

**CHARTER TOWNSHIP OF CHESTERFIELD
PLANNING COMMISSION**

July 11, 2017

A regular meeting of the Charter Township of Chesterfield Planning Commission was held on Tuesday, July 11, 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
David Joseph
Jerry Alexie
Frank Eckenrode
Ray Saelens

Absent: Carl Leonard, *excused*
James Moran, *excused*

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

3. APPROVAL OF THE AGENDA

Motion by Mr. Miller to approve the agenda as submitted

Supported by Mr. Saelens

Ayes: All

Nays: None

Motion Carried

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

5. PUBLIC HEARINGS: None

6. **REVIEWS:**

- A. **CONDITIONAL REZONING #343: Morelli Custom Homes, LLC, 22756 Macomb Industrial Dr., Clinton Twp., MI 48036. Requesting to rezone vacant property from R-1-B (Single Family Residential) to RM2 (Multi-Family Residential) located on the north side of Cotton Road between Sugarbush Road and Jefferson. Public Hearing closed. Tabled on 6/27/17.**

Motion by Mr. LaBelle to deny Conditional Rezoning #343 by the recommendation from Community Planning & Management , the Township Planner, as well as the items that were outlined in past meetings.

Supported by Mr. Stabile

Mr. Meagher recommended a roll call vote on the Motion because of the Public Hearing and for verification the Motion is subject to the nine items cited in the review of July 11, 2017.

Mr. Joseph asked if there would be any discussion on the item?

Mr. Miller replied that the Public Hearing is closed and they cannot have any Public Comments.

Mr. Joseph stated that he meant board comments.

Mr. Miller replied okay.

Mr. Joseph stated that he understood the rationales for the decision, by the maker of the motion are the items from Planning?

Mr. LaBelle replied yes. He stated that there were nine items from Community Planning Management dated July 11th, 2017.

Mr. Joseph asked if it was fair to say that the communications that they had about two weeks ago broke down in terms of the issues involving the buffering and some other areas and have they had any feedback from the petitioner.

Mr. Meagher stated that he did meet with the petitioner's attorney and they discussed several ways of transitioning into more of a single family setting. He was contacted the following day and they indicated that they were unable to amend the plan and comply with the items that they had talked about. He informed them that they were suggestions and they could proceed any way they wished.

Mr. Joseph asked if there was any concern that the petitioner could simply just come back with a plan that utilizes the multiple-family parcel in a way that they would not be excited about, but was something they could not do anything about.

Mr. Meagher asked if Mr. Joseph wanted to know if he was concerned about that or the commissioners?

Mr. Joseph replied both.

Mr. Meagher stated that he has no concerns because they have an ordinance that regulates development in these districts and as long as they meet those standards, he does not have any concerns with it.

Mr. Joseph asked if it was feasible that they could come through with a multi-family project that has smaller square footage apartments and more units on the multi-family parcel?

Mr. Meagher stated that he has not designed the site but certainly as long as they meet the ordinance they could proceed with multi-family on that site if that was what they desire.

Mr. Joseph asked if any of the board members are concerned about that fact?

Mr. LaBelle commented that this was just a recommendation to the Township Board.

Mr. Joseph remarked that they have worked very hard on the Township Board as a whole to look at the deliberation that takes place by the Planning Commission because they are the recommending body. He stated that he does not like to see a recommendation by this body go to the full board and get overturned. He explained that it is helpful when Commissioners weigh in and he does not want to look at this decision in a vacuum. He would like to get some feedback from the Commissioners.

Mr. Stabile told Mr. Joseph that the Public Hearing is closed and this conversation that he is coming up with is really out of line. He stated that he has been on the Planning Commission for 15 years and he has seen this group more than anybody ever with their comments during the Public Hearings. He stated that they are done with that part and they have to move on.

Mr. Joseph asked so they should take the recommendation of the Planner and there should not be any deliberations?

Mr. Stabile stated that they had the Public Hearing on this and they cannot talk about it anymore.

Mr. Joseph replied that is not true. A Public Hearing would prohibit comments from the floor, not comments or from the board.

Mr. Miller remarked that he has been opposed to this project from the beginning.

Mr. Meagher commented that Mr. Joseph is correct in the fact that there can be discussion among the board; there simply cannot be any participation from the public.

Mr. Stabile stated that he is not just going with the recommendation by the Planner, he had his mind made up from their past board discussion and Public Comments.

Mr. Joseph stated that he was not taking issue with Mr. Stabile's opinion. He mentioned that Mr. Stabile has stated, on more than one occasion, that the Planning Commission is the most informed body. Yet, they have had decisions that have gone the other way when it gets to the full board. As the board liaison, he has been trying to bring all of the variables associated with the project to the Township Board. He was just making an attempt to get more information, not less. He stated that his concern as to what happens on that parcel just because we say no doesn't mean they cannot come back and put something in that is less desirable and the residents will be even more frustrated down the road. He would like to make sure everyone is aware of that as a possibility. He stated that they do not even have to come back to this body if they put in smaller units which are less desirable for the neighborhood.

Mr. Stabile stated that they would have to come back to Planning with whatever they want to do.

Mr. Miller commented that they would still have to review the plans.

Mr. Palin informed them that the applicants would have to come back for a site plan review but not a Public Hearing.

Mr. Joseph stated that if the property owner conforms to the ordinance as it is laid out they have no recourse if he decides to put in smaller units.

Mr. Stabile commented that this is only for the rezoning.

Mr. Miller called for the Recording Secretary to Poll the Commission members for their decision.

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

Nays: Joseph

Motion Carried

Mr. Miller mentioned that this is just a recommendation to the full board.

Mr. Palin stated that he believed it would be on the first Township Board meeting in August, which would be August 7th.

- B. SIGN REVIEW #2017-41: Pilot Travel Centers, LLC, Brad Alsup-Project Mgr., 5508 Lonas Road, Knoxville, TN 37909. Proposed new wall sign (We Make Pizza) located at 56777 Burdon Road for new travel center tabled 6/13/17.**

Mr. LaBelle stated that they received a letter from the Township attorney which answers the question about the murals and they are considered signs. He explained that this would exceed the amount of signs as well as the square footage of signs.

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

Supported by Mr. Saelens

Ayes: All

Nays: None

Motion Carried

- C. SIGN REVIEW #2017-42: Pilot Travel Centers, LLC, Brad Alsup-Project Mgr., 5508 Lonas Rd. Knoxville, TN 37909 Proposed new wall PJ Fresh Marketplace located at 56777 Burdon Road for new travel center tabled 6/13/17.**

Mr. LaBelle stated again this exceeds the amount as well as the square footage of signs

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

Supported by Mr. Alexie

Ayes: All

Nays: None

Motion Carried

D. SIGN REVIEW #2017-61: Ron Kahle for Art Van Pure Sleep 6500 14 Mile Rd., Warren MI 48092. Proposed new front elevation wall sign located at 50900 Gratiot for Art Van Pure Sleep tabled 6-27-17.

Mr. LaBelle stated that the applicant is in the audience and would like to speak. He explained that with the visible square footage of the building they would be allowed a sign that would be 42 square feet and the applicants were proposing something larger.

Ron Kahle , 6500 14 Mile Rd., Warren MI addressed the board.

Mr. Saelens asked Mr. LaBelle if instead of the 42 square feet the applicant was asking for a sign at 120 square feet?

Mr. LaBelle replied that is correct. He remarked that he did not see any hardship in this case. He mentioned that the store has two road frontages on Gratiot and 23 Mile Road, but the applicant would like to explain that.

Applicant passed out plans of the building which is under construction. He stated that he highlighted his tenant's space and he drew in the sight-lines with dashes for the viewing of the store front. He explained that because of the angle of the building north bound traffic on Gratiot and west bound traffic on 23 Mile Road will not see the sign. So the visibility of the sign because of the angel of the building is diminished. Therefore, the only visibility of the sign would be from south bound traffic on Gratiot and east bound traffic on 23 Mile Road. He stated that they thought the 120 square foot sign was proportional to the store front and a 42 square foot sign at the top of the building will be very hard to read. He understood 120 square feet is a bit much, but he was hoping to get a larger sign than 42'.

Mr. Miller reminded the applicant that there will also be two monument signs, one on 23 Mile and one on Gratiot that their name will be on.

Applicant replied that the name on the pylon sign is very small in comparison and he asked if they have noticed the construction sign out there with all the tenants who have signed leases for the building. It is so small that people do not even notice it. He stated that monument signs work when you are close to them, but for the most part are an over the shoulder sign.

Mr. Alexie stated that if they approve this one, they would have to approve everyone in that building for a larger sign. He thought they should keep it at the size allowed by the ordinance.

Mr. Meagher asked if the applicant had the dimension to the center line of the road to the building?

Applicant replied that it is 220'.

Mr. Meagher stated that there is a provision in the ordinance that if a building is 200' from the center line of the road that allows an increase in the size of the wall sign.

Applicant stated that from the curb to the building it is 120'.

Mr. Saelens commented that not only would the applicant have the wall sign but also two monument signs.

Mr. Stabile commented that he knew they did not want to keep allowing bigger signs, but this body is the Zoning Board for signs and although he thought the 120' was excessive, but he would like to work with the applicant to come up with something in between, like 80' or something.

Applicant stated that he would be supportive of that.

Mr. Joseph echoed that last comment. He thought the 42 square feet was almost silly in regard to the ability to advertise anything. He thought as they go down the elevation, there is the potential for different tenants who also might need a modification in their signage. He stated that they should allow each petitioner the chance to make their case the way this gentleman has done. He thought that 42' was just inadequate for people to be able to recognize what is in there. He stated that the applicant made a good point, he doesn't think anybody is able to go down a monument sign to see everything in a development. He thought it is difficult with many businesses on that corner to see that sign and thought the decision should be made on an individual basis. Personally, he does not have an issue with the sign being 120 square feet and also storefronts # 4, 9.5 and 1.4 which seem to be the other larger storefronts that need a much larger sign that gives a business a shot at attracting customers from the road. He remarked that he would be inclined to approve the petitioner's request for a sign at 120 square feet.

Mr. Saelens stated that in the wall sign ordinance, he saw that there is a provision that they could have a wall sign not exceeding 64 square feet. He commented that he thought that would be a compromise between the 120' and the 42'. He asked if that would be acceptable to the applicant?

Applicant replied that he would accept that. He just thought that 42' was very small.

Mr. Saelens stated that there was language in the ordinance that would allow that 64' and that way we are not creating a variance and if they allow everybody that it is at least not as obtrusive as 120'.

Mr. Stabile thought that the bank near this property a lot of landscaping in that area creates a practical difficulty for this space.

Mr. Eckenrode also thought there is a practical difficulty and he thought 42' was a little small, but he would agree with 64 square feet for the sign. He did mention to the applicant that no one really looks at constructions signs, but people will notice the monument signs on both streets. He remarked that 64' seemed to be a good compromise for the size of the sign in his opinion.

Mr. Alexie agreed that 64' would be a great compromise.

Motion by Mr. LaBelle to approve Sign #2017-61for Art Van Pure Sleep. He stated that the applicant has agreed to limit the sign to 64 square feet.

Supported by Mr. Joseph

Ayes: All

Nays: None

Motion Carried

E. SIGN REVIEW #2017-62: Ron Kahle for Art Van Pure Sleep 6500 14 Mile Rd., Warren, MI 48092. Proposed new rear elevation wall sign located at 50900 Gratiot for Art Van Pure Sleep tabled 6-27-17.

Mr. LaBelle stated that the ordinance allows a sign at the back of the building when there is a street or parking lot at the rear of the business at half the size of the allowable sign at the front of the building.

Motion by Mr. LaBelle to approve Sign #2017-62 at 32 square feet at the back of 50900 Gratiot for the Art Van Pure Sleep.

Supported by Mr. Saelens.

Ayes: All

Nays: None

Motion Carried

F. SIGN REVIEW #2017-65: Joe Dakhi 3731 Ravenswood, Marysville, MI 48040. Proposed new wall sign located at 50918 Gratiot for Jamba Juice tabled 6/27/17

Mr. LaBelle stated that the sign does now per the drawing comply to the allowable square footage, however the application is still incorrect. He stated that the applicant is allowed to have a sign at 21 square feet which he has agreed to. However, on the drawing they show the proposed front doors of the building with signage on them. He stated that at this time they are not approving any of that signage or decaling of those doors.

Motion by Mr. LaBelle to approve Sign #2017-65

Supported by Mr. Miller

Ayes: All

Nays: None

Motion Carried

- G. **SIGN REVIEW #2017-66: Joe Dakhi 3731 Ravenswood, Marysville, MI 48040. Proposed new directional signs located at 50918 Gratiot for Jamba Juice tabled 6-27-17.**

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

Motion by Mr. LaBelle to approve Sign #2017-66

Supported by Mr. Alexie

Ayes: All

Nays: None

Motion Carried

- H. **SIGN REVIEW #2017-68: Hunt Sign Company 1724 Coolidge Hwy., Berkley, MI. 48072 Proposed new subdivision entrance sign located at 30086 Pine View for Pine Crest Estates located on the south side of 24 Mile, just west of I-94.**

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

Motion by Mr. LaBelle to approve Sign #2017-68

Supported by Mr. Saelens

Ayes: All

Nays: None

Motion Carried

- I. **SIGN REVIEW #2017-69:** Hunt Sign Company 1724 Coolidge Hwy., Berkley, MI 48072 Proposed new subdivision entrance sign located at 30086 Pine View for Pine Crest Estates located on the south side of 24 Mile, just west of I-94.

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

Motion by Mr. LaBelle to approve Sign #2017-69

Supported by Mr. Saelens

Ayes: All

Nays: None

Motion Carried

- J. **SIGN REVIEW #2017-70:** Elton Topalli, 100 W. 13 Mile Madison Hgts., MI 48071 Proposed new ground sign located at 49645 Au Lac Drive for Chesterfield Lakes a Manufactured Home Community located between 22 & 23 Mile Roads on the east side of Fairchild Road.

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

Motion by Mr. LaBelle to approve Sign #2017-70

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 6/27/2017.

Supported by Mr. Saelens

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 #185: Robin Hansen, 30086 Pineview Circle, Chesterfield, MI 48051. Requesting to add a privacy fence on the south and east side of their property to match the existing privacy fence on the west side of the property for Pine Crest Estates located on the south side of 24 Mile, just west of I-94.**

Mr. Meagher stated that they were requesting fencing on the west and south property lines and it meets all the requirements of the ordinance. He stated that they have no objections to it and if the Commissioners have no objections, they were looking for a motion to approve the request.

Mr. LaBelle asked if they had to do any clean-up of the old fences?

Mr. Saelens stated that he was out on the site today and spoke to the applicant and told her the existing fence was falling down and was in disrepair. The applicant informed him that was not her fence. So he contacted Code Enforcement this afternoon and they are going out to take a look at it. The applicants are going to put up a similar fence, but hopefully they maintain the fence better than the people have at the adjacent property.

Motion by Mr. Miller to approve Administrative Request #185 Robin Hansen, 30086 Pineview Circle, Chesterfield, MI for the request to add the privacy fence at the south and west side of the property for Pine Crest Estates.

Mr. Saelens stated that he had one question for the applicant? He asked the applicant how many linear feet of fence is that?

Robin Hansen, 30086 Pineview Circle, Chesterfield, MI addressed the board.

Applicant replied approximately 2500 feet of fencing.

Mr. Saelens commented that was a great investment in that area and they appreciate it.

Supported by Mr. LaBelle

Ayes: All

Nays: None

Motion Carried

B. ADMINISTRATIVE REQUEST #186: Rodney Wekkin for Menard, Inc. 5101 Menard Drive, Eau Claire, WI 54703. Request is for alterations to exterior and special order area for the Chesterfield Menards located at 45500 Market Place Blvd.

Mr. Meagher stated that Menards was basically asking for an alteration to the exterior and special order area. He explained that they took a look at this plan and thought it had already been approved in the past. He stated that all the changes meet the ordinance requirements and they have no objections to the approval.

Mr. Palin stated he pulled the file and there was an expansion to the storage area that was approved but this was beyond the scope of the original approval.

Motion by Mr. LaBelle to approve Administrative Request #186 for alterations to the exterior and special order area for the Chesterfield Menards located at 45500 Market Place Boulevard. He added that the applicant has a copy of the AEW report.

Supported by Mr. Stabile

Ayes: All

Nays: None

Motion Carried

C. ADMINISTRATIVE REQUEST #187: Henry Ford Health System, One Ford Place, Suite #4-A, Detroit, MI 48202 Request is for the installation of an Oxygen tank and related equipment set on a concrete pad enclosed with a fence at the northwest of the building located at 30795 23 Mile Road for the Chesterfield Henry Ford Wound Care Project

Mr. Meagher stated that the last one is an Administrative Request for Henry Ford Health Systems. He remarked that they have really done a great job at that site by maintaining it and paying great attention to details. He stated looking at the drawing he thought it was an excellent location for the placement of the oxygen tank to keep it from the view of the general public. He added that it meets all the requirements of the ordinance and they have no objections.

7-11-2017

Mr. LaBelle stated that he had a question for Mr. Monte?

John Monte, Project Control Engineering, addressed the board.

Mr. LaBelle stated that the drawing shows a solid masonry wall up against the building with a chain-link fence on the other two sides. He asked if there was a reason for that?

Applicant replied that it was just a shielding or fire-rated wall that they want on one side.

Mr. Saelens asked if there was any reason it would not be brick faced?

Applicant replied no.

Mr. Saelens stated that it would be nice if the wall matched the existing building.

Applicant stated that they would do that if that was the board's desire.

Mr. Saelens asked if it would be visible from 23 Mile Road?

Applicant replied no. He thought it was just going to match the wall of the dumpster enclosure.

Mr. Miller asked if there was any reason it could not be made of brick instead?

Applicant replied no there is not.

Mr. LaBelle asked if they would still get their two-hour rating with the masonry brick?

Applicant replied that he thought they could.

Mr. Joseph asked if there were any concern regarding cost?

Applicant replied not that he knew of.

Motion by Mr. LaBelle to approve Administrative Request # 187 Henry Ford Health System for the installation of an Oxygen tank and related equipment set on a concrete pad enclosed with a fence at the northwest of the building located at 30795 23 Mile Road. The applicant has agreed to make the concrete portion of the structure the same/similar to the rest of the building.

Supported by Mr. Miller

Ayes: All

Nays: None

Motion Carried

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

Mr. Saelens commented about the rezoning request. He stated that even though they did not approve the rezoning, the applicants will still be able to develop that property. He commented that when there are a number of people in the area that are opposed to the development he thought it was right to have the developer follow the ordinances.

Mr. LaBelle asked for volunteers for the next Pre-Planning meeting on July 25th?

Mr. Miller stated that Mr. Leonard mentioned he would be available to attend that meeting.

Mr. Saelens also agreed to attend Pre-Planning.

13. PROPOSALS FOR NEXT AGENDA.

There were no proposals for the next agenda.

14. ADJOURNMENT

Motion by Mr. Miller to adjourn at 7:44 PM

Supported by Mr. Saelens

Ayes: All

Nays: None

Motion Carried

Rick LaBelle, Secretary

Grace Mastronardi, Recording Secretary