

To: Commerce Township Board of Trustees

From: Commerce Township Planning Department
David Campbell, AICP – Planning Director

Date: September 8, 2021

RE: September 2021 Monthly Planning Department Report
(covering August 4, 2021 through September 7, 2021)



Project updates

- **Union Lake Road closure at Wise Road** – Union Lake Road at Wise Road was re-opened by the RCOC on August 27. The road was closed on August 2 to replace the culvert/lake level control structure under Union Lake Road just south of Wise Road. Sometime thereafter, it was discovered by the RCOC and their general contractor that AT&T's underground lines had been relocated to the wrong location and were in the path of where the RCOC would be driving in new sheetpile along the westerly edge of Union Lake. After considering their options, RCOC decided to postpone the project to 2022. Unfortunately, the traffic signal at the intersection had already been discarded (it was going to be replaced with an upgraded signal as part of the project), and the RCOC had to scramble to acquire and install a new signal on short notice.
- **Bay Pointe on the Lake (Bay Pointe golf course)** - Windham Development continues to pursue the purchase and redevelopment of the Bay Pointe golf course at the corner of Richardson and Union Lake Roads with a new single-family development. The project's layout continues to evolve; the developer has heard preliminary concerns from the Township regarding the number of new homes being proposed along with the impacts of the new traffic those homes would generate. The development team meets regularly with the staff of the Planning Department, as well as members of the Planning Commission and the Township Board.
- **Caden's Corner (NW corner of Loon Lake and Benstein)** – The prospective buyers of a 5-acre property at the northwest corner of Loon Lake and Benstein Roads propose to develop it with a residential subdivision plat of 10 new single family lots. During their meeting on July 12, the Planning Commission recommended the Township Board deny the Tentative Preliminary Plat. The PC's recommendation was based primarily on the prospect of the new homes taking their driveway access from the existing public roads of Benstein and Loon Lake Roads, rather than extending the existing Lee Wood Ridge Drive through the subject property. Despite the negative recommendation from the PC, the development team intends to proceed to the Township Board to seek approval of the Tentative Preliminary Plat during the Board's September 14th meeting.
- **Midtown on Haggerty** – The PUD Agreement for the Midtown on Haggerty PUD was approved by the Township Board at their meeting on June 8. The developers have submitted their PUD site plan consistent with the Development Plan that was included as an exhibit to the PUD Agreement. The developers (Steve and Spencer Schafer) are proposing to build three new multi-tenant retail buildings totaling about 21,000 sq ft

along the property's Haggerty Road frontage, with 187 premium apartments within 9 buildings on the westerly portion of the property along with a community clubhouse and pool. The PUD site plan is scheduled for consideration by the Planning Commission during their meeting on September 13. If approved, the PC's Sept. 13 meeting would be the last of many evening meetings at Township Hall for the project. Midtown on Haggerty's retail portion will likely include a Chipotle, which means Nate from Facebook will have to antagonize social media with something else (I heard social media is easily antagonized).

- **The Reserve at Crystal Lake** – The developers of The Reserve at Crystal Lake (Andy Milia and friends) have submitted their PUD condominium site plan for consideration by the Planning Commission during their meeting on September 13. The PUD condominium site plan appears to comply with the parameters of the PUD Agreement and Development Plan, including complying with the requirements for building materials (brick, stone, fiber-cement siding, etc.) on each home. If approved, the PC's Sept. 13 meeting would be the last of many evening meetings at Township Hall for the project. There are still more meetings to be held with Oakland County and the State of Michigan on the project's approval for financing through the State's Brownfield Redevelopment Financing Act.
- **BP gas station liquor license (47100 N. Pontiac Trail)** – The new owners of the BP gas station at the northeast corner of Beck and Pontiac Trail have applied to the Michigan Liquor Control Commission and to Commerce Township for approval of a Specially Designated Merchant (SDM) license to sell packaged beer and wine inside the store. The Township requires approval of a special land use for any new off-premises alcohol sales outlet (OPASO), or an expansion to an existing OPASO. The criteria for special land use approval include spacing standards from existing OPASO's, from certain land uses (schools, parks, places of worship, etc.), and from residential zoning districts for stores open past 9pm. The applicants are aware the location does not meet the spacing criteria given the number of existing OPASO's in close proximity to the intersection of Beck and Pontiac Trail.

Zoning Ordinance & Zoning Map Amendments

- **Log Cabin rezoning** – Commerce Township proposes to rezone two Township-owned parcels consisting of a combined 3.5 acres from PRD (Public Recreation District) to R-1B (One Family Residential) located at 740 Glengary Road, and the vacant parcel adjacent to the west. The rezoning is scheduled for a public hearing at the September 13 Planning Commission meeting for a recommendation to the Township Board. These properties border the Village of Wolverine Lake and will therefore require a review with the Oakland County Coordinating Zoning Committee. The Township Board intends to combine the two properties and sell the combined property for development of up to four single-family homes (including the existing home at 740 Glengary, which the future owner could either occupy or demolish & rebuild). The properties would have to be zoned R-1B for new homes to be a permitted use. The properties were zoned R-1B until 2005, when they were rezoned to PRD along with Hickory Glen Park.
- **Article 6, Permitted Yard Encroachments** – The Planning Commission held a public hearing on August 2, 2021 for a proposed text amendment for Article 6 – Permitted Yard Encroachments that would clarify allowances for encroachment into the lakeside

required front yard for a porch, terrace, patio or deck of up to 30 inches in height. The Zoning Ordinance was unclear on whether those allowable encroachments could be covered with a permanent roof, with the concern being a permanent cover would have the potential to impede the lake's viewshed for neighboring property owners. The Planning Commission unanimously (5-0, 2 excused absences) recommended approval of the text amendment at the August 2 meeting, so the amendment will be scheduled for the Township Board's consideration of adoption during their September 14 meeting.

- **Country Hills map amendment** - In 2006 a conditional rezoning was approved for an expansion of the Country Hills site condominium upon three parcels of land located north of the intersection of Wixom Road and Glengary Road, bookending either side of the existing Country Hills neighborhood. The conditional rezoning amended the zoning classification of the three properties from R-1A (Large Lot One Family Residential) to R-1B (One Family Residential). The development was never completed and the 15-year term of the conditional rezoning agreement expired in July 2021. Per Sec. 36.07 of the Township's Zoning Ordinance, the properties revert back to their original zoning of R-1A with a proposed map amendment which is scheduled for a public hearing at the September 13 Planning Commission meeting for a recommendation to the Township Board for their consideration at their September 14 meeting.

Zoning Board of Appeals (ZBA)

The ZBA's September 23rd meeting is expected to include the following:

- A tabled item at 4181 Lake Pointe Lane to be removed from the table to review a revised site plan for a request for a roadside front yard setback variance to construct a new home.
- A request for a variance to allow an accessory structure (deck) to remain along the canal side front yard and encroach into the minimum required front yard setback located at 4371 Bluebird.
- Rusty Rosman and Clarence Mills perform the "You can't handle the truth!" scene from A Few Good Men.
- A request for a dimensional variance to construct an accessory structure on a through lot (a lot with two opposing parallel streets) on both Thorndale and Dryman Street that will encroach into the required rear yard setback; in this case the rear yard is determined to be on Dryman Street and to allow access to that structure from Dryman Street located at 1854 Thorndale.

Planning Commission

The Planning Commission's regular meeting of September 13, 2021 will include the following (not necessarily in this order):

- A presentation of a resolution in honor of Tom Jones, a longtime Planning Commission member who stepped down in July of 2020 after 22 years of dedicated service.
- A request for a Special Land Use from the existing BP Gas Station for approval to add a SDM License to allow off-premise alcohol sales (beer & wine) located at 47100 N. Pontiac Trail (discussed above).

- An amendment to the Zoning Map to rezone two Township-owned parcels of a combined 3.5 acres from PRD (Public Recreation District) to R-1B (One Family Residential) located at 740 Glengary and the vacant parcel adjacent to the west (discussed above).
- An amendment to the Zoning Map to revert the zoning classification of three properties from R-1B (One Family Residential) to R-1A (Large Lot One Family Residential) due to an expiration of a conditional rezoning agreement from 2006 located north of the intersection of Wixom Road and Glengary Road, adjacent to the Country Hills neighborhood (discussed above).
- A request for PUD condominium site plan approval for a 203-unit single-family residential development located on the north side of Sleeth Road on the westernmost of the three properties commonly known as the Sleeth Road gravel pits. The PUD Agreement was approved in February 2021 (discussed above).
- Omelet bar
- A request for site plan approval for a multiple-family residential & commercial mixed use PUD along the west side of Haggerty north of 14 Mile Road upon 25-acres, consisting of 187 residential units with a community clubhouse and three retail buildings (expected to include a Chipotle) totaling approximately 21,000 square feet. The PUD Agreement was approved in June 2021.

M-5 non-motorized bridge

The Michigan Department of Transportation (MDOT) tells the Township that the attorneys for the subcontractor responsible for the repair & re-installation of the blue wave panels and the Attorney General's office are discussing the cost for re-installation. How those discussions are resolved, and when the panels would be re-installed, remains an unknown. The bridge now has an internet connection that will provide data for cloud-based security cameras that will be installed soon. Once the cameras are live, Building Official Jay James will finally be able to provide video proof of his claimed ability to traverse the span of the bridge in 75 summersaults.