN RESURFACE-SIGN REVIEW #2015-43: Sign-A-Rama 6641 Middlebelt, Garden City, MI 48135. Proposed ground sign resurface located at 51170.

Mr. LaBelle stated that the sign does meet the Township ordinance, but this approval is subject to the applicants adding the address to the sign.

Motion by Mr. LaBelle to approve Sign # 2015-43 with the contingency that the building address be added to the sign.

Supported by Mr. Alexie

Ayes: All

Nays: None

Motion Carried

D. SPICY BANGKOK PROPOSED NEW WALL SIGN-SGN REVIEW #2015-44: Global Signs & Awning, 22907 Dequindre Rd., Hazel Park, MI 48030. Proposed new wall sign located at 46650 Gratiot.

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

Motion by Mr. LaBelle to approve Sign # 2015-44

Supported by Mr. Saelens

Ayes: All

Nays: None

Motion Carried

E. SPICY BANGKOK PROPOSED NEW WALL SIGN-SGN REVIEW #2015-45: Global Signs & Awning, 22907 Dequindre Rd., Hazel Park, MI 48030. Proposed ground sign resurface located at 46650 Gratiot.

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

Motion by Mr. LaBelle to approve Sign # 2015-45

Supported by Mr. Stabile

Ayes: All

Nays: None

Motion Carried

F. KELLER-WILLIAMS REALTY “MACOMB-ST. CLAIR” PROPOSED GROUND SIGN RESURFACE-SGN #2015-46: 31525 23 Mile Road, Chesterfield, MI 48047. Proposed ground sign resurface located at the address above.

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

Motion by Mr. LaBelle to approve Sign # 2015-46

Supported by Mr. Moran

Ayes: All

Nays: None

Motion Carried

7. APPROVAL OF MINUTES FROM PRIOR MEETINGS:

Motion by Mr. Miller to approve the meeting minutes from May 12, 2015

Supported by Mr. LaBelle

Ayes: All

Nays: None

Motion Carried

8. COMMUNICATIONS:

There were no communications.

9. OLD BUSINESS:

There was no old business.

10. NEW BUSINESS

There was no new business.

11. PLANNERS REPORT:

- A. ADMINISTRATIVE REQUEST #137:** Joe Catalfio, Joe's Carwash, 29600 23 Mile Road, Chesterfield, MI 48047. Requesting to remove sodded area and replace with 20' x 75' concrete pad and install 3 vacuum units with boom arms.

Mr. Meagher stated that at this time the site does not meet their minimal landscape requirements which would be a tree every 30 feet at the front and with the addition of concrete, he thought it would be appropriate at this time to take care of that. He mentioned that the commission could either approve it subject to an acceptable landscape plan or Table it for action at the following meeting.

Joe Catalfio, Joe's Carwash, 29600 23 Mile Road, Chesterfield, MI 48047 addressed the Commission.

Applicant asked where they proposed that he plant the trees? He explained that the area he is removing is sod and he has two landscape beds at either end of the building at the entrance and exit.

Mr. Meagher asked if there was grass between the drive and the sidewalk?

Applicant replied yes. He asked if that was where they proposed that he plant trees?

Mr. Meagher replied yes.

Applicant asked if they would like him to plant any particular types of trees? He does not have any problem with putting in some trees. He asked if the trees need to be any particular size or height?

Mr. Meagher replied that the trees need to be 2 ½" caliper normal nursery stock and they need to be planted every 30'.

Mr. Miller asked if the applicant planned to remove the current vacuum system that is there?

Applicant stated that was the plan. He explained that the vacuums and the entire building were kind of beat up and he spent money first to fix the inside and now they plan to work on the outside of the building. He stated eventually he would like to get rid of them.

Mr. Saelens asked what eventually meant?

Applicant asked if the Commission had a stipulation about the old vacuums?

Mr. LaBelle stated that he personally would like to see them gone.

Mr. Alexie remarked that not only are the vacuums an eyesore, but when coming out to dry the car off when people are vacuuming they are kind of restricted.

Applicant agreed that in the beginning it was not bad, but now that business has picked up it is getting congested and the traffic flow is very important to him. He wished they had put the building back further on the lot because he has a lot of room at the back of the property and someday he has to figure out what to do at the back.

Mr. Miller asked if they could put the vacuums back there?

Applicant replied that it would not work because if people wanted to wash their car they would have to circle the building and it would create real havoc. He is hoping they have the drawing where it shows the 75' pad along the building and he would like to have people pull in and perpendicular to the building and merge the lanes right before they go into the wash.

Mr. LaBelle asked the width of the lane between the curb and the street?

Applicant replied that the piece he would be replacing is 21' and right now there is probably 40' existing; he only wants two lanes so it would leave him with enough room with the cones so that people where they are vacuuming will be safe.

Mr. LaBelle stated that as skinny as that is in front over there his concern is if there are people outside of that curve with a car vacuuming the passenger side with somebody coming in off of 23 Mile Road, they could take out a door or hurt somebody.

Applicant stated that the existing driveway is 40 or 42' wide and he has 60' there and they would make it two lanes with cones in the middle. He explained that when someone pulls in there will be a cone directing them to the express and the vacuum area. They would be typical car wash cones with signage on them.

Mr. Saelens remarked that when he met with him originally the applicant was requesting only 2 vacuum units.

Applicant replied that he wanted three units and that was why he went to 75' figuring about 21 to 24 foot for a car. He went to the International Car Show in Vegas and found out the units are a little pricey, so they would like to start with two vacuum units and he is requesting three in case it works out he may want to put in a third unit.

Mr. Saelens thought the vacuums should still be at the back of the building for aesthetics.

Applicant stated that the units would be right up against the building.

Mr. LaBelle asked the applicant if he was proposing to get rid of the curb and instead put curbing up to the building so a whole new lane would be open there?

Applicant replied correct.

Mr. LaBelle verified so the applicant plans to pave that grassy area so the cars are closer to the front of the building.

Applicant replied correct.

Mr. Saelens asked if the applicant would be putting in a curb at the building to protect the cars from running in to the building.

Applicant stated that there is no curb there now, but they would be putting in a curb obviously because he does not want a car to hit the building because it is all glass.

Mr. Saelens stated that the plans do not say that the applicant is adding a curb.

Applicant remarked that he figured their inspector would make him do that.

Mr. Miller commented that regarding trees he would probably stay away from a flowering pear because they have soft wood and break easily. He would go with a Master Locust or a Linden for that area.

Motion by Mr. LaBelle to approve contingent upon the removal of the existing vacuum system as well as the applicant complying with the tree regulation for a tree to be planted every 30' to meet the landscape requirements. He mentioned that he liked the idea of removing the current curb and putting a curb up against the building itself; there is an indentation at the front for the cars to park so they are going to want some type of curb to protect the building.

Applicant asked if there was a stipulation on what type of curb would go there?

Mr. Meagher stated that it would be decided by the Township Engineer, he guessed it would probably be a 6" curb.

Applicant asked if he had to remove the old vacuums before the new ones are installed or can he remove the old ones after the installation of the new vacuum system?

Mr. LaBelle stated that when the new vacuum systems are installed and running they want the old vacuums out the next day.

Supported by Miller

Ayes: LaBelle, Miller, DeMuynck, Stabile, Eckenrode, Leonard, Moran and Alexie

Nays: Saelens

Motion Carried

B. ADMINISTRATIVE REQUEST #138: Brandon Jennings of BJ Construction, 35440 Forton Court, Clinton Twp., MI 48036. Requesting permission for a "Central Vacuum System" dust collector attached to the exterior of their building located at 46385 Continental Drive.

Mr. Meagher stated that the request was for a central vacuum system on the west side of the building and at this point in time it does not seem that the tank will be visible especially from Continental Drive and as part of the PUD on that side it is an industrial area so they have no objections to the approval.

Brandon Jennings of BJ Construction, 46385 Continental Dr., Chesterfield, MI addressed the board.

Mr. Saelens asked if the thing was 35' tall?

Applicant replied that it is 33'.

Mr. Saelens asked the height of the building?

Applicant answered that the building is about 30'.

Mr. Saelens asked the dimensions of the vacuum?

Applicant replied that it is about 12' x 12'.

Mr. Saelens asked what the applicant was using the vacuum for?

Applicant answered that the vacuum is for dust collection for manufacturing cabinets.

Mr. Miller asked if there was a reason it could not go in the back of the building?

Applicant replied that ease of using it and the back of the building is currently dirt so they would have to put in a parking lot and driveway to get back there.

Mr. Miller asked if it was just going between the two doors centered on that wall?

Applicant answered yes. He mentioned that the previous owner had intentions of expanding at the back so the whole lot is concrete other than the back.

Mr. Miller asked the applicant if he was going to use those two other buildings?

Applicant replied yes for storage and they will be manufacturing cabinets and counters in the big building.

Mr. Saelens asked if it would set on a pad or on the concrete?

Applicant stated that it would need a pad and foundation.

Mr. Miller asked if it would have 4 poles around it so no one could drive into it?

Applicant stated they would have bollards on the corners to protect it.

Mr. LaBelle asked how loud is the unit?

Applicant replied about 80 decibels which would be less than the noise from the freeway.

Mr. LaBelle asked if there was any talk about what the decibels level would be at the property line?

Applicant answered no, but the unit would be located dead center on the property from north to south and east to west. They do not work the night shift and their hours are from 7 AM to 5 PM. He stated that the dust collector they have now is about 100 decibels and is inside the building.

Mr. Saelens asked if they had a fire suppression system in the building.

Applicant replied that they have a Flamex spark detection system.

Motion by Mr. Miller to approve Administrative Request # 138.

Supported by DeMuyneck

Ayes: All

Nays: None

Motion Carried

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

Mr. Alexie and Mr. Leonard both wanted to thank the Township Board for approving the new terms for the Commission members.

Mr. LaBelle asked for volunteers for the next preplanning meeting on June 9th.

Mr. Leonard stated that he would attend the preplanning meeting.

Mr. Saelens also agreed 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 7:50 PM

Supported by Mr. DeMuyneck

Ayes: All

Nays: None

Motion Carried

Rick LaBelle, Secretary

Grace Mastronardi, Recording Secretary

5-26-15