

CHARTER TOWNSHIP OF COMMERCE
Joint Meeting
DOWNTOWN DEVELOPMENT AUTHORITY
And
PLANNING COMMISSION

Tuesday, February 18, 2003, 12:00 p.m.
Commerce Township Hall
2840 Fisher Ave. Commerce Twp, MI 48390
(248) 624-0110

CALL TO ORDER: The DDA Meeting was called to order by Chairperson Shimmin at 12:30 p.m.

DOWNTOWN DEVELOPMENT AUTHORITY PRESENT:

Wynn Berry, Director
Robert Shimmin, Chairperson
Daniel Lublin, Member
Thomas K. Zoner, Member
Jim Gotts, Member
Sandra Motz, Member
Frank Marotta, Vice Chairperson
Robert H. Long, DDA Member

ABSENT: Norm Levine, DDA Member
Dick Morris, DDA Member
Paul Kirkwood, Member

CALL TO ORDER: The Planning Commission Meeting was called to Order by Chairperson Holmes at 12:30 p.m.

PLANNING COMMISSION PRESENT:

Dan Munro, Township Trustee
Bob McGee, Planning Commission
Connie Holmes, Planning Commission Chair
Mirja Hoeft, Planning Commission
Tom Jones, Planning Commission

ABSENT: Douglas Lanni
George Pachinco

ALSO PRESENT: Deb Kirkwood, DDA Administrative Assistant
Phillip Adkison, Adkison, Need
Jay James, Giffels, Webster
Thomas Rauch, DDA Attorney
Pat Paruch, DDA Attorney
Loren Crandell, Giffels Webster
Sandra S. Abrams, Township Clerk/DDA Secretary
Matthew Schwantz, Giffels Webster
Megan Masson, McKenna & Association
Harold Stillberg, Developer

Megan Masson of McKenna Association gave a presentation on M5/Golf Course Area Land Use Proposed Master Plan Map Input was requested to proceed with the development of the Master Plan.

After accepting comment from both the DDA and the Planning Commission members Ms. Masson did a brief summary of the concept as expressed by the members of both the DDA and the PC present. These ideas and input will be incorporated into the proposed Master Plan for presentation to the Planning Commission.

MOTION by Hoeft, second by Munro for the Planning Commission to take a short recess. Motion carried. Meeting recessed at 1:45 p.m.

MOTION by Zoner, second by Lublin for the DDA to take a short recess. Motion carried. Meeting recessed at 1:45 p.m.

Both meetings reconvened at 1:50 p.m. as follows:

DDA reconvened their meeting and entered into Executive Session (see continuation of DDA meeting below)

Planning Commission convened a separate Planning Commission meeting to hear the following cases:

SP03-25-03 COMMERCE MARKET PLACE

ICON Development Co. of West Bloomfield MI is requesting site plan approval to construct a retail shopping center located on an outlot at Meijer's on Haggerty Road. Sidwell No.: 17-25-476-003.

Sam Spencer and Dave Smith were present. Constance Guest, Planning Director reviewed the case. Phil Adkison, Township Attorney discussed protocol to change Meijer's site. The Planning Commission was pleased with the site plan but wants verification on the landscape calculations for Meijer. The petitioner was granted a split. Phil Adkison recommends that we receive verification that Meijer gave permission to change their site plan.

MOTION by Munro, supported by Hoeft to approve Commerce Market Place, SP03-25-03 located on Sidwell No.: 17-25-426-013 for the reasons that the information submitted by the applicant and presented to the Planning Commission demonstrates that the proposed Site Plan meets all requirements and standards of the Commerce Township Zoning Ordinance. This is subject to compliance with the Engineers letter, Fire Chiefs recommendations and the Planning Director's report and with verification of landscaping compliance for the Meijer site after the new parcel is subtracted and that the Township receive a copy of the Meijer agreement to change their site plan.

MOTION CARRIED UNANIMOUSLY

SP03-36-05 LOWE'S – TABLED FROM FEBRUARY 10, 2003

Lowe's Companies Inc. of Naperville IL is requesting site plan approval to construct a Lowe's located at 155 Haggerty Road. Sidwell No.: 17-36-400-014

Evan Vlaeminck, Lowes; Rick Rattner, Attorney for Lowes; Troy Paionk and Lawrence McNally with Atwell-Hicks were present.

MOTION by Jones, supported by Hoeft to remove SP03-36-05 from the Table.

MOTION CARRIED UNANIMOUSLY

Constance Guest gave a review of the case, explaining that it was tabled due to the parking variance. Phil Adkison stated that they can ask for a parking variance. The Planning Commission discussed sending cases to the Zoning Board prior to site plan approval. Connie Guest explained that Lowe's would be compliant when the parking ordinance is revised and adopted which will be happening very soon.

Lowe's representative and Atwell-Hicks reviewed the site plan. They still may need a variance for the signage.

BOARD DISCUSSION:

- Holmes: Asked about building material type. Lowe's agreed to add brick and façade improvements on the north and east sides that meets the director and chairperson's approval.
- McGee: questioned access drives and safety concerns. Lowe's agreed to add stop signs around the garden center.
- The Planning Commission asked about outdoor display areas and liked them as shown
- Hoeft: asked about wetland mitigation. Troy Paionk, Atwell-Hicks explained that they are replacing any impacted areas and that is all required by the Michigan Department of Environmental Quality Permit. Troy further stated that Lowes building is smaller than Kmart and is farther away from the wetlands.
- They discussed the roads and Troy stated there will be a right turn lane at Fourteen Mile and Haggerty, although it will not go in front of Newberry Square. There is no shared drive connecting the Newberry Square but Lowes will leave a stub for possible future connection.
- Jones: asked about snow removal areas, there will be room on both sides.

MOTION by Hoeft, supported by Munro to approve Lowes SP03-36-05 located at 155 Haggerty Road Sidwell No.: 17-36-400-014 for the reason that the information submitted by the applicant and presented to the Planning Commission demonstrates that the proposed Site Plan meets all requirements and standards of the Commerce Township Zoning Ordinance. This is subject to all the conditions listed in the Planning Director's report with a submittal of the design building material for the Director and Chairperson to approve, the Road Commission for Oakland County letter approving a right turn lane at 14 Mile, stub street to Newberry Square Plaza and proper stops signs added near the garden center.

MOTION CARRIED UNANIMOUSLY

The Planning Commission discussed disappointment that the DDA left before the PUD Ordinance review. They thought this was suppose to be a work shop meeting and not for a DDA closed session meeting. The Planning Commission requested a letter be sent to the DDA expressing their disappointment in not doing what was listed on the agenda – Master Plan and the PUD. They also stated that the DDA did not articulate many comments when asked. The Planning Commission stated they are going forward with the PUD Ordinance with or without DDA comments.

John Jackson with McKenna & Associates will review the PUD Ordinance another day. Mike Ryan a Township citizen was in attendance to listen regarding the PUD review that they never got to review.

Planning Commission adjourned after hearing all cases scheduled
MOTION by Hoeft, second by Munro, to adjourn. Motion carried. Meeting adjourned at 4:40 p.m.

Continuation of DDA meeting as follows:

MOTION by Gotts, second by Lublin for the DDA to enter into executive session for the purpose of the discussion of the purchase of property.

ROLL CALL VOTE OF DDA:

AYES: Zoner, Motz, Gotts, Long, Marotta Lublin, Shimmin

NAYS: None

ABSENT: Morris, Kirkwood, Levine

MOTION CARRIED UNANIMOUSLY

DDA Entered into Executive Session at 1:50 p.m.

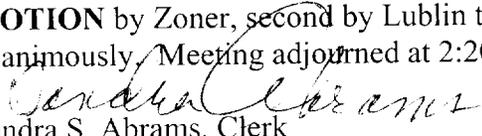
Re-entered Regular Session at 2:10 p.m.

MOTION by Gotts, second by Marotta, to authorize the DDA Director and DDA Chairperson the ability to incur professional fees pertaining to properties within the DDA District not to exceed \$20,000.

MOTION CARRIED UNANIMOUSLY

An update was given by the DDA Attorney Tom Rauch relative to notices posted and published relative to the expansion of the DDA area. A Citizens District Council is necessary and will be appointed by the Township Board. The Council is to consist of at least nine residents in the DDA Area.

MOTION by Zoner, second by Lublin to adjourn the DDA meeting. Motion carried unanimously. Meeting adjourned at 2:20 p.m.


Sandra S. Abrams, Clerk
Charter Township of Commerce