

**CHARTER TOWNSHIP OF CHESTERFIELD
PLANNING COMMISSION**

April 25, 2017

A regular meeting of the Charter Township of Chesterfield Planning Commission was held on Tuesday, April 25, 2017 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
Joe Stabile
Carl Leonard
Jerry Alexie
Frank Eckenrode
David Joseph
James Moran
Ray Saelens

Others: Patrick Meagher, Community Planning & Management

3. APPROVAL OF THE AGENDA

Motion by Mr. Miller to approve the agenda as submitted

Supported by Mr. LaBelle

Ayes: All

Nays: None

Motion Carried

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

5. PUBLIC HEARINGS: None

6. **REVIEWS:**

- A. **SLU #2017-06: Pilot Travel Centers, LLC 5508 Lonas Rd., Knoxville, TN 37909 Sec. #76-376 (c), Ordinance #110. Proposed gasoline service station with drive-thru restaurant located 56770 Burdon at the southeast corner of 26 Mile and Burdon Road, Parcel ID 09-01-200-055. Public Hearing closed, Tabled on 4-11-2017**

Brad Alsup, 5508 Lonas Road, Knoxville, TN 37909 addressed the board.

Mr. LaBelle asked the applicant if he received the comments from AEW, CPM, and the Fire Department?

Applicant replied yes.

Mr. LaBelle commented that on the west elevation there should be more brick. He stated that in his opinion the front, back, and east elevations of the structure are fine. However on the west elevation, along Burdon Road, he would like to see more brick or some kind of stone.

Applicant stated that certainly they can make that happen if that is going to be the ultimate requirement. He commented that they are trying to stay within the Arby's national standard guidelines. He explained the construction of the stucco which has 6" of stucco, 1/2" of plywood, metal lathe and nearly 1" of true concrete. He explained that the color is not painted on; it is integral to the stucco. He stated that the material is very durable and will stand up as well or better than brick. There are 600+ facilities around the country that have this finish and they have a lot of experience with it. He mentioned that certainly like anything else it has to be maintained and they make sure all of their buildings are kept clean because if their building looks bad, they will not have customers. He appreciates that they think the front, back and east elevation look good, but he would ask them to consider the look that is Arby's brand standard on that west elevation because there is no way to match that without using the stucco. He stated that it is not really a true white and they have stucco that looks like brick and is finished with a brick pattern that are part of their accent walls and then they have darker colors that are stucco as well. He asked if they had the pictures of a similar facility? He passed out a few pictures to the board.

Mr. Leonard asked Mr. LaBelle how much stone or brick was he looking at on that side? Halfway?

Mr. LaBelle stated that he would just like to see more on that side than that big white wall.

Mr. Leonard asked so he would not be looking for the whole wall, just a portion of it?

Mr. LaBelle replied yes.

Mr. Saelens asked if there would be a vapor barrier under the plywood?

Applicant replied yes.

Mr. Saelens asked what kind of vapor barrier?

Applicant answered it would be a two-ply vapor tech paper.

Mr. Saelens verified that it would just be tar paper. He stated if he is not mistaken, isn't the Arby's on 23 Mile Road an all brick building?

Mr. LaBelle replied yes it is.

Applicant stated that he was not familiar with that facility. He does know that in the past few years, Arby's has changed their brand standard. He does not know that facility, so he does not want to speak to what that looks like, but they are showing their current brand standard.

Mr. Saelens remarked that the tar paper is an old school material used for a vapor barrier. He has been in the business for years and he would have hoped the technology had improved. In his opinion, the brick would look better and remarked that the stucco, even though the color is not painted on, will stain. He stated that it may be five years from now or ten years from now, but the stucco will need to be painted.

Mr. Miller commented that they would like to see more brick on that wall.

Applicant asked if there was a percentage of brick that they would like them to meet? Would it be 100%, or 50%?

Mr. Joseph asked if it was the applicant's contention that the proposed façade is a quality that is consistent with the Township ordinance? He is just trying to understand the applicant's position. He stated that for a lot of petitioners the requirements of the ordinance produce additional costs. He asked if the applicant was contending that the reason for using this façade is cost or branding because this would be consistent with the Arby's facade? He then asked if it was the applicant's contention that this material is a quality that is consistent with the Township ordinance and is comparable in durability to brick and matching the spirit of the Township ordinance?

Applicant stated that he believed that the verbiage in the Township ordinance states that the material should be brick or similar durable material as determined by the Planning Commission. He stated that it is absolutely his contention that the materials that they are proposing to use meet the intent of that ordinance as far as a durable material. He understands that the look may be a little different and certainly going all brick or stone would add cost to the project. However, that is not really their concern. Their concern is matching the national brand image that Pilot and Arby's have and trying to preserve the look of what they build nationwide, that people recognize as their facility.

Mr. Joseph stated that argument resonates with him. However, he also has heard from one of the Commission members who is very experienced with these issues, and he takes issue with the product itself and whether or not it is the same as brick as far as durability. He mentioned that that Commissioner related to him that this product, from his experience, is inferior to brick. He asked the applicants comments in response to that.

Applicant stated that they have over 600 facilities all over the US and about 60 in Canada and they use this product everywhere and have never had a problem. He remarked that in his applications they find the product very durable. He stated that at times a car hits a building and things happen and yes the material may crack, but if the same thing happens and the building is made of brick, it will crack too. He added that as far as vapor and leaking, they have not had any issues with that. He can assure them that they are not going to keep putting up buildings with inferior materials if they have problems with it. He stated that would not make any business sense.

Mr. Leonard stated that he has seen many of the Pilots throughout the country that look run down. He asked how long the new look for these Pilot's has been in effect?

Applicant replied three to four years.

Mr. Leonard asked how many of the newer ones have been built?

Applicant stated that they average about 15 new facilities per year and so he would guess about 45 to 50.

Mr. Miller asked if these stores are company owned or franchises?

Applicant replied that all the stores are owned and operated by Pilot/Flying J.

Mr. LaBelle stated that a statement was made that after a while there is staining on the stucco, therefore, after so many years the stucco has to be painted because of staining. He asked if that was a true statement?

Applicant replied that after a while the stucco may fade and need to be repainted. He stated that as far as staining, that is just a matter of keeping the building clean.

Mr. LaBelle stated that with brick or stone, they would not be doing that.

Applicant claimed that he has seen staining on brick.

Mr. Miller stated that it looks like a three step process and then it is painted.

Applicant replied no the color is integral to the product so there is no painting. It is a pigmented material.

Mr. Miller stated that on the picture there is brick on the Arby's.

Applicant remarked that is actually stucco on the building that looks like brick.

Mr. Stabile asked Mr. Saelens in his experience and in this climate how long would it be before the stucco would need to be painted?

Mr. Saelens replied five years.

Mr. Alexie commented that he would like to see brick or stone at least ½ way up on that side.

Mr. Leonard asked what the material was on top on that elevation?

Applicant replied that material is stucco with a pattern that looks like brick.

Mr. Joseph stated that in this instance, he tends to see where the petitioner is coming from with regard to consistence of the brand and the other Arby's. He heard the applicant say that if it a deal breaker they will do the brick, but the preference of the petitioner is based on branding and the ability to recognize it as an Arby's. He stated that personally, and he may be in the minority, he would support that position only because they see businesses come in with a proven track record all over the country and then they come to Chesterfield and we make entry into our community prohibitive. He does not like the idea of putting special restrictions just because that is the ordinance. He thinks that this would comply with the spirit and intent of the ordinance and the applicant meets the durability argument. He guessed that the applicant will be willing to compromise, however, he thought they should go with the building as set forth in the proposal.

Mr. Miller stated that he thought most of the Commissioners would like to see at least 50% brick on that wall.

Mr. Stabile stated that Mr. Joseph has stated this before at our meetings and they have held pretty firm with the brick. He thought maybe the 90% was a lot of brick, but he would also like to see the 50% brick.

Mr. Joseph stated that he was on ZBA previously and watched Cabela's come in and there were similar questions when they came in regarding some of their wood.

Mr. Stabile remarked that he would prefer not to compare this application with Cabela's.

Mr. Joseph stated that he would keep Cabela's out, but his point was almost as though this individual has no knowledge of his business. He remarked that coming in and mandating a paint schedule doesn't make sense. The applicant has an obligation to his customers to keep the building in good shape. He stated that there are companies with products out there that are tested, tried and proven as a successful business model and they come to Chesterfield and they die because we have ordinances that are strictly adhered to with the brick or better. He stated that if the argument is aesthetics that is one thing, but as the applicant has pointed out as far as the durability argument they have used the product nationally without incident. He commented that he has seen bricks that need to be power washed just as he has seen stucco that needs to be power washed.

Mr. Miller stated that in some instances he believes different designs should be used. He commented that if General Motors came in they don't use any brick on their buildings.

Mr. Leonard commented on the ZBA thing with Cabela's. He stated that there was a lot of back and forth with Cabela's and they worked closely with us and some relief was given and they signed a five year maintenance agreement for the painted product and that kind of took some of the concern off. He added not that they were going to let the building run down but that was a substantial offer that they put on the table. He commented that as far as businesses coming to Chesterfield there have not been any businesses that he can recall that high tailed it out of Chesterfield because of our building ordinances. They have held a line to the ordinances, but they have also been flexible in many instances. The Commission has not necessarily held business to the 90% brick or better and he reiterated that he cannot think of any businesses that turned around and left Chesterfield because of the Building ordinances. He mentioned that Olive Garden was supposed to come in, but he never really saw any paperwork on it and he thought that maybe politics or the economy at the time influenced their decision; but it had nothing to do with Planning or ZBA.

Mr. Saelens stated that he thought that one of the reasons businesses do want to come to Chesterfield is that they do provide a better quality of aesthetics for everyone. He stated that the rising tide raises all boats and if they demand more, that will bring more people to Chesterfield with the understanding that this is a classy place and looks better than maybe Roseville, not wanting to disparage any other city. The ordinances are in existence for a reason and they do work with the applicants and don't come down too hard on them. However, he commented, on the other hand why not demand better or the best; does the Township need to present itself as second class. In other words, do they need to beg people to come into the community and do whatever they want because they need them so bad.

Mr. Joseph commented that Mr. Saelens point has been very well made as far as demanding the best and so forth. However, they do have an obligation to be on par. He stated that when they hear developers talk about where they would like to put a business a place like Macomb Township is a competitive neighbor to our west. He stated that if they believe the cost of doing business over there is more reasonable, they will go there.

Mr. LaBelle asked about the stacking of the cars at the drive-thru. He stated that cars are entering from the parking lot alongside the gas canopy and the cars are actually stacking inside the parking lot rather than in a lane. He asked if there was something they could do there to alleviate that situation?

Applicant explained from a stacking standpoint they have the entire parking lot and when looking at the drive-thru situation this is not a Dunkin Donuts or Starbuck's in the morning where the cars are stacked out to the road. They are not talking about something like that level of traffic going through. He explained that if there are a few cars stacked in the parking lot for Arby's there is plenty of other area in that parking lot for them to drive through. He stated that as far as an escape lane they talked about that the last time and because of the drive-thru being on the right hand side of the building there would not be any problem in backing out of that. He added if they put in an escape lane they are just going to lose parking. He remarked if that is the board's desire, they can do that but from an operational experience they have many facilities with this kind of configuration and they do not see any problems. He stated that if he puts the drive-thru on the other side of the building, they are going to say there is not enough space between the drive-thru and the driveway, so he purposely put the drive-thru on that side.

Mr. Alexie asked isn't there parking on both sides and how do those cars get out of there when the cars are stacked?

Applicant replied that parking is on the outlet side of the drive-thru and if the drive-thru was on the other side of the building it would be on the entry side.

Mr. LaBelle stated that the cars are still stacking up next to the building and if there are cars stacked up, then other cars cannot get out of the parking lot.

Applicant remarked that this is a 35' area and there is ample room for parked cars to go through. He made some additional comments at the desk away from the microphone that were inaudible. He stated that a significant amount of their business is from trucks and they are obviously not going through the drive-thru. He explained that typically the volume of people going through the drive-thru is less than a stand-alone Arby's or other fast food restaurant. He stated because of the nature of the business, people coming to get fuel, use the rest room and get food. Their drive-thru business tends to be minimal.

Mr. Meagher mentioned that the Arby's could close and be replaced by something else in the building, maybe a Taco Bell. He stated that if a Taco Bell ends up in that place, they are going to be blocking every lane in that parking lot at lunch and dinner.

Applicant mentioned that he respects Mr. Meagher's opinion, but they have facilities with Taco Bell's and other restaurants and he does not have that problem.

Mr. Meagher stated that they have a Taco Bell in Lenox by the shopping center and there are lines coming out into the street.

Mr. Alexie stated that they wanted more landscaping.

Mr. LaBelle asked Mr. Meagher to elaborate on that.

Mr. Meagher stated that he spoke to the applicant and about not having to extend the landscaping all the way down the Burdon Road side. He does not have any objections to that because he is not interested in them going through any reviews with DEQ or anything else. He thought there was a just a miscommunication because he thought they would be extending the landscaping down Burdon Road to the end of the development to match up with the screening.

Applicant stated he thought that was just along the southern end of the development to block visibility from the residential.

Mr. Meagher agreed they did talk about that and originally they talked about landscaping to the end of the property and later they agreed to put the landscaping just to the end of the development.

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Applicant replied that was just a misunderstanding and they will do that to the emergency Fire Department drive thru.

Motion by Mr. LaBelle to approve SLU #2017-06 for the Pilot Travel Centers with a few comments and contingencies. First of all, would like to see 50% brick on the west elevation of the building.

Applicant asked if it could be brick or stone?

Mr. LaBelle answered that it could be either brick or stone.

Applicant asked if they put the 50% brick or stone could the balance of the elevation be stucco?

Mr. LaBelle replied yes.

Mr. LaBelle continued with the **motion** that the applicant must come to an agreement with the Township if a sidewalk is required in the future, they will put the side walk in.

Applicant stated that they agreed to put in the sidewalk on 26 Mile Road and along Burdon to the south edge of the development.

Mr. Meagher stated that procedurally, they do not have a waiver for sidewalks they have to approve it with the sidewalks going in and they would have to seek a variance through the ZBA or the Township Board.

Mr. Palin remarked that the way that has been handled recently is they have been going to the Township Board for a waiver and typically there is an agreement that when such a time as a sidewalk is put in they would be required to extend that sidewalk. He also wondered if there was a cross access discussed at the last meeting and he just wanted to bring that up before he completed the motion.

Mr. Saelens asked if there would be a bond required with these waivers?

Mr. Palin stated that he would ask Mr. Joseph because he has not been at any of those Board Meetings.

Mr. Meagher expressed that typically it would not be done with a bond and might be better if they just draw up a contract.

Mr. Joseph replied that typically if comes in front of the board and they enter into an agreement and they approve it with that and the Township Attorney seems to think that is sufficient for enforcement down the road and in essence the minutes effect the agreement.

Applicant stated that they have entered into similar agreement in other places. like that.

Mr. LaBelle repeated that the **Motion** was to approve contingent upon 50% brick or better on the lower half of the building on the west elevation. The approval would be with the sidewalk and the applicants would get a waiver from the Township Board. Approval would also be contingent upon compliance with notes from Community Planning Management, AEW and the Fire Department.

Mr. Leonard asked if Mr. LaBelle was going to include something about the cross-access agreement?

Mr. LaBelle added that as discussed a moment ago approval would also be contingent upon a cross access being provided to the east.

Supported by Mr. Leonard

Applicant asked so they would like cross-access to properties to the east?

Mr. Saelens replied to the adjacent properties to the east.

Mr. Miller stated if they ever build.

Applicant remarked that he just wondered how that would work.

Mr. Miller explained that is something that the County requires anyway.

Applicant mentioned that it would be through their truck parking lot and he stated that they could work on that.

Mr. Miller expressed that the applicant could work with Jonathon on that.

Ayes: All

Nays: None

Motion Carried

Mr. Miller and the Commissioners welcomed them to the Township.

B. SIGN REVIEW #2017-20: Pilot Travel Centers, LLC, Brad Alsup, Project Manager, 5508 Lonas Road, Knoxville, TN 37909. Proposed new ground sign located at 56777 Burdon Road for proposed new travel center at 26 Mile & Burdon Road

Mr. LaBelle stated that the sign does meet the Township ordinance and they are asking that the address be included on the monument sign. He explained that the only other issue is that there needs to be a 25' clear vision triangle from the sign. He asked if they would be opposed to moving the sign back at least to the edge of the parking lot to help with that clear vision.

Applicant replied that he would not be opposed to that and asked if they were talking about moving it to the west?

Mr. LaBelle replied that they would be moving it south.

Mr. Meagher stated that it would only be about 2' into the 25' clear vision now.

Applicant stated that they can work on final placement and a few feet here or there is not a problem.

Motion by Mr. LaBelle to approve Sign #2017-20

Supported by Mr. Saelens

Ayes: All

Nays: None

Motion Carried

C. SIGN REVIEW #2017-21: Pilot Travel Centers, LLC, Brad Alsup, Project Manager, 5508 Lonas Road, Knoxville, TN 37909. Proposed new ground sign located at 56777 Burdon Road for proposed new travel center at 26 Mile & Burdon Road

Mr. LaBelle stated that the sign exceeds the height allowed for a sign.

Motion by Mr. LaBelle to deny Sign #2017-21

Supported by Mr. Alexie

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

Nays: Joseph

Motion Carried

Applicant asked if there was any signage that they would allow for the CAT scale. He stated that the reason it is so large is that it goes over the CAT scale for the trucks to go under and that is how they designate "Here is our CAT scale". He asked if there was anything they would consider permissible, so the drivers that need the scale before they get back on the highway to make sure their loads are properly placed, know where the CAT scale is. He stated that the scale is in a pit the ground so it is not like it would be easily seen.

Mr. Alexie asked why it could not be in two halves with nothing on the top?

Mr. Saelens remarked that there would be bump posts on both sides so why not put the signs there.

Mr. Alexie commented that only the height seems to be the problem.

Applicant asked because he was told only one ground sign is permitted. He asked what they could do that would be allowed besides a two foot directional sign that would not even be seen by 18-wheelers.

Mr. Miller thought Mr. Palin could help the applicant with that.

Mr. Palin stated that he believed it would be another variance for a ground sign.

Mr. Meagher explained that the Planning Commission would have to grant the variance.

Mr. LaBelle replied that they need something proposed to them; they just can't make something up over here.

Mr. Meagher stated why don't they table it and ask the applicant to come back with something.

Mr. Alexie stated that the maximum height for a sign is 12'

There was a discussion about the actual size of the sign and the different options.

Applicant stated that he could go to a 12' maximum height sign to the side and work with them on the square footage and they could let him know this is the box that you have to work with.

Mr. Saelens remarked that sounds reasonable.

Applicant stated that it would say CAT scale and use their emblem. He reiterated that the drivers use the scales to weigh the trucks so their loads are distributed evenly before they go back on the highway. He explained that after they get fuel, they have to move their axles to distribute the weight.

Mr. Miller mentioned that they could table it so the applicant can come up with something.

Mr. Leonard commented that because of the unique use of this sign they could probably work out a reasonable alternative.

Mr. LaBelle rescinded his Motion to deny.

Motion by Mr. LaBelle to Table Sign #2017-21 and give the applicant an opportunity to come up with a better plan for the scale sign.

Supported by Mr. Saelens

Ayes: All

Nays: None

Motion Carried

- D. **SIGN REVIEW #2017-22: Pilot Travel Centers, LLC, Brad Alsup, Project Manager, 5508 Lonas Road, Knoxville, TN 37909. Proposed new directional sign located at 56777 Burdon Road for proposed new travel center at 26 Mile & Burdon Road**

Mr. LaBelle stated that the Township allows a maximum of two square feet for directional signs and the applicant has agreed to adhere to that.

Motion by Mr. LaBelle to approve Sign #2017-22

Supported by Mr. Moran

Ayes: All

Nays: None

Motion Carried

- E. **SIGN REVIEW #2017-23: Pilot Travel Centers, LLC, Brad Alsup, Project Manager, 5508 Lonas Road, Knoxville, TN 37909. Proposed new directional sign located at 56777 Burdon Road for proposed new travel center at 26 Mile & Burdon Road**

Mr. LaBelle stated that this is also a directional sign and the applicant has agreed to adhere to the two square foot maximum

Motion by Mr. LaBelle to approve Sign #2017-23

Supported by Mr. Saelens

Ayes: All

Nays: None

Motion Carried

- F. SIGN REVIEW #2017-24: Pilot Travel Centers, LLC, Brad Alsup, Project Manager, 5508 Lonas Road, Knoxville, TN 37909. Proposed new wall canopy sign located at 56777 Burdon Road for proposed new travel center at 26 Mile & Burdon Road.**

Mr. LaBelle stated that this is the sign that goes over the car pump gas canopies as are G. and H. and they are all three signs that are typical for these types of structures.

Motion by Mr. LaBelle to approve Sign #2017-24 and allow the variance

Supported by Mr. Miller

Ayes: All

Nays: None

Motion Carried

- G. SIGN REVIEW #2017-25: Pilot Travel Centers, LLC, Brad Alsup, Project Manager, 5508 Lonas Road, Knoxville, TN 37909. Proposed new wall canopy sign located at 56777 Burdon Road for proposed new travel center at 26 Mile & Burdon Road.**

Motion by Mr. LaBelle to approve Sign #2017-25 and allow the variance

Supported by Mr. Miller

Ayes: All

Nays: None

Motion Carried

- H. **SIGN REVIEW #2017-26:** Pilot Travel Centers, LLC, Brad Alsup, Project Manager, 5508 Lonas Road, Knoxville, TN 37909. Proposed new wall canopy sign located at 56777 Burdon Road for proposed new travel center at 26 Mile & Burdon Road.

Motion by Mr. LaBelle to approve Sign #2017-26 and allow the variance

Supported by Mr. Miller

Ayes: All

Nays: None

Motion Carried

- I. **SIGN REVIEW #2017-27:** Pilot Travel Centers, LLC, Brad Alsup, Project Manager, 5508 Lonas Road, Knoxville, TN 37909. Proposed new wall canopy sign located at 56777 Burdon Road for proposed new travel center at 26 Mile & Burdon Road.

Mr. LaBelle stated that this is the sign that goes over the diesel canopies as are J. and K. and are all three signs are typical for these types of structures so the variance would allow those three signs

Motion by Mr. LaBelle to approve Sign #2017-27 and allow the variance

Supported by Mr. Stabile

Ayes: All

Nays: None

Motion Carried

- J. **SIGN REVIEW #2017-28:** Pilot Travel Centers, LLC, Brad Alsup, Project Manager, 5508 Lonas Road, Knoxville, TN 37909. Proposed new wall canopy sign located at 56777 Burdon Road for proposed new travel center at 26 Mile & Burdon Road.

Motion by Mr. LaBelle to approve Sign #2017-28 and allow the variance

Supported by Mr. Stabile

Ayes: All

Nays: None

Motion Carried

- K. SIGN REVIEW #2017-29: Pilot Travel Centers, LLC, Brad Alsup, Project Manager, 5508 Lonas Road, Knoxville, TN 37909. Proposed new wall canopy sign located at 56777 Burdon Road for proposed new travel center at 26 Mile & Burdon Road.**

Motion by Mr. LaBelle to approve Sign #2017-29 and allow the variance

Supported by Mr. Stabile

Ayes: All

Nays: None

Motion Carried

- L. SIGN REVIEW #2017-30: Pilot Travel Centers, LLC, Brad Alsup, Project Manager, 5508 Lonas Road, Knoxville, TN 37909. Proposed new directional sign located at 56777 Burdon Road for proposed new travel center at 26 Mile & Burdon Road.**

Mr. LaBelle stated that the Township only allows the sign to be two square feet and the applicant has agreed to comply with that size.

Motion by Mr. LaBelle to approve Sign #2017-30

Supported by Mr. Alexie

Ayes: All

Nays: None

Motion Carried

- M. SIGN REVIEW #2017-31: Pilot Travel Centers, LLC, Brad Alsup, Project Manager, 5508 Lonas Road, Knoxville, TN 37909. Proposed new wall sign located at 56777 Burdon Road for proposed new travel center at 26 Mile & Burdon Road.**

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

Motion by Mr. LaBelle to approve Sign #2017-31

Supported by Mr. Saelens

Ayes: All

Nays: None

Motion Carried

- N. SIGN REVIEW #2017-32: Pilot Travel Centers, LLC, Brad Alsup, Project Manager, 5508 Lonas Road, Knoxville, TN 37909. Proposed new wall sign located at 56777 Burdon Road for proposed new travel center at 26 Mile & Burdon Road.**

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

Motion by Mr. LaBelle to approve Sign #2017-32

Supported by Mr. Moran

Ayes: All

Nays: None

Motion Carried

- O. SIGN REVIEW #2017-33: Pilot Travel Centers, LLC, Brad Alsup, Project Manager, 5508 Lonas Road, Knoxville, TN 37909. Proposed new wall sign located at 56777 Burdon Road for proposed new travel center at 26 Mile & Burdon Road.**

Mr. LaBelle stated that the sign is for the P J Fresh at the front of the building. He stated that the applicant is requesting a variance to allow the extra sign and he would like to get input from the other Commissioners as to what they feel about this.

Mr. Miller asked if it was another business?

Applicant stated that it is the Pilot branded food. He explained it is like a convenience deli within the store. They sell soda, coffee, pizza and things like that.

Mr. Miller stated that he did not see a problem with it.

Motion by Mr. LaBelle to approve Sign #2017-33

Supported by Mr. Joseph

Ayes: All

Nays: None

Motion Carried

- P. SIGN REVIEW #2017-34: Pilot Travel Centers, LLC, Brad Alsup, Project Manager, 5508 Lonas Road, Knoxville, TN 37909. Proposed new wall sign located at 56777 Burdon Road for proposed new travel center at 26 Mile & Burdon Road.**

Mr. LaBelle stated that the sign is a PJ Fresh sign for the rear of the building and the sign does meet the Township ordinance.

Motion by Mr. LaBelle to approve Sign #2017-34

Supported by Mr. Miller

Ayes: All

Nays: None

Motion Carried

- Q. SIGN REVIEW #2017-35: Pilot Travel Centers, LLC, Brad Alsup, Project Manager, 5508 Lonas Road, Knoxville, TN 37909. Proposed new wall sign located at 56777 Burdon Road for proposed new travel center at 26 Mile & Burdon Road.**

Mr. LaBelle stated that this is for the Arby's sign at the front of the building and again it is another business.

Motion by Mr. LaBelle to approve Sign #2017-35

Supported by Mr. Moran

Ayes: All

Nays: None

Motion Carried

- R. SIGN REVIEW #2017-36: Pilot Travel Centers, LLC, Brad Alsup, Project Manager, 5508 Lonas Road, Knoxville, TN 37909. Proposed new wall sign located at 56777 Burdon Road for proposed new travel center at 26 Mile & Burdon Road. "Arby's"**

Mr. LaBelle stated that to comply with the Township ordinance, the applicant has agreed to reduce the sign to 50% of the allowable signage at the front of the building.

Motion by Mr. LaBelle to approve Sign #2017-36

Supported by Mr. Miller

Ayes: All

Nays: None

Motion Carried

S. &T. SIGN REVIEW #2017-37 and SIGN REVIEW #2017-38: Pilot Travel Centers, LLC, Brad Alsup, Project Manager, 5508 Lonas Road, Knoxville, TN 37909. Proposed new wall signs located at 56777 Burdon Road for Proposed new travel center at 26 Mile & Burdon Road. "Arby's"

Mr. LaBelle stated that the signs S. and T. are Arby's signs on the west elevation of the building. He has them as two signs and asked the applicant to explain what is going on with these signs.

Applicant explained that going back to the Arby's national branding standards, that is the way they put their signs with the regular Arby's hat the recognizable logo and the other is the Arby's channel letters that go above the drive-thru. They would request because this is part of their standard package that they allow it because when combined they meet the Township ordinance; so they ask that they treat it as one sign.

Mr. Miller asked if there was any way to combine the two?

Applicant stated that the drive-thru actually sticks out a little bit so it is on a separate plane. He stated that if they go through the photos he submitted, they will see what the signs look like.

Mr. Stabile commented that it was okay with him.

Mr. LaBelle stated that was why he presented them together.

Mr. Saelens remarked that he also agreed.

Motion by Mr. LaBelle to approve Sign #2017-37 and Sign #2017-38

Supported by Mr. Saelens

Ayes: All

Nays: None

Motion Carried

U. & V. SIGN REVIEW #2017-39 and SIGN REVIEW #2017-40: Pilot Travel Centers, LLC, Brad Alsup, Project Manager, 5508 Lonas Road, Knoxville, TN 37909. Proposed new wall sign located at 56777 Burdon Road for proposed new travel center at 26 Mile & Burdon Road. "Welcome"

Mr. LaBelle stated that he knew they were actually pushing the signage, but these are not really an advertisement they are welcome signs. He personally does not have a problem with them.

Mr. Saelens asked the size of the signs?

Applicant replied that they are 8 1/2 square feet and the letters are 12" tall. He added that there is an awning over their entrances and these signs go above the awning.

Mr. Saelens commented that they sound reasonable.

Mr. LaBelle agreed.

Motion by Mr. LaBelle to approve Sign #2017-39 and Sign #2017-40

Supported by Mr. Saelens

Ayes: All

Nays: None

Motion Carried

W. SIGN REVIEW #2017-41: Pilot Travel Centers, LLC, Brad Alsup, Project Manager, 5508 Lonas Road, Knoxville, TN 37909. Proposed new wall sign located at 56777 Burdon Road for proposed new travel center at 26 Mile & Burdon Road. "We Make Pizza"

Mr. LaBelle stated that these are the murals at the front of the building and personally he thinks these are pushing the limit.

Motion by Mr. LaBelle to deny Sign #2017-41

Supported by Mr. Saelens

Applicant asked before they voted if he could work with the Township and if they would be willing to put in some type of graphic that is representative of the area he wondered if that would be acceptable. He explained that in California, they built in a picture of the foothills and some mountains.

Mr. Saelens verified that he was proposing a benign picture as opposed to the pizza.

Applicant stated that there are actually three frames to the murals and could they work with them and maybe make the central element something that would be representative of the local area. He would be willing to work with Mr. Meagher and Jonathon on what type of picture that would go in there and then there would be smaller pictures

Mr. LaBelle stated that personally he would like to see what the applicant is going to do before approving anything. He stated that the applicant will be coming back for the scale sign anyway, so why not Table these too.

Mr. Eckenrode asked if this is a permanent sign that would stay there?

Applicant stated it would be on that tile wall at the front and the back in a frame and they can change the graphics. He added that they rarely do, but the pictures can be changed. The purposed of the mural is to break up the blank wall to make it pop and give it some appeal.

Mr. Eckenrode commented that if they are not doing the pizza it is not really a sign any more.

Applicant stated that if they would just use the picture of the pizza and they do not advertise anything with the word Pilot, P J Fresh or Arby's it wouldn't really be a sign any more. He stated that many jurisdictions state if they are not advertising your name and there are just pictures of food or whatever, it is not really a sign it is art work. He explained that if there is some landmark or something that is a defining thing as far as Chesterfield they could incorporate that into the mural.

Mr. Saelens commented that they have a big lake out there.

He reiterated that they would just like to add the proposed mural to break up the blank wall and give the building some appeal.

Mr. Miller stated that he would be okay with that as long as Mr. Meagher and Mr. Palin approved it with a picture of something in Chesterfield in mind.

Mr. Eckenrode asked if they would be changing the pictures?

Applicant replied that they never really change them. He explained that theoretically they could change them, but they don't and the portion that would be of Chesterfield, unless they changed it for something else about Chesterfield would not change.

Mr. Leonard asked so if anything changed it would be the product signs.

Applicant replied yes instead of pizza it might be a sandwich or a donut.

Mr. Joseph asked what kind of material is used in the mural?

Applicant stated that he believed it is a vinyl material.

Mr. Eckenrode asked if the sign could be reduced because this thing is massive?

Applicant replied it could be, but it would just be a sea of monotone color and the point is to break up the wall and provide an accent wall.

There was a discussion among the board members on this matter.

Mr. LaBelle stated that they are exceeding the amount of square footage at the front of the building for signage.

Applicant asked if that was a window would it be allowed?

Mr. Meagher stated that they would be allowed 25% coverage of the window.

Mr. LaBelle mentioned that in reality if the applicant would like to show us some type of mural for the front of the building, they could table it.

Mr. Joseph stated that he like the idea to table it and see what the applicant comes back with.

Mr. LaBelle rescinded his denial.

Motion by Mr. LaBelle to Table

Supported by Mr. Joseph

Ayes: All

Nays: None

Motion Carried

- X. **SIGN REVIEW #2017-42: Pilot Travel Centers, LLC, Brad Alsup, Project Manager, 5508 Lonas Road, Knoxville, TN 37909. Proposed new wall sign located at 56777 Burdon Road for proposed new travel center at 26 Mile & Burdon Road. "PJ Fresh Marketplace"**

Mr. LaBelle stated this is the same situation with the mural

Motion by Mr. LaBelle to Table Sign #2017-42

Supported by Mr. Saelens

Ayes: All

Nays: None

Motion Carried

- Y. **SIGN REVIEW #2017-43:** Pilot Travel Centers, LLC, Brad Alsup, Project Manager, 5508 Lonas Road, Knoxville, TN 37909. Proposed new wall sign located at 56777 Burdon Road for proposed new travel center at 26 Mile & Burdon Road. "Clearance Warning Arm"

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

Motion by Mr. LaBelle to approve Sign #2017-43

Supported by Mr. Miller

Ayes: All

Nays: None

Motion Carried

- Z. **SIGN REVIEW #2017-44:** Pilot Travel Centers, LLC, Brad Alsup, Project Manager, 5508 Lonas Road, Knoxville, TN 37909. Proposed new menu sign located at 56777 Burdon Road for proposed new travel center at 26 Mile & Burdon Road. "Menu Board"

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

Motion by Mr. LaBelle to approve Sign #2017-44

Supported by Mr. Miller

Ayes: All

Nays: None

Motion Carried

- AA. **SIGN REVIEW #2017-45:** Pilot Travel Centers, LLC, Brad Alsup, Project Manager, 5508 Lonas Road, Knoxville, TN 37909. Proposed new wall sign located at 56777 Burdon Road for proposed new Arby's directional sign travel center at 26 Mile & Burdon Road.

Mr. LaBelle stated that this is a directional sign and in speaking with the applicant they need to discuss the size of the sign because of what it does telling people not to come in or go out. He asked the applicant for an explanation.

Applicant stated that they have had some discussion about the drive-thru and the circulation and making sure people do not go the wrong way. He stated that this directional sign is at the exit side of the drive-thru and is definitely shorter than the landscaping that is around it. He explained that on one side it will say "do not enter" so people do not go into the drive-thru the wrong way and on the other side it will say "thank you" to the people coming out. He stated that sign is to prevent some of the problems they expressed concerns about earlier. He respectfully requests a variance for that to be allowed and to keep it at the proposed size which is 6.6 square feet to help with the flow of traffic.

Mr. Joseph stated it would alleviate some of the problems with directions and assure people do not go the wrong way.

Motion by Mr. LaBelle to approve Sign #2017-45 for the variance

Supported by Mr. Moran

Ayes: All

Nays: None

Motion Carried

BB. SIGN REVIEW #2017-46: Phillips Sign & Lighting, 40920 Executive Drive, Harrison Twp., MI 48045. Proposed new wall sign located at 51094 D.W. Seaton for "Weiss Wild Game Center"

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

Motion by Mr. LaBelle to approve Sign #2017-46

Supported by Mr. Saelens

Ayes: All

Nays: None

Motion Carried

CC. SITE PLAN REVIEW #2017-07: Gallo Companies, 6303 26 Mile Road, Washington, MI 48094. Proposed development of a 4-story, multi-family use in Chesterfield Corners on Marketplace Blvd., on 9.85 acres in the C-4 Multi-Use District.

Mr. LaBelle stated that this PUD does not allow the applicant to do what he is proposing and he asked to be tabled up to six meetings. He mentioned that the applicant stated he would like to rescind the PUD and apply for a PUD that would allow this type of development.

Tony Gallo, 6303 26 Mile Road, Washington, MI 48094.

Applicant stated that they are the principle owners and master developers of Chesterfield Corners. He explained that they are seeking an introductory approval on this for use as proposed. He spoke with Mr. LaBelle and Mr. Patrick Meagher prior to the meeting and he would like to get clarification because he would like to know where it states that this is not a permissible use. Section 76-41PUD 3A states that this is a permitted use under the PUD. He explained that this is a C-4 property and the only C-4 property within this Township and this would be a permitted use as a matter of right. He stated that the ECR that controls this is between their company, Menard's and the Wal-Mart Corporation. He mentioned that just like when the hotels came in the three of them had to sign off on them internally and that is not an instrument that is part of this party's review, however, the PUD certainly is and they can comply with those requirements. He does not understand how this is not a permissible use under the PUD pursuant to the ordinance Section 76-41 under the PUD ordinance 3A. All underlying uses are permitted so he would like to get some guidance so they can understand what the concerns are.

Mr. Meagher stated when this PUD was approved the ECR was actually an instrument that was involved in the approval. It was approved simultaneously with the PUD and it was a restricting mechanism as part of the approval. The site plan that was submitted along with the general PUD plan followed the ECR and specifically outlined areas that would be used for specific uses whether they would be hotel, retail, service and in one case a gas station and that is the limiting factor that he can see. If they disagree with that, certainly the applicant can consult with his attorney. He stated that the attorney that put this together originally worked with Mr. Siebert.

Applicant stated Ed Duda.

Mr. Meagher stated that it was actually Larry Scott who put together the documents because he worked with him personally on it. At that time it was integral as well as the related site plans that followed that ECR. He stated that

he is going to turn in his file to Mr. Palin and the Township Attorney has a file and if the applicant needs more information Mr. Scott would probably be a good person to contact.

Applicant stated that he thought Ed was involved in this and he knows that he represented Wal-Mart throughout that transaction.

Mr. Meagher stated that they did amend the PUD at one time so they could put a hotel up at the front of the site which otherwise would not have been permitted at that time on Lots 6, 7, 8 and 9.

Applicant asked if that hotel was the one currently under construction next to Wal-Mart?

Mr. Meagher replied no, that one was next to Twisted Rooster.

Applicant remarked that was his site, and that is why he is not understanding this. He was involved in that transaction and he sold them that land. The PUD was not amended and not revised and when that hotel was proposed, it was proposed under the C-4 ordinance.

Mr. Meagher stated that there was no approval at that time for any type of multiple-family residential that had anything to do with this PUD. He remarked if the applicant wants to dispute that and the Commission wants to agree with him; they can certainly vote for it. On the other hand, the applicant can go seek evidence from Mr. Scott and Mr. Siebert and if they tell the Commission that they are welcomed to build this hotel, they have nothing else to say.

Applicant repeated that he was just trying to get clarification.

Mr. Meagher replied that he got it.

Mr. Meagher repeated that the ECR was adopted as part of the PUD and the standards written into that ECR were written in by Mr. Scott as part of the PUD agreement.

Applicant asked if he could get a copy of the PUD?

Mr. Meagher replied that he could get it through Mr. Palin.

Motion by Mr. LaBelle to Table Site Plan #2017-07 for up to six meetings.

Supported by Mr. Alexie

Ayes: All

Nays: None

Motion Carried

DD. SITE PLAN REVIEW #2017-08: Stonehenge Development, P.O. Box 1063, Bloomfield Hills, MI 48303. Proposed completion of the Stonehenge Condos located on the north side of Donner west side of Cotton Road.

Craig Pitters, President Stonehenge Development, P.O. Box 1063, Bloomfield Hills, MI 48303 addressed the board.

Mr. LaBelle asked if the applicant received the comments from AEW and CPM?

Applicant replied yes.

Mr. LaBelle stated that after his review of the plans, he would just like to see more landscaping. The plans show 24 trees and they would like to see at least 25.

Bill Thompson, Lehner Associates, 17001 19 Mile, Clinton Twp., MI addressed the board.

Mr. Thompson stated that they would provide a detailed landscape plan for around the buildings and the site. They just have to make sure they are not in the easements or where they have to put in utilities.

Mr. Miller thought all the utilities were in, but now they will have to move some of them.

Mr. Thompson stated that they have to relocate the sanitary sewer and storm sewer that are now in the middle of an island and a storm sewer on the west end.

Mr. Miller commented that he thought it was the last of the condo associations to finish and he is happy it is being completed.

Mr. Miller asked if this was going to be a separate association?

Applicant replied yes.

Motion by Mr. LaBelle to approve Site Plan #2017-08 contingent upon the adherence to the comments from CPM, AEW and the Fire Department.

Supported by Mr. Miller

Ayes: All

Nays: None

Motion Carried

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

Motion by Mr. Miller to approve the meeting minutes from 4/11/2017.

Supported by Mr. Alexie

Ayes: All

Nays: None

Motion Carried

8. **COMMUNICATIONS:** None

9. **OLD BUSINESS:**

There was no old business.

10. **NEW BUSINESS:**

There was no new business.

11. **PLANNERS REPORT:**

- A. **ADMINISTRATIVE REQUEST #179:** Tom Lytle, Delta Industries, 51825 Gratiot, Chesterfield, MI 48051. Add exterior tank pad & transfer slab for Dajaco Industries located at 49599 Gratiot.

Mr. Meagher stated that the tank and transfer slab would be located at the rear of the building and it does not look like there would be an issue. He just wondered what type of tank they were talking about and he does not quite understand what a transfer slab is?

4-25-2017

Jim Foster with Delta Concrete, 51825 Gratiot, Chesterfield, MI 48051 addressed the board.

Applicant stated that it would be an Argon Gas tank and it is 10' tall, 3,000 meter tank. In addition, they are putting in a foundation for it to sit on and the transfer slab is just an approach for the truck to pull in to fill up the gas tank.

Mr. Meagher stated based on that explanation, he has no objections to the approval of the administrative request.

Mr. LaBelle asked if all three tanks are argon?

Applicant replied that there is only one tank and that just shows the different sizes from the manufacturer.

Mr. LaBelle asked the size of the tank?

Applicant replied the 3,000 meter.

Motion by Mr. LaBelle to approve Administrative Request #179.

Supported by Mr. Joseph

Ayes: All

Nays: None

Motion Carried

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

Mr. LaBelle asked for volunteers for the next Pre-Planning Meeting.

Mr. Saelens agreed to attend the next Pre-Planning Meeting on 5/9/2017.

Mr. Leonard also stated that he planned to attend that meeting.

Mr. Saelens asked how they were doing with the Master Plan?

Mr. Palin stated that Supervisor Acciavatti wants to get it going soon.

Mr. Saelens then mentioned the new sign ordinance coming up in a few months.

Mr. Palin mentioned that the sign ordinance was going to see some substantial changes due to a Supreme Court ruling basically changing a lot about what their ordinances can and cannot say.

There was a rather long discussion among the Planning Commission members on this matter.

13. **PROPOSALS FOR NEXT AGENDA.**

There were no proposals for the next agenda.

14. **ADJOURNMENT**

Motion by Mr. Miller to adjourn at 8:47 PM

Supported by Mr. Saelens

Ayes: All

Nays: None

Motion Carried

Rick LaBelle, Secretary

Grace Mastronardi, Recording Secretary