

**CHARTER TOWNSHIP OF CHESTERFIELD
PLANNING COMMISSION**

March 22, 2016

A regular meeting of the Charter Township of Chesterfield Planning Commission was held on Tuesday, March 22, 2016 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
Rick LaBelle
Brian Scott DeMuynck
Carl Leonard
Jerry Alexie
Frank Eckenrode

Absent: Joe Stabile, *excused*
Ray Saelens, *excused*
James Moran, *excused*

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

3. APPROVAL OF THE AGENDA

Motion by Mr. Miller to approve the agenda as submitted with the exception of moving H & I to the top.

Supported by Mr. DeMuynck

Ayes: All

Nays: None

Motion Carried

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

6. **REVIEWS:**

- H. **SITE PLAN #2016-04: MGM Construction, 29920 Little Mack, Roseville, MI 48066. Proposed addition to Applegrove Condos containing 63 units located on the east side of Gratiot, south of 22 Mile Road. Tabled 2/23/16.**

Bill Thompson, 17001 19 Mile Road Suite 3, Clinton Twp., MI 48038 addressed the board.

Mr. Miller verified that prior to engineering the three parcels would be combined.

Applicant replied that is correct.

Motion by Mr. Miller to approve Site Plan #2016-04 with the stipulation that prior to engineering the three parcels would be combined and they must address any engineering concerns.

Supported by Mr. LaBelle

Ayes: All

Nays: None

Motion Carried

- I. **SITE PLAN #2016-10: Schaller Corporation, Scott Mullica, 45495 Gratiot, Chesterfield, MI 48051. Proposed 58,628 sq. ft., addition to existing manufacturing facility located at 52000 Chesterfield Road.**

Mr. LaBelle stated that he observed in the drawings that the building currently has metal siding in the manufacturing/warehousing area and it looks like the addition is just going to expand that area. He explained that they are all aware of the ordinance of brick or better, however, this is an existing building and the owner is just expanding what is already there. Personally, he stated that he did not have any problems with it.

Mr. DeMuyck stated that Schaller has several manufacturing facilities in the Township and their buildings are always aesthetically well maintained. He believes that they have four other buildings and the Township has never had a problem with any of their businesses. He stated that they have been a great asset to the Township.

Mr. Alexie stated that he did not have a problem with it either as long as it matches the existing building.

Motion by Mr. Miller to approve Site Plan #2016-10 with the understanding that the applicant must adhere to the engineer's comments.

Supported by Mr. Alexie

Ayes: All

Nays: None

Motion Carried

5. **PUBLIC HEARINGS:**

A. **PUBLIC HEARING TO AMEND CHAPTER 76-ZONING ORDINANCE:**
Public Hearing is to adopt and amend a new Section #76-99 Temporary Structures. Set on 2/9/16.

Motion by Mr. Miller to open the Public Hearing

Supported by Mr. DeMuyneck

Ayes: All

Nays: None

Motion Carried

Mr. Meagher explained that basically this clarifies what a temporary structure is and defines tents as part of a temporary structure, so tents are only permissible when approved by the Township.

Gary Gendernalik, 52624 Laurel Oak Lane, Chesterfield, MI addressed the board.

Mr. Gendernalik stated that the way he read this amendment it would prohibit all temporary structures or buildings. He brought up batch plants, gazebos, and other temporary structures that would not be permissible under this ordinance. He also mentioned that the one provision seems to take away the right for people to go to the ZBA for any temporary structures or land use which is part of the zoning ordinance. He stated that when zoning ordinances were first contested the US Supreme Court stated that there can be some regulations, but they have to have some appeal process. He explained that people should always have a right to go for an appeal or variance and this draft precludes that.

Mr. Meagher stated that this was written by the Township Attorney and was worked on with the Building Director. He explained that he will bring these concerns and any other questions to them.

There were no other Public Comments.

Mr. DeMuyneck asked Mr. Meagher if this would affect tent sales like outside Art Van or anything like that?

Mr. Meagher stated that it could very well affect that. He stated that again, he did not write this and he will bring the Commissioner's concerns to them.

Mr. DeMuyneck asked if this would impact the fireworks tents?

Mr. Meagher replied it would definitely impact that.

Motion by Mr. Miller to Table and keep the Public Hearing open

Supported by Mr. Alexie

Ayes: All

Nays: None

Motion Carried

Mr. Meagher reiterated that he would bring all those concerns to the Township Attorney and the Building Director.

- B. REZONING #334: D & P Homes, Inc., 35054 23 Mile Road, New Baltimore, MI 48047. Proposed rezoning located on the South side of Cotton Road, East of Donner from R-2 (Two Family Residential to R-1-C (Single Family Residential) Public Hearing was set on 2/9/16.**

Motion by Mr. Miller to open the Public Hearing

Supported by Mr. DeMuyneck

Ayes: All

Nays: None

Motion Carried

Gary Gendernalik, 52624 Laurel Oak Lane, Chesterfield, MI addressed the board.

Applicant stated that he approached the assessor about building some homes on Cotton Road. He explained that the property is zoned R-2 and he pointed out the parcel in question and they would like to rezone it to R-1-C. He stated that they could go and build on the R-2, but the assessor thought it would be

easier to get the property rezoned, so they could get almost equal splits and have individual lots.

Mr. Miller verified that they just want to put four houses in there. Applicant replied correct and they already have a permit to demolish the existing. He was away from the microphone and made other comments that were inaudible. He stated that all the lots would have a 70' to 71' frontage and then the depth which would make them bigger than the typical R-1-C lot.

Mr. Leonard asked the depth on the lots?

Applicant stated that the average depth on the lots would be 211'. He brought up the fact that throughout their submission they answered the 11 inquiries from Mr. Meagher's office.

Mr. Meagher agreed that the applicant has answered all their questions and they find it consistent with the Master Plan and with development trends in the area. He mentioned that they still need to have the Public Hearing, but they are recommending approval at this point.

There were no Public Comments.

Motion by Mr. Miller to close the Public Hearing

Supported by Mr. Alexie

Ayes: All

Nays: None

Motion Carried

Applicant stated that he was aware that more often rezoning requests are tabled to the next meeting for consideration. However, if they could act on this tonight, so they could move on to the Township board.

Mr. Miller asked the Recording Secretary to poll the board as to whether they wished to make a decision that night.

Mr. Miller, Mr. LaBelle, Mr. DeMuynck, Mr. Leonard, Mr. Alexie and Mr. Eckenrode all agreed to vote on the matter that night.

Motion by Mr. LaBelle to approve the Rezoning #334 for D & P Homes for Property located on the South side of Cotton Rd., East of Donner from R-2 (Two Family Residential) to R-1-C (Single Family Residential).

Supported by Mr. Miller

Ayes: All

Nays: None

Motion Carried

- C. SPECIAL LAND USE #2016-06: Mr. Derrick Sesi with Culver's, 3715 Hogan Circle, Rochester Hills, 48307. Proposed Culver's restaurant with drive-thru in Chesterfield Corners directly behind Bob Evans & Michigan Schools & Government Credit Union. Public hearing set 2/9/16.**

Motion by Mr. Miller to open the Public Hearing

Supported by Mr. LaBelle

Ayes: All

Nays: None

Motion Carried

Ken Watkins with Architectural Concepts addressed the board.

Mr. Watkins stated that they were seeking a Special Land Use for Culver's Restaurant with a drive-thru as well as site plan approval. He stated that the Commission is familiar with the site and they have received the recommendations from engineering and the Township Planner. The site is served by all utilities and storm water will run to the existing detention pond to the north and east of the property. He mentioned that they did receive the Township engineers comments and have reviewed them. He explained that they do not see any significant issues at all, so they will be making changes to the site plan and submitting those for review and approval. He mentioned that he was handed the Planners Comments tonight and he stated that items #2 and #3 pertain to parking spaces and they have no problem with either of those. He acknowledged that they understand that the wall mounted and ground signs will come under another permitting application. He stated that on item #5, the striped pavement adjacent to the drive-thru, they are asking for that to be curbed and landscaped. He explained that they do not have an issue with that, but he had a question about the one foot strip immediately adjacent to the drive-thru lane to separate the drive-thru and bypass lane. He stated that they would prefer not to curb that piece.

Mr. Meagher stated that they did not want that piece curbed, so they are on the same page.

Mr. Watkins stated that then they do not have any issues with number #5. He added that they do not need the banked parking to the north. He explained that will be eliminated; it was from an earlier site plan. He mentioned that as far as the dumpster location, early on they had the dumpster located at the immediate back of the building and then found out it needs to be at least 15 feet away from the building itself. He stated that they moved it to the location where it is currently sitting because there are not a lot of other areas to put it because of the easement and of course they do not want it at the front of the building. Additional comments were inaudible because he stepped away from the microphone. He then mentioned that #1 on the list which concerns the building materials. He explained that the building is shown with synthetic stone, efface and cement board siding. He explained that is really the standard prototype design for Culver's and it comes from their corporate offices. He stated that Culvers feels very strongly about the identity of their building and so the franchisees are not really allowed to do a lot with the exterior. He explained that it is not really that they do not want to add brick for cost reasons; it is just that Mr. Sesi is not really given that option by corporate because they feel so strongly about the branding of their building. He stated that therefore, they plan to go the Zoning Board of Appeals to take up that issue.

Mr. Miller asked if it would be like the building on 23 Mile?

Derrick Sesi, 3715 Hogan Circle, Rochester Hills, MI addressed the board.

Mr. Sesi replied yes, that is also his building. He stated that it is not a cost issue, it is a branding issue for corporate.

Mr. Leonard asked how long the other building has been there?

Applicant replied 1 year and 3 months.

Mr. Leonard asked if any of those other buildings around that are older with the same materials.

Mr. Miller mentioned the Culvers in Roseville.

Applicant stated that this is the newest model that they have and it really is a top of the line building. He added that it is the 2016 prototype.

Mr. Leonard asked where the Culvers on 23 Mile is located?

Mr. Eckenrode stated it was on 23 and Hayes.

Applicant remarked that when they were putting that one up, Shelby Township also mentioned wanting a brick building, but they were very happy with the beauty of the actual building.

Mr. Alexie stated that he thought the one on 23 Mile had more stone.

There was a discussion among the board about the building materials.

Mr. Miller stated that the applicant would have to go in front of the ZBA for a variance on the 90% brick or better. He asked if the applicant agreed to all the other comments by Community Planning and the engineers?

Mr. Watkins replied yes. He stated that they would make those revisions and get them resubmitted.

There were no Public Comments.

Mr. Alexie stated that they made Texas Roadhouse brick all of their building and our ordinance is 90% brick or better.

Mr. Meagher stated that the Commission does not have an option at this level and this would be a ZBA action. He mentioned that any approval by Planning would be subject to the brick or better ordinance or subject to ZBA approval of a variance.

Mr. LaBelle stated that he would stand fast on their brick or better ordinance. They have insisted that other restaurants comply with the ordinance.

Motion by Mr. Miller to close the Public Hearing

Supported by Mr. LaBelle

Ayes: All

Nays: None

Motion Carried

Mr. Miller stated that their normal procedure is to wait two weeks to render a decision. However, he asked the Recording Secretary to poll the board as to whether they wished to make a decision that night.

Mr. Miller, Mr. LaBelle, Mr. DeMuyck, Mr. Leonard, Mr. Alexie and Mr. Eckenrode all agreed to vote on the matter that night.

Motion by Mr. Miller to approve the plan as submitted subject to the applicant meeting the requirements of the Planner and the Township engineer. The applicant, therefore, would be required to get a variance for the brick or better ordinance from the ZBA.

Supported by Mr. Leonard

Ayes: All

Nays: None

Motion Carried

- D. **SPECIAL LAND USE #2016-07: Schostak Family Restaurants, for Del Taco and MOD Pizza, 17800 Lauren Park Drive North Suite #200-C, Livonia, MI 48152. Proposed Restaurant with drive-thru located on the east side of Gratiot, south of 23 Mile Road. Public Hearing set on 2/9/16.**

Motion by Mr. Miller to open the Public Hearing

Supported by Mr. LaBelle

Ayes: All

Nays: None

Motion Carried

Jeff Schostak, 17800 Lauren Park Drive North, Suite #200-C, Livonia, MI 48152 addressed the board.

Applicant stated that they are a family owned and operated restaurant business based in Livonia, MI with over 100 restaurants. He mentioned that they own and operate the Applebee's down the street from the site. He explained that on this site, not only would they own the property, but they would also be the owner and operator/franchisee of the restaurants. He mentioned that MOD Pizza is a quick casual pizza chain based out of Seattle. He explained that it is an assembly line style where people go down the line and pick their crust, sauce and toppings and every pizza is one price no matter what. He added that they will also offer fresh salads that will be made to order. He stated that they are excited to bring MOD Pizza and Del Taco to Chesterfield Township. He mentioned it will be the first one on this side of town. He stated that at this time there are only six in Michigan.

Ryan Jones, 17800 Lauren Park Drive North, Suite #200-C, Livonia, MI 48152 addressed the board.

Mr. Jones stated that they received the Engineer's comments along with the Planning Department's Comments and they really have no issues regarding any of those. They also replied to the engineering and planning concerns and they should have received that letter from PEA (Professional Engineering Associates). He explained that the big item was parking and cross access concerns and they have a reciprocal easement with the shopping center for access of any kind and parking as well. He stated that they also have no objections to complying with the 90% brick or better ordinance. They actually meet the under 10% efface now, but they also have an aluminum panel system and some woodgrain tile. He stated that they will be willing to modify those, if the Commissioner's feel those materials are not better than masonry or stone and they are willing to comply with anything they want.

Mr. LaBelle stated that they made the comment of Brick or Better. He asked if it was brick or masonry? He stated because on the back of the building it shows C-brick which is just a masonry block and it is not brick.

Mr. Jones stated that is considered a concrete brick.

Mr. Meagher stated that the Commission is looking for a clay brick.

Mr. Jones stated that they have no objection to that. He stated that they usually use a C-brick at the back of the building because of the cost. He explained that it looks like brick, but it is a concrete product. He mentioned that if the Commission objects to that, they can find a different material.

Mr. Miller stated that people will see the back of the building in that location. He stated that the C-brick could fade in a few years and not look as nice as clay brick.

Mr. Meagher stated that C-brick is a porous material and it can fade and chip easier than clay brick.

Mr. Jones stated that if the Commission would like they have no objections to using the clay brick.

Mr. Alexie brought up the fact that the signage is not included with the approval.

There were no Public Comments.

Motion by Mr. Miller to close the Public Hearing

Supported by Mr. DeMuyndck

Ayes: All

Nays: None

Motion Carried

Mr. Miller stated that their normal procedure is to wait two weeks to render a decision. He stated that since the applicants have agreed to everything, he will ask the Recording Secretary to poll the board to see if they would like to render a decision this evening.

Mr. Miller, Mr. LaBelle, Mr. DeMuyndck, Mr. Leonard, Mr. Alexie and Mr. Eckenrode all agreed to vote on the matter that night.

Motion by Mr. LaBelle to approve Special Land Use # 2016-07 for Schostak Family Restaurants, for Del Taco and MOD Pizza for proposed restaurant with drive-thru located on the east side of Gratiot, south of 23 Mile Road. The applicant has agreed to conform to all the requirements from Community Planning Management as well as the engineering comments and the Planning Commission comments about using a clay brick

Supported by Mr. Miller

Mr. Leonard request that they add to the Motion that this approval does not include the signage.

Mr. LaBelle agreed to the addition to his Motion

Mr. Miller continued support.

Ayes: All

Nays: None

Motion Carried

- E. **SPECIAL LAND USE #2016-08: PGA Marine Fiberglass Repair & Refinishing, 32393 Lakepoint, Chesterfield, MI 48047. Proposed gravel parking area located on the Southeast corner of Jefferson and Lakepoint for existing Water-front use. Public Hearing set 2/9/16.**

Motion by Mr. Miller to open the Public Hearing

Supported by Mr. Alexie

Ayes: All

Nays: None

Motion Carried

Gary Gendernalik, 52624 Laurel Oak Lane, Chesterfield, MI addressed the board.

Applicant stated that he knew generally they do not allow gravel parking lots, but this is a storage facility and he thought he would go to Planning procedurally and then go to ZBA for some other variances and then probably come back. He showed the board an aerial of the property in question at Jefferson and Lakepoint and, as they know, it is in the Marina district. He claimed that everybody in this area has a gravel parking lot. He mentioned the restaurant here is probably the only one that has a partially paved parking lot. He mentioned that Jefferson/ M-29 was a state highway with a 20' right of way. He explained that over time people have used the old right of way for their business activities. He stated that his client has tried to acquire a small 55' strip of property in between his property from Anchor Bay Marine, but they use it as storage on grass for boat trailers. He mentioned that a few times a year, they remove the trailers to cut the grass and then put them back. He stated that the piece is about 29,000 square feet in size and is fenced in by cyclone fence and where the bait shop is. He explained that he went to the Macomb County Road Commission to get their insight and they marked in red that they wanted this existing driveway eliminated and the new driveway would be over here and they just want the approach paved according to their specifications. He stated that landscaping would be in this area and around the back and then pointed out the detention area. He stated that the parking would be along the Jefferson side and along the detention side. He explained that the area would basically be for the storage of RV's and boats that are at his facility for repair. He mentioned that the majority of his work is on fiberglass and the employees would park the vehicles on the parking lot.

Mr. DeMuyneck asked what type of landscaping were they planning to put in on Jefferson?

Applicant stated that they planned to put in some ornamental pear trees and some high grass. He passed out pictures to the board of the St. Clair Shores City Hall with the high grass. He stated that the grass they have along the front is used as a screening for some of their utilities that are out front.

Mr. Miller asked Mr. Gendernalik if he had any more comments?

Applicant stated that in his narrative, he answered the eight standards for Special Land Use and he responded to AEW's comments about the 55' of property that they do not own. He pointed out that the ordinance does allow for a parking lot that is not immediately adjacent to the facility as long as it is within 300 feet. This lot is for the production of their enterprise for when vehicles are being repaired or maybe they are waiting for parts, not for off street parking. He stated that Mr. Meagher's comments mentioned that the fence should be put back and the Road Commission has no objection to the growing of this high grass even in the right of way, because if someone runs off the road and hit the grass, it is not like hitting a tree. He mentioned in the reconstruction of Metropolitan Beach at 16 Mile, the Road Commission has maintained grass like this at that Gratiot intersection. He stated that Patrick indicated that the Township wanted a simulated wrought iron fence, so his suggestion is they put the wrought iron along Jefferson, maintain the cyclone fencing with their neighbors, and also facilitate a gate to go in and out.

Mr. DeMuyneck asked if they would still be putting a fence down Jefferson too?

Applicant replied yes.

Mr. DeMuyneck asked if it would be like the fence at the Salty Dog.

Applicant answered yes.

Mr. Miller asked if they would meet the required setback? He stated that they would need a detailed description of usage to determine the proper setbacks.

Applicant stated that he would put it in writing that it would be used for storage of customer's vehicles. He stated that Patrick's comments stated that the fence should be back 10' and he mentioned that they could put their landscaping there. He claimed that it shrinks their maneuvering area a little bit, but it would still not be prohibitive to get vehicles in and out of the area.

Mr. DeMuyneck asked if the fence would come up the gravel road, down Jefferson and then by the bait shop and tie into Anchor Bay's fence.

Applicant explained that the decorative fence would be along Jefferson and pointing out on the drawing, stated that there is cyclone here and cyclone here to reconnect because the gate that is proposed is a swinging gate.

Mr. DeMuyneck stated so the simulated wrought iron would only be along Jefferson.

Applicant stated that the ordinance does state no gravel parking lots and he knew he would probably need a variance, however, everybody else in that area has gravel.

Mr. Leonard stated that he did not like the high grass, he has it at his house and he hates it and the dead stuff blows everywhere.

Mr. Miller commented that he thought the high grass was messy.

Mr. DeMuyne stated that he agreed and does not like the high grass. He would rather see shrubbery.

Motion by Mr. Miller to close the Public Hearing

Supported by Mr. DeMuyne

Ayes: All

Nays: None

Motion Carried

Mr. Miller suggested that they table this to the next meeting because he wanted to take a ride down Jefferson and take a look at the area.

Mr. Meagher stated that it sounds like they are going to be applying for a variance with the ZBA, so if they are going to close the Public Hearing, perhaps they should be tabled up to six meetings to allow them to proceed with that.

Motion by Mr. Miller to Table SLU # 2016-08 for up to six meetings

Supported by Mr. LaBelle

Ayes: All

Nays: None

Motion Carried

- F. SPECIAL LAND USE #2016-11: A. Cholagh and M. Boggio, 30150 Telegraph Road, Suite # 150, Bingham Farms, MI 48025. Proposed new retail-restaurant development with drive-thru located at 50900 Gratiot, formerly Chesterfield Motor Inn property. Public hearing set 2/9/16.**

Motion by Mr. Miller to open the Public Hearing

Supported by Mr. Alexie

Ayes: All

Nays: None

Motion Carried

Michael Boggio, 30150 Telegraph #150, Bingham Farms, MI 48025 addressed the board.

Applicant stated that they are proposing a 29,000+ retail plaza at 23 Mile Road and Gratiot. He explained that the plan has been reviewed and there are a few minor concerns. He mentioned that one concern was that the parking spaces along 23 Mile Road do not meet the required setback. He stated that they are already on the agenda with the ZBA to address that issue. He realized that one major concern was joint access between this complex and the shopping center to the south. He mentioned that the owners of this site have tried for months to somehow get the approval of adjacent property owner to allow a drive-thru there with joint access and have had no success. He explained that they do have some extra parking at the back. In the event that sometime in the future, they can accomplish that cross connection, they could eliminate a few parking spaces. He stated that they are planning to move ahead and hopefully the people that own the shopping center to the south will cooperate with them. He stated that other than that the other comments are not a problem. He stated that they have met with MDOT a few times already and have discussed the approaches and the detention and have met with the Township engineer to discuss the same matter.

Mr. Miller asked if they could connect the property to Del Taco?

Mr. Boggio stated that he did not know where Del Taco would be located.

Mr. Miller showed him on the drawing.

Mr. DeMuyneck stated that he met with these gentlemen last November or October for a preliminary meeting with Mr. Lovelock and he knew that the owners tried to make some connections with the owners of the shopping center in Arizona and he knows they never got anywhere with it.

Mr. Steve Kalabat, 380 Hamilton Row #300, Birmingham, MI 48009 addressed the board.

Mr. Kalabat stated that he repeatedly tried to get those people to cooperate. He mentioned that they offered them a generous amount of money, offered to do all the work and they refused to grant them access to the shopping center.

Mr. Meagher stated that coming from their stand point, they certainly do not want a development held hostage by someone. They would like to see a joint access there as shown on the plan. He stated that it can be noted as future and it can also be noted that when joint access is granted by the surrounding parcel, that they will cooperate to allow such the joint access.

Mr. DeMuyneck asked if the applicant was okay with that?

Applicant replied yes.

Mr. DeMuyneck mentioned that he knew that the developer tried and the Supervisor even attempted to connect with the shopping center owner in order to get a cross access agreement.

Mr. Meagher stated that they have done this before where one owner refuses to grant joint access and then when that project comes back for something else, they say now they are connecting. He commented that it is very important especially on this corner that there be joint access for safety and traffic flow.

Mr. Leonard asked what is the negative for the shopping center owner permission to create a cross access?

Mr. Meagher stated that he could not speak to that.

Mr. Miller asked if there was room could they cut into and get cross access with Del Taco's parking lot?

Mr. Alexie asked who owns that island?

Mr. Meagher stated that it appears to be owned by the Kmart Plaza.

Applicant stated that they are looking for access on the east side of the property because that would make a perfect flow.

Mr. Eckenrode asked would they just do curb cuts on their end up to it and when they agree to the cross access, they just open it up?

Mr. Meagher replied yes.

Tom Gergich, Team Schostak, 17800 Lauren Park, Livonia, MI addressed the Board.

Mr. Gergich stated that they totally support the development on the corner. However, he was concerned about the parking count that is shown on the Plans as it seems to be based on the specialty retail classification and not the restaurants. He mentioned that on the agenda it stated proposed retail and restaurant development and his concern is that parking will spill over into the Arizona partner's shopping center where they have a parking and cross access agreement. He mentioned that parking on their site is kind of at a premium and they do not want to be impacted by the uses of the new development on the corner.

Mr. DeMuyne asked if they could strike an agreement with the Arizona partner's for this development?

Mr. Gergich stated that there is a reciprocal easement agreement on that site and all the anchor tenants in that shopping center have approval rights on it. He does not feel they are going to make changes to it. He stated that typically everybody wants something in return for it and there is just not enough to spread around. If they go to the anchor tenants to amend an REA, the first thing they say is how much does my rent decrease, so it becomes an economic decision.

Mr. Alexie brought up the fact that the signage is not included with the approval.

Mr. LaBelle asked the applicants intention for the back of the building? He stated that it shows masonry cement brick.

Applicant stated that they would comply with their request and use clay brick.

Motion by Mr. Miller to close the Public Hearing

Supported by Mr. LaBelle

Ayes: All

Nays: None

Motion Carried

Mr. Miller stated that their normal procedure is to wait two weeks however since the applicant agreed to everything, he asked the Recording Secretary to poll the board as to whether they would like to render a decision tonight

Mr. Miller, Mr. LaBelle, Mr. DeMuyne, Mr. Leonard, Mr. Alexie and Mr. Eckenrode all agreed to vote on the matter that night.

Motion by Mr. LaBelle to approve Special Land Use #2016-11 for a proposed new retail-restaurant development with drive-thru located at 50900 Gratiot. He stated that the applicant has agreed to adhere to all the comments from the Planner, engineering, and the Fire Department and has agreed to use clay brick at the back of the development. He added that the applicant has to come back with a separate application for signage.

Supported by Mr. DeMuyndck

Ayes: All

Nays: None

Motion Carried

6. **REVIEWS continued:**

A. **SIGN REVIEW #2016-20: Signs Fabricators, 43984 N. Groesbeck, Clinton Twp., MI 48036. Proposed resurface ground sign at 50400 Gratiot for Art Van Pure Sleep**

Mr. LaBelle asked if the applicant was in the audience, because they have some questions about the application.

The applicant was not present.

Motion by Mr. LaBelle to Table Sign #2016-20 for up to two meetings.

Supported by Mr. DeMuyndck

Ayes: All

Nays: None

Motion Carried

B. **SIGN REVIEW #2016-21: Samantha Moore, 32159 23 Mile Road, Chesterfield, MI 48047. Proposed new wall sign located at the above address for Web & Moore.**

Mr. LaBelle stated that the sign does exceed the allowable square footage, but in this case he feels that they have a hardship. He stated that the building is not square with 23 Mile Road and in his opinion they should be allowed to have a larger sign because it is very difficult to find that place.

Motion by Mr. LaBelle to approve Sign #2016-21

Supported by Mr. Miller

Ayes: All

Nays: None

Motion Carried

- C. **SIGN REVIEW #2016-22: Phillips Sign & Lighting, 40920 Executive Drive, Harrison Township, MI 48045. Proposed new ground sign located at 47170 Jefferson.**

Mr. LaBelle stated that the applicant lacked the drawings on the location of sign with the application.

Motion by Mr. LaBelle to Table Sign #2016-22 for up to two meetings.

Supported by Mr. Miller

Ayes: All

Nays: None

Motion Carried

- D. **REZONING #332: Luigi Pizzo, 49893 Golden Lake, Shelby Twp., MI., 48315. Proposed rezoning located at 47361 Jefferson from C-1 (Local Commercial) to R-1-B (Single Family Residential), Public Hearing closed and tabled on 2/23/16.**

Mr. LaBelle stated that this is the one on Jefferson and the Committee worked very hard on the Master Plan. He stated that a big part of their Master Plan is to have a commercial area along Jefferson with boating and outlet stores and he does not want to change it from commercial to residential to build houses along Jefferson.

Luigi Pizzo, 49893 Golden Lake, Shelby Twp., MI addressed the board.

Applicant stated that it is most residential now and he does not think they will ever get rid of it.

Mr. Eckenrode had no comments.

Mr. DeMuynck stated that he does not know about going from commercial to residential especially after all the work the Planning Committee has done on the Master Plan.

Mr. Leonard stated that the Master Plan will not happen in five or ten years, it is a long term thing and he may not be around to see it done. However, he thinks they have to stick with the Master Plan.

Motion by Mr. Miller to deny Rezoning #332 because it would conflict with the Master Plan.

Supported by Mr. LaBelle

Ayes: All

Nays: None

Motion Carried

- E. PUD #2013-19 PLYMOUTH VILLAGE: (Final Review) Leone Companies, 49212 Van Dyke, Shelby Twp., MI 48315. Proposed multi Family lots located in Plymouth Village II, located on the East side of Gratiot, North of Hickey. Tabled 2/23/16.**

Mr. LaBelle stated that the applicant has again asked them to table this up to two meetings.

Motion by Mr. LaBelle to Table PUD #2013-19 for up to two meetings

Supported by Mr. Alexie

Ayes: All

Nays: None

Motion Carried

- F. PUD #2015-14 SALT RIVER FLATS: (Preliminary Review) Salt River Associates, Paul Exposito, 45489 Market St., Shelby Twp., MI 48315. Proposing 161 80' x 130' Single Family Residential lot development in the R-1-A zoning district at 33633 23 Mile Road. Property was previously Salt River Golf Club on the north side of 23 Mile Road, west of Baker. Set Public Hearing for April 26, 2016.**

Motion by Mr. Miller to set the Public Hearing for PUD #2015-14 for 4/26/16.

Supported by Mr. Alexie

Ayes: All

Nays: None

Motion Carried

- G. **PUD #2016-03 THE WOODLANDS:(Preliminary Review) JVC Development, 44250 Garfield, Clinton Twp., MI 48036.** Discussion phase for PUD containing 21 single family lots located on the east side of Gratiot, south of 22 Mile Road, Public Hearing for application phase closed 2/23/16. Set Public Hearing for April 26, 2016.

Motion by Mr. Miller to set the Public Hearing on PUD #2016-03 for 4/26/16.

Supported by Mr. LaBelle

Ayes: All

Nays: None

Motion Carried

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

Motion by Mr. Miller to approve the meeting minutes from February 23, 2016.

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:**

- A. **REZONING PETITION #335:** Palazzolo Brothers Construction, 3737 Cherry Creek Lane, Sterling Heights, MI 48314. Proposed rezoning of property located on the west side of Chesterfield Road, north of 23 Mile Road. Set Public Hearing for April 26, 2016.

Motion by Mr. Miller to set the Public Hearing on Rezoning #335 for 4/26/16.

Supported by Mr. Alexie

Ayes: All

Nays: None

Motion Carried

11. **PLANNERS REPORT:**

- A. **ADMINISTRATIVE REQUEST #154:** Menard Inc., 5101 Menard Drive, Eau Clair, WI 54703. Proposed 4,000 sq. ft., addition to its existing covered storage building at 45500 Market Place Blvd., for Menards. Tabled on January 12, 2016.

Mr. Meagher stated that the request is just to enclose outdoor storage at the rear of the site. They took no exception to this request and also the engineers do not have any problems with it and therefore they are recommending approval.

Motion by Mr. Miller to approve Administrative Request #154

Supported by Mr. LaBelle

Ayes: All

Nays: None

Motion Carried

- B. **ADMINISTRATIVE REQUEST #157:** Mike Gordon, 17901 Masonic, Fraser, MI 48026. Requesting approval to make improvements at Machinery Plaza, 52365 Gratiot.

Mr. Meagher stated that this was regarding improvements and evidently the engineers thought this was more than what an administrative request would be and he talked to the applicant prior to the meeting and they are all going to meet with owner and the Engineer. He stated that they would have to decide

whether they have to apply for a site plan or it can come back as administrative. He stated that according to the ordinance unless he, the Engineer and the Building Administrator can agree it can be done administratively, it cannot come to this group as an administrative request. He suggested they table it up to six meetings.

Motion by Mr. Miller to Table Administrative Request #157 for up to six meetings.

Supported by Mr. LaBelle

Ayes: All

Nays: None

Motion Carried

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

There was a discussion about the brick or better ordinance among the Commissioners

Mr. LaBelle asked for volunteers to attend the preplanning meeting on April 12, 2016

Mr. Alexie and Mr. Leonard both agreed to attend the preplanning meeting.

13. PROPOSALS FOR NEXT AGENDA.

There were no proposals for the next agenda.

14. ADJOURNMENT

Motion by Mr. to adjourn at 8:47 PM

Supported by Mr. DeMuyneck

Ayes: All

Nays: None

Motion Carried

Rick LaBelle, Secretary

Grace Mastronardi, Recording Secretary