

**CHARTER TOWNSHIP OF COMMERCE  
PLANNING COMMISSION MEETING**

Monday, August 7, 2017  
2009 Township Drive  
Commerce Township, Michigan 48390

**A. CALL TO ORDER:** Chairperson Haber, called the meeting to order at 7:00pm.

**ROLL CALL:** Present:

Larry Haber, Chairperson  
Tom Jones, Vice Chairperson  
Brian Winkler, Secretary  
Bill McKeever  
Jay Czarnecki  
John Hindo

Also Present:

Russ Schinzing  
Dave Campbell, Township Planning Director  
Jay James, Engineer/Building Inspector  
Jason Mayer, Township Engineer  
Mark Stacey, DDA Director

**B. APPROVAL OF AGENDA**

**MOTION** by Jones, supported by Czarnecki, to approve the Planning Commission Regular Meeting Agenda of August 7, 2017, as presented.

**MOTION CARRIED UNANIMOUSLY**

**C. APPROVAL OF MINUTES**

**MOTION** by Jones, supported by Czarnecki, to approve the Planning Commission Regular Meeting Minutes of July 10, 2017, as presented.

**MOTION CARRIED UNANIMOUSLY**

**D. UPDATE OF ACTIVITIES**

Bill McKeever – Zoning Board of Appeals

- Nothing to report; we had no agenda.

John Hindo – Township Board of Trustees

- The Township Board meets tomorrow night.
- The Clark gas station is before the Board tomorrow. We heard that here last month. That's one of the major items.
- The Board will also look at some information with our attorneys regarding the Michigan Medical Marijuana laws to get input and feedback from the members.

Brian Winkler – Downtown Development Authority

- We had a DDA Meeting on July 18th.
- The DDA renewed the letter of credit with PNC Bank for the bonds.
- The sidewalks in the DDA area, along Martin Parkway, were completed \$42,000 under budget.

Jay James – Building Department

- Residential is still going strong. A couple new subdivisions are getting started that were mothballed since the economy issues.

- A couple of bigger commercial projects are progressing. First & Main/Granger is hoping to open October 1st.
- Zerbo's is coming along slowly. They're hoping to open April 2018.

Director Stacey - Jim Galbraith is starting construction of the underground sewer connection at his Barrington project. You'll see increased activity with that.

#### **E. PUBLIC DISCUSSION OF MATTERS NOT ON THE AGENDA**

Dave Campbell, Planning Director - In our crowd tonight is Christian Carroll. He has been an intern with the Planning Department this summer. He is entering his senior year at Grand Valley. He will leave us soon because he's also in the marching band and they're getting ready for the football season.

Christian is majoring in Planning and GIS, Geographic Information Systems. He's from the area and lives in White Lake Township, but he knows Commerce Township well. He has been a great asset for us this summer. One of the things he was required to do as part of his internship was to subject himself to a Planning Commission meeting and tonight was his last opportunity to do so.

Chairperson Haber - Chris, thank you for helping out. You had a good mentor.

Christian Carroll - That's for sure.

#### **F. TABLED ITEMS**

Dave Campbell gave a brief review on the status of the tabled items for Clark.

**ITEM F1: PSU17-001 – CLARK GAS STATION – SPECIAL LAND USE – TABLED FROM 5-1-17 - REMAIN TABLED**

**ITEM F2: PSP17-0002 – CLARK GAS STATION – SITE PLAN - TABLED FROM 5-1-17 - REMAIN TABLED**

#### **G. OLD BUSINESS**

##### **ITEM G1: PSP17-0006 – COMMERCE COMFORT CARE**

Comfort Care Senior Living LLC of Saginaw MI is requesting approval of the elevations for the approved senior living facility located east off of Decker, north of 14 Mile Road. Sidwell No.: 17-35-400-044

David Campbell, Planning Director, gave a review of the proposed amendment to the Consent Judgment, which dictates what can be done on this land. The amendment would allow for an assisted living facility. At the June 19th special Planning Commission meeting, a recommendation for approval was made subject to conditions, one of which was that the building materials and architecture be upgraded and brought back for review. In addition, the applicant massaged their floor plan and found the opportunity to add four additional units to the facility, from 89 to 93 units. Another condition of the recommendation was that all units be single occupancy. Of the 93 now

proposed, 12 of them are double occupancy units. The Township Board will consider the proposed amendment tomorrow night.

The revised building elevations were reviewed. There was concern with regard to the EIFS. The developer replaced the materials with increased brick and stone veneer on the west and south sides of the building, facing Decker Road and 14 Mile Road. Along the north and east sides of the building, facing the residential development, the predominant material on those elevations is a composite lap siding, HardiBoard, supplemented by stone accents.

The Project Manager, Scott Bell, Lapham Associates, 116 South 3rd Street, West Branch, MI, was present along with the Applicant, Shahan Sikander, 9140 Gratiot Rd, Saginaw, MI.

Scott Bell - Dave summarized this well. The floor plan has been massaged slightly, which increased the square footage to accommodate the additional rooms, but it's very minimal. Most of that came out of the common areas, and from rearranging and reconfiguring rooms. Changes were on the interior courtyard primarily. The exterior footprint has not increased.

The building elevations are in the packet to show the different types of materials proposed. The façade was totally changed along Decker Road to masonry materials. Samples are available here for the brick and stone veneer.

Chairperson Haber - Thank you for doing what you're doing. However, I have one issue. The plans are too small and hard to read.

Dave Campbell - You can blame me to some degree on that. In an effort to save trees, we thought since this was the second time you've seen it, we could put it on 11x17.

Shahan Sikander - In speaking to the increase in the number of units; we managed to improve and increase from 89 to 93 units. I have a letter from the architect that I will pass out. We moved some rooms around; notably, the employee break room from the north section, and the offices and mechanical room from the south section were all moved to the middle section of the building. We managed to add a couple residential rooms where those common rooms used to be. As a result, the courtyard did become a little bit smaller, but the exterior of the building outline remained the same.

Scott Bell - I apologize. That architect letter was just drafted this afternoon so we weren't able to get that to you ahead of time.

**Commission Comments:**

Chairperson Haber - I think you've addressed most of the significant issues we addressed last time. This is something that Commerce Township can be proud of. It looks much nicer and more homey. I appreciate your effort.

Winkler - I think the petitioner has done a great job of addressing our comments.

Schinzing - I'm okay.

Jones - Of the 12 units that are now going to be memory care, at one point in time you had to meet a certain minimum square footage. What is that square footage that you had to meet? What is the minimum?

Shahan Sikander - The square footage is about 580 for double occupancy units. Is that what you were asking about?

Scott Bell - He's asking about memory care, which we didn't make any changes to.

Jones - The two-bed units?

Scott Bell - Those are in the main building, the double occupancy rooms.

Jones - Okay, before we had 89 one-bedroom. Now, we have 12 two-bedroom. What was the minimum square footage that you had to meet to have a two-bedroom?

Dave Campbell - Per the Zoning Ordinance, the minimum square footage for a two-bedroom unit in an assisted living facility is 600 square feet.

Jones - So they're all over 600 square feet?

Scott Bell - That I can't answer. There aren't specific dimensions on here. The architect just finished this plan up. I presume that they've met the requirements.

Shahan Sikander - All of our units are to be single occupancy units. We're not looking to house double occupancy units. These rooms are based off our older model and henceforth, they have been labeled as two-bedroom units, which we have used as such previously in other buildings.

Chairperson Haber - Dave, what is the minimum on singles?

Dave Campbell - I want to say it's 550, but I will look it up and confirm.

Chairperson Haber - If we approve this tonight, it's going to conform. There won't be any doubles. There will only be singles.

Shahan Sikander - They are structured as two-bedroom units, but they're going to be single occupancy.

Czarnecki - No comments.

Hindo - No comments.

McKeever - I'm still confused about the square footage. The minimum size of a two-bedroom is ...

Dave Campbell - Article 26 of the Zoning Ordinance shows the two-bedroom unit minimum is 600 square feet, and the one-bedroom minimum is 425 square feet. I'm hearing that they don't propose two-bedroom units at this time. If ever there was a thought to convert any units to two-bed units, they would have to be a minimum of 600 square feet.

McKeever - In the plan presented, we are being asked to approved 12 two-bedroom units.

Dave Campbell - That was the plan that was provided to me and to the Commissioners. What I'm now hearing tonight is that they don't intend to have two-bedroom units.

McKeever - So there will be 93 single-bed units?

Dave Campbell - That is my understanding, but I want to hear that directly from the developer.

Scott Bell - Yes, that is correct.

Shahan Sikander - Yes.

Jones - We need that in writing. This drawing needs to be ...

Schinzing - Or they show that these which are listed as two-bedroom meet the 600 square feet. If they make them one-bedroom, that's their prerogative.

McKeever - They can't keep coming up with additional square footage without changing the site plan significantly. They've come up with additional few thousand square feet and four additional units and the site plan is slowly changing. We are not furnished with a site plan to approve.

Scott Bell - The building footprint hasn't changed from the original site plan, other than the interior courtyard has gotten a little smaller. The two-bedroom units as labeled are two-room units - they're going to be single occupancy. The additional room will become a separate studio or craft room, whatever it might be, but it will not be used as a bedroom.

Dave Campbell - For everyone's benefit, we want to nail this down here tonight. All of this will be part of a Consent Judgment that potentially goes before the Township Board tomorrow night. The Board may or may not approve it tomorrow night, but if that Consent Judgment is going to include language of the number of units, the square footage of the units, and whether they are single or double occupancy units, I think we all want to agree here tonight what those numbers are, and I want that to be included in a motion.

What I have in front of you tonight is a recommended motion. I passed that out this evening, but I was thinking that they wanted to have 12 two-bed units. It sounds like

they are not looking at the two-bed units because they don't have 600 square feet in those two-bed units.

Chairperson Haber - Let's get this straightened out.

Schinzing - They don't know what square footage they have because it's not on the plan.

Chairperson Haber - Well we're going to tell them.

Dave Campbell - I have not seen a plan where they show the square footage of every room.

Scott Bell - Right, not of the individual rooms, no.

Czarnecki - Can we just say 93 single units?

Dave Campbell - I think that's pretty straightforward. I want to know that the applicant is agreeable to that.

Chairperson Haber - It's going to be 93 single units at 425.

Dave Campbell - A minimum of 425 square feet.

Jones - That should be added to the proposed motion.

Dave Campbell - I don't think that will be an issue. If you look at the rough dimensions of each room, I think they're all at least 500 square feet.

Shahan Sikander - Yes.

Dave Campbell - I don't think they'll have any problem meeting the minimum for a one-bedroom unit. They're not going to be able to meet the minimum for a two-bed unit.

Discussion continued regarding the motion language, the minimum square footages required by the Zoning Ordinance, references to studios in the plans, and specifying single occupancy units.

Scott Bell - We are in agreement. They will all be single-occupancy. As to the type of units, the studio doesn't have a separate room for a bedroom. The one-bedroom has a separate room for a bedroom; a dividing wall that segregates the bedroom from the living area. The two-bedrooms similarly have two rooms, in addition to an open living area. That is the difference. In fact we have a one-bed deluxe which is just a little bigger and they have patios that front on the courtyard.

Dave Campbell - The language you would be approving will be 93 single-occupancy units which have to meet the minimum square footage of the Zoning Ordinance;

whether they are efficiency, studio or single-bed units, they have to meet the minimum requirements. I think they already meet the minimums.

Chairperson Haber - No double-occupancy.

Dave Campbell - Right, I put in there single-occupancy units.

Shahan Sikander brought up the square footages on the overhead for review. Dave Campbell reiterated that they have to meet the minimum square footages of the Zoning Ordinance.

Schinzing - Dave, will you check those numbers?

Dave Campbell - Yes, when they submit a revised site plan that meets all the conditions of approval, presumably after they get their Consent Judgment approved by the Township Board, then part of my job would be to verify that all 93 units meet the minimums.

Chairperson Haber - Will you report back to us on that?

Dave Campbell - Sure.

**MOTION** by Jones, supported by Czarnecki, that the Planning Commission recommends approval, **with conditions and revisions**, to the Commerce Township Board of Trustees, of Item PSP17-0006, the request by Comfort Care Senior Living LLC of Saginaw MI is for approval of the elevations for the approved senior living facility located east off of Decker, north of 14 Mile Road. Sidwell No.: 17-35-400-044 Move to recommend the Township Board amend the Consent Judgment for the property at the northeast corner of 14 Mile Road and Decker Road to allow approximately 6.1 acres of that property to be developed with the Comfort Care senior living facility, PSP#17-0006.

**The Planning Commission's recommendation is conditional upon the same conditions of our formal recommendation from June 19, 2017, with the following revisions:**

1. The revised building elevations submitted to the Planning Commission on August 7, 2017 are satisfactory to the Planning Commission and should be included as exhibits to the amended Consent Judgment (remove June 19 conditions #2e and #10);
2. The change in the floor plan to accommodate 93 single-occupancy units is acceptable as long as all units meet the minimum floor area requirements of Section 26.110 of the Commerce Township Zoning Ordinance (revise June 19 conditions #1 and #12).

Discussion -

McKeever - Do we need to reference any specific site plan?

Campbell - You've referenced the site plan number, and you've referenced the June 19th site plan. That I feel is sufficient. All those conditions that were included in your

motion back on June 19th still apply, other than the ones that apply specifically to building materials and to the number of units. **MOTION CARRIED UNANIMOUSLY**

## **H. SCHEDULED PUBLIC HEARINGS:**

### **ITEM H1: PZ17-0004 – VISIONARY DEVELOPMENT – REZONING**

Visionary Development LLC of Commerce MI is requesting a rezoning of two parcels of land consisting of 8.3 acres from TLM (Technology Light Manufacturing) to TLM (Technology Light Manufacturing) with the HRC (Haggerty Road Corridor) Overlay located south of Oakley Park Road, just east of the Martin Parkway.  
Sidwell No.'s: 17-24-201-008 & 17-24-201-009

David Campbell, Planning Director, gave a review of the proposal to develop a restaurant, banquet center and office building. TLM zoning does not permit the use as proposed. The HRC, if extended to these adjacent, vacant sites, would permit the restaurant/banquet center use, but would require them to develop at the higher standards of the Overlay requirements. The petitioners have chosen the route of straight rezoning as opposed to Conditional Rezoning, which would have offered a contract, including a promise for a specific use to be developed. Therefore, if rezoned under this request, there is no guarantee that they will develop it as presented, and any use permitted in the HRC could be developed on the site. Mr. Campbell added that although he has no reason to think that the petitioners have that intent, the Planning Commission has to make this decision assuming that the petitioners may develop this in another way, or they could sell it.

Brian Tominna, 1781 Applebrook Dr, Commerce Township, was present along with Lee Mamola, OHM Advisors, Architects for the project, 34000 Plymouth Rd, Livonia.

Lee Mamola - I believe you have the rationale as to why we believe this rezoning would make sense for your land use patterns. It would be a benefit to the other users in the HRC district, as well as the TLM district. We'd like to add that, should the Commission feel it's necessary to add a restriction that only the uses we are proposing be a part of this, we'd certainly have no objection to that if it's appropriate at this time.

Chairperson Haber - It would be very appropriate.

Lee Mamola - Mr. Tominna has every intention of proceeding.

Brian Tominna - I have nothing to add. Thank you.

Chairperson Haber - Brian, I am personally very concerned with changing this because you didn't request a Conditional Rezoning. I would have preferred that route so that we know exactly what will be built. I'm kind of excited about this, but I don't want to see the development change from what's proposed here.

Dave, they've offered to guarantee they will build as proposed. This is probably a legal situation.

Dave Campbell - It is and I don't want to give legal advice, and you wouldn't want to listen to it if I did. Even if the applicant were to offer that condition and do it in good faith, I don't know how legally binding it would be. I think if I asked the Township Attorney, "Is that legally binding?", he would say, "No. What's legally binding is a Conditional Rezoning agreement and that's why we offer conditional rezoning as an option."

It couldn't hurt to include that in the motion, and to have something in writing from the applicant, but I would have to ask the attorney.

I stress that I don't see a scenario where the applicant would have taken the process to the point that he has if he had any other intentions than to develop the concept plan that we saw in July.

Chairperson Haber - I totally agree with you. They seem like nice people and that's fine, but unless it's written down, it's not. Can this convert to a Conditional Rezoning?

Dave Campbell - You have an application in front of you and all requirements have been met. They could request to be tabled and then amend their petition to a Conditional Rezoning; but keep in mind that is a different process with a different approval track and it would require we go back to that starting line.

Chairperson Haber - If we approve this, can we approve on the advice of counsel if they agree with the conditions? I hate to see them get tied up.

Dave Campbell - If you wanted to say, "Subject to written assurance from the application that they have every intent to build this development as proposed, subject to review by the Township Attorney," you could try that way, but I can already hear what the Attorney will say.

Jones - On Page 6 of your motion, 4th line, it says, "This motion is made in good faith of the petitioners stated intent to develop." I'd like to change that to, "This motion requires the petitioners to develop the site with the restaurant and banquet center.

Chairperson Haber - Brian has already agreed to that.

Dave Campbell - We're well within our rights to have the discussion, but I don't think we should craft any motion language until we fulfill our obligation to hold the public hearing.

Schinzing - I don't want them to have to go that way anyway because the attorney says no.

Dave Campbell - And it's not my intent to sway your opinion one way or another. Keep in mind this is not a rezoning from one district to another per se. They are looking to extend the Overlay District. The base TLM zoning will still be in place, and as I've alluded to, the Overlay allows additional land uses above and beyond the TLM, so long as those uses are developed at that higher standard of the HRC requirements. I wouldn't call it a wholesale rezoning to a more intensive district.

Chairperson Haber - But once we do this, it's final.

Dave Campbell - It's final when the Township Board approves it, but essentially this is your one opportunity to make a formal recommendation.

Chairperson Haber - So we could put that in the recommendation.

Dave Campbell - You could.

Schinzing - But in a conditional, if someone purchases the property and wants to do something else, they can't do it.

Chairperson Haber - Right.

Schinzing - In this, they could. That's my point - this is permanent. The conditional is not permanent. Even if we use your language, it's still permanent.

Discussion continued regarding straight rezoning versus Conditional Rezoning agreements.

Chairperson Haber asked if Mr. Tominna had any questions on the discussion so far.

Brian Tominna - I'm just trying to understand some of the terminology, but I'm okay.

Lee Mamola - What is the additional step and what is different about the paperwork?

Dave Campbell - The biggest difference is that there is a Conditional Rezoning agreement, which is a contract between the developer and the Township, that you will build this and only this in return for the zoning that is needed to build that. Typically, this Planning Commission would see that draft agreement before they made any formal recommendations to the Township Board.

Discussion continued regarding the timeline and meeting dates for the Planning Commission and Township Board, along with the deadlines to be met for submissions to be included in the meeting packets, and noticing requirements.

Brian Tominna - I want to do what is best for you and me, and I will go any route that we need to go. I'm okay with it.

Chairperson Haber recommended that the petitioner pursue Conditional Rezoning.

Dave Campbell encouraged proceeding with the public hearing before any action as the hearing was noticed and people were present to speak on the matter. Russ Schinzing asked if another public hearing would need to be held. Dave Campbell replied yes, as the Conditional Rezoning would be a different request with its own process.

**Chairperson Haber opened the public hearing.** He explained the hearing process for the residents and that all questions and comments would be heard, but answers would not necessarily be provided this evening.

Jennifer Luker , R & J Manufacturing, 3200 Martin Rd, Commerce Township - Ours is the property directly west of the proposed site. I was wondering what capacity of service they will be operating; will it be a 1,000 person banquet hall or 100 people? Daily lunch service with alcohol? What are the conditions?

Chairperson Haber - That's a fair question and I'll let them answer it in a minute.

Jennifer Luker - Another question I had; you were talking about the contract where, if they sign it, then they can't change what they do. What is the limit on that? Perpetuity of the property, or of them owning it?

Chairperson Haber - On the property.

Jennifer Luker - Unless they come back to change it.

Chairperson Haber - Unless it's revised.

Glen Ridgway R & J Manufacturing, 3200 Martin Rd, Commerce Township - I have a concern about the traffic. As you know, this used to be this nice peaceful road. Nobody came down here really, and now there's a gazillion cars a day. What road will be used for the entry? My fear is that since we're right there, it appeared that the road came through ...

Jennifer Luker - Exiting on Ridgeway Court.

Discussion took place regarding whether traffic would be allowed to cut through the industrial park.

Dave Campbell - This is still a concept plan. We noticed this connection shown on the concept plan early on. We don't know that these properties have rights to use the private road within the Pinewood Industrial Park. That's something we would have to look into, if and when this advances to site plan approval process. We're not there yet, so we haven't looked at that in detail.

Jennifer Luker - Unless something has changed, those properties are part of the industrial park.

Dave Campbell - If that is the case, then in theory, they would have rights to utilize the private roads of the subdivision that they are a part of. I can't say that with any degree of certainty because I have not yet had reason to look into it in that degree of detail.

Regina Fronczak-Roth, 4080 Lake Pointe Lane, Commerce Township - I was listening to the discussion. This is a confused citizen question. If you grant a Haggerty Overlay

zoning to that situation, does it apply to the broad area there, or just those two properties?

Chairperson Haber - At this point, it's only right to the those two properties.

Regina Fronczak-Roth - Okay, I didn't know if you just extend the boundaries like pushing the fence back and everybody in two square miles would benefit or not.

Chairperson Haber - If we extended it, it wouldn't go that far, but there's a good possibility it could be extended.

Regina Fronczak-Roth - Could you clarify that last comment?

Chairperson Haber - I said it could be extended, but you said two miles.

Regina Fronczak-Roth - I was just throwing that out.

Chairperson Haber - I said it could be extended, but not that far.

Regina Fronczak-Roth - That entire Oakley Park area - the Haggerty Overlay could be extended?

Chairperson Haber - That's true.

Regina Fronczak-Roth - Thank you.

**Chairperson Haber closed the public hearing.**

Lee Mamola - I would add to the answer regarding the second drive. We're not sure yet and have not see all the surveys and legal documentation of the property yet. The idea of a second drive was really for safety for a second means of access. I do see their concern about a straight drive through and we could probably find a way to make that drive curvy or linear to slow the traffic.

Brian Tominna - May I answer a question?

Chairperson Haber - Yes.

Brian Tominna - We plan to open a full service restaurant for lunch and dinner, with high-end pub style food. This would be our second location. We have one now in the City of Livonia where we partnered amazingly with the community. When we come up this way, we plan to be a great partner to the community here also. I live in Commerce Township too.

Jennifer Luker - What is the capacity of the banquet hall?

Brian Tominna - We have an idea of about 400, but that number could change due to the schematics of the property and other factors. Right now, we're comfortable in what we're presenting, but certain things may have to change, and we are willing to tweak things to allow us to continue on with the process.

**Commission Comments:**

Chairperson Haber - What is your time frame on this?

Brian Tominna - I don't know.

Chairperson Haber - Good, that's the answer I wanted.

Brian Tominna - We're working on the recommendations of others.

Discussions took place regarding the rezoning processes, and the potential timeline was reviewed, along with meeting dates.

**MOTION** by Schinzing, supported by Jones, to table Item PZ17-0004, the request by Visionary Development LLC of Commerce MI for a rezoning of two parcels of land consisting of 8.3 acres from TLM (Technology Light Manufacturing) to TLM (Technology Light Manufacturing) with the HRC (Haggerty Road Corridor) Overlay located south of Oakley Park Road, just east of the Martin Parkway.

Sidwell No.'s: 17-24-201-008 & 17-24-201-009

**MOTION CARRIED UNANIMOUSLY**

**ITEM H2: PSU17-004 – BEYOND SELF STORAGE – SPECIAL LAND USE**

NorthPoint Development of Clayton MO is requesting a Special Land Use for an enclosed self storage facility in the Haggerty Road Corridor Overlay (HRC) District located near the south west corner of Oakley Park and Haggerty Roads.

Sidwell No.'s: 17-24-228-022 & pt. of 17-24-228-006/007/008 & 011

*Jay Czarnecki requested to recuse himself from Item H2 and Item I1 as he works for PEA, and they developed the plans. The Commissioners were all in favor of Czarnecki being recused.*

Dave Campbell, Planning Director, gave a review of the indoor self storage facility. He reviewed Item H2, the Special Land Use request, along with Item I1, the site plan proposal. He reviewed parking and circulation, and noted that the applicant had tweaked the plans slightly based upon the comments in the review letters. He noted that constricting the width of the drive had been suggested, however the applicant noted that would not be advisable given the size of the vehicles driving through the site. Dave explained that this site is located in the DDA and falls under the Haggerty Overlay. A key standard in the Overlay is substantial architectural and building materials requirements. Revised architectural drawings were provided, including additional information on the insulated metal panels proposed and the percentages of each material to be used on each elevation. Because the applicant is proposing an overage of the metal panels, and underage of the brick and stone, they would be requesting a deviation from the

strict application of the building material requirements of the Haggerty Overlay, in lieu of this design with these insulated metal panels that they feel are a good substitute. The Planning Commission will need to make two separate motions.

J.J. Jenkins of NorthPoint Development, 4825 NW 14th Street, Ste 500, Riverside, MO, was present along with Todd Mohagen of Mohagen Hansen Architecture, 1000 Twelve Oaks Center, Ste 200, Wayzata, MN.

J.J. Jenkins - I was here at last month's meeting to give you an overview of our company and our proposal. This is our Beyond Self Storage brand that we launched as a company last year. We currently have eight facilities under construction across four different markets, and we have five more that we're going through the entitlement process on, and this is one of those additional five.

One of the recommendations was that this be conditional upon no outdoor storage on the property and we are fully onboard with that. We agree to that condition. There was a comment about the mechanical equipment. We typically try to place our mechanical equipment on the ground as opposed to the roof. We have some locations here on the corners of the building and we agree to screen those with sufficient landscaping to meet the requirements. David touched upon the building materials. We've come up with what we think is an attractive building. We took our prototype that we're currently constructing in Rochester Hills and we've added significantly more brick to enhance the two elevations that will be facing Oakley Park and Haggerty. The majority of the north elevation will end up being obscured by the future development that will go in front of it. Our architect is here tonight and he can touch upon the quality of the materials proposed, how they complement each other in the design and he can answer any questions.

There was a comment about the lighting. We will definitely provide the requested additional details and we will meet all of the height and design requirements of the Township. There will be no variances. Similarly, we will meet all the requirements for the dumpster. There was a question about fencing or a gate needing staff approval. We do not intend to fence the property or install a gate. If by some chance that changed down the road, we're fully agreeable to make sure we meet all the requirements.

There was a comment about requiring us to have an 8' sidewalk along the Oakley Park Road frontage. We'd be agreeable if you wanted to include that.

There was a comment about replacing impervious surface with additional landscaping, and suggestions were made to narrow the driveway, or incorporate an island into the cul-de-sac. As Dave mentioned, our concern is given the need to accommodate the turning radius of these large trucks, it's difficult from an operations perspective to shrink the area and still provide the maneuvering ability that is necessary; although we were able to include an additional strip of greenspace along a portion of the drive on the north elevation, on either side of the driveway on the southeast side.

With regard to parking, staff had noted, it's reasonable that no more than two or three potential customers would be visiting the facility at the same time. This is consistent with the actual activity that we see at our property. We tracked traffic counts at our Kansas facility last year from March to November, while that property was going through its lease-out period. It went from 36% occupancy to 87% occupancy during that time, so

it's a good basis for our most active time. The car count averaged about 47 cars per day, which works out to about 3 cars per hour during operating hours. That facility was just a little bit smaller than the facility proposed here. If you extrapolate that out, it works out to be about 66 daily trips, or a little over 4 cars per hour during operating hours.

All loading and unloading is done inside the facility in the drive-through area and nothing is done exterior. There are no electrical outlets available in the units, so they're not able to work out of them or manufacture anything inside the units. Security is a main concern of ours and we have over 30 cameras recording to monitor the facility. We have onsite staff that are walking the property daily on a regular basis as well as monitoring the cameras.

I'm happy to answer questions and address public comments. Todd can expand on the architecturals and building materials.

Todd Mohagen stated that Mohagen Hansen Architecture has been working with NorthPoint on several projects. He gave a review on the overhead of the building materials, glass, the insulated metal panels, the unique brick veneer layer and the assembly, which uses actual brick and mortar.

Mr. Mohagen reviewed the 3D renderings, discussed the challenges presented by the site, addressed the elevations that face the roads and quoted the requirements for building materials. He proposed that the metal panels are a superior material in appearance and performance.

David Campbell added that, somewhat relative to the architecture but more in general, this is a challenging site. He clarified that there is a large, underground gas main for Consumers Energy that cuts across the property at a diagonal. On top of that is a 75-foot wide easement which precludes anything vertical from being built on top of that easement.

The design, the building orientation and the driveways were developed this way because of the restrictions that this gas main creates. The Township has talked with Consumers historically about what it would cost to move the gas main, and it is an astronomical figure. Any developer on this site would have to work around the easement.

**Chairperson Haber opened the public hearing.**

No comments.

**Chairperson Haber closed the public hearing.**

**Commission Comments:**

Chairperson Haber - I've been doing this for 14 years. This is the most challenging site I've ever seen. I can't think of anything I like about this site; not what you're building, but the whole site with the easement line through there.

Brian is our architect, so we will start with him.

Winkler –

- Larry, I'm very comfortable with what I see here, particularly in the use of the building.
- Dave, you showed us a photo of that metal panel that had a variation in color. Are you proposing to use that?

Todd Mohagen - No, that's a different project. We would have a consistent color, other than where they changed from a lighter to a darker.

Dave Campbell - On the variation on that particular building, that color variation was intentional. It's not that the panels have that sort of variation as they're manufactured.

Winkler - I agree with the comment about the site being very challenging and I think this stacks up very well.

Chairperson Haber - One of the problems I'm having is with the size of the building. Conceptually, I had not thought about three floors. Brian, how do you feel about that? You have a better conceptual view than I do.

Winkler - The height might be a little imposing, but area-wise, not so much. I don't see it as objectionable.

Chairperson Haber - I cannot visualize it. Three floors on that small spot seems like it will be massive. I can promise you that we will hear from the public if this goes through. I explained this to one of my neighbors and he thought it was nuts. Then I explained to him about the gas line cutting through the property and his opinion changed.

Winkler - I would not be uncomfortable with it.

Schinzing - My only comment is on the westerly parking lot area; I don't know how anyone will back up and pull out of that space.

Dave Campbell - This was a very recent revision to add some additional parking. That might need to be administratively reviewed to ensure that they're meeting the parking lot design requirements.

Chairperson Haber - We are talking about the site plan also.

Jones discussed his experience in using a storage unit. He only visited the unit maybe four times in two years. He elaborated on the amount of time spent there, usually around 15 to 20 minutes, and the cars per hour estimated for this new facility with 713 units. He inquired about the accuracy of the estimate of 4 cars per hour.

J.J. Jenkins - The example I provided was for a facility that was a little bit smaller, but I extrapolated the numbers for a larger unit. Typically, we see the most traffic during the lease-out period. Once it reaches stabilization, it drops off. The use is one of the lowest traffic generators.

Dave Campbell - The majority of the 66 cars per day are going to be the customers who already have a unit.

J.J. Jenkins - Yes, and there's the additional parking inside that the majority of the existing customers use. We have one employee there, and one or two customers at any given time is the norm.

Chairperson Haber - Is it 24-hour access?

J.J. Jenkins - No. The office is manned 7 days per week from 9AM to 6PM, Monday through Friday, 9AM to 5PM on Saturdays, and 11AM to 4PM on Sundays. That's the office portion where someone can come in and rent a unit. If you already have a unit and can access the building with the key code, the building is accessible from 6AM to 10PM.

Jones - That was my only concern.

J.J. Jenkins - One other thing I would mention, we were looking to add a couple more parking spots. We added the manager unit in the back as well as five up front. That's probably twice as much as we need.

Hindo - No comments.

McKeever - I'm comfortable with the site plan. I'm not comfortable with deviating from the materials. I'm not comfortable with the metal panel. It's a 35' high building and I'm not comfortable with that amount of metal panel.

Chairperson Haber - I feel the same way. I feel the building is too big.

J.J. Jenkins - I understand. In this case, we've got our first two that opened in St. Louis in the last 60 days. Everyone is giving great reviews on the way the building looks. I understand your concerns. Those buildings were a little bit taller. Our typical building is about 44'. We shrunk the building here to stay within the allowable height. The panels really look good, especially with the architecture here and the other complementing materials. I have additional photos of our other projects that I can pass out.

Chairperson Haber - I'd like to see those.

McKeever - That was it.

Chairperson Haber - You have a materials board with you? I want to see exactly what is going where.

Todd Mohagen displayed the materials, including the metal panel, and discussed the colors with the Commissioners.

Chairperson Haber - How is trash being handled?

J.J. Jenkins - We have the dumpster sized for two, but we typically have just one at the other properties. We put up signs that the tenants are not supposed to dump their belongings. Sometimes that does happen, but for the most part, the folks storing stuff there take it with them, with the exception of some boxes, et cetera.

Chairperson Haber - The point I'm making is that I don't want to see the trash on the ground.

J.J. Jenkins - I'm certainly agreeable to providing that as a condition.

Winkler asked Dave to bring up the street side on the overhead to review for other buildings with significant height in the area. Discussions took place regarding buildings adjacent to this site, the nearby industrial park, the fact that this building will actually create a screen for the industrial buildings, and the nearby car repair facility was also addressed, which is probably 20' high to accommodate the car lift equipment.

McKeever - I still think there is too much metal. There is a reason why we ask for 70% brick.

Chairperson Haber - The lighting plan, and the landscaping?

Dave Campbell - They said they will revise the lighting. The landscape architect reviewed this and confirmed that it complies with the standards. Since then, they've also added a little more greenspace.

Chairperson Haber - The sidewalk has been addressed and agreed upon. What about cross access?

Dave Campbell - I'm interested to hear from the applicant whether that is of concern to them from a security standpoint. We will see something develop on the hard corner, but we don't know what yet. Our Fire Marshal will try to get cross connections wherever we can. It may or may not be appropriate to have cross access to a facility like this, but it just depends upon what is developed.

Lengthy discussion ensued regarding cross access, the ability to put it into the agreement as necessary, and language that could provide for cross access in the future once the development is determined, if it is found to be beneficial and sensible to make that connection. J.J. Jenkins stated that he can't think of a situation where they would want traffic coming through the back of the property. He was not necessarily opposed to granting an access easement off the cul-de-sac if, for some reason, it did seem appropriate. He stated that NorthPoint would be open to working with the Township in this regard when the day comes that the other site is being developed. Jones felt it presented safety issues. Schinzing did not see the need for it. Hindo and Haber felt it was necessary to reserve the ability to require cross access at a later date. Dave Campbell reiterated that cross access could be necessary once the corner development is known and the Township could require it as appropriate. J.J. Jenkins wondered if there would be a time limit on the contingency. Chairperson Haber replied no.

Chairperson Haber - You understand that there will not be any fences?

J.J. Jenkins - Correct.

Chairperson Haber - Fire suppression?

J.J. Jenkins - It's a fully sprinklered building.

Dave Campbell - I went back to the Fire Marshal's letter and it will be fire-suppressed. He had his fairly standard comments, and an additional fire hydrant will be required to minimize the distance of the hose run. Those are things we typically work out. The Fire Marshal's review is approved as noted.

**MOTION** by Schinzing, supported by Jones, that the Planning Commission approves, **with conditions**, Item PSU17-004, Beyond Self Storage - Special Land Use, the request by NorthPoint Development of Clayton MO for a Special Land Use for an enclosed self storage facility in the Haggerty Road Corridor Overlay (HRC) District located near the south west corner of Oakley Park and Haggerty Roads.

Sidwell No.'s: 17-24-228-022 & pt. of 17-24-228-006/007/008 & 011

Move to approve PSU #17-004, a special land use for NorthPoint Development, to allow Beyond Self Storage within the HRC – Haggerty Road Corridor Overlay district on a portion of five vacant properties along the south side of Oakley Park Road just west of Haggerty Road.

Special land use approval is based on a finding that the applicant has demonstrated to the satisfaction of the Planning Commission that the proposed use complies with the standards for special land use approval for a self-storage use in the HRC Overlay district.

**Special land use approval is based on the following conditions:**

1. Approval of a corresponding site plan by the Planning Commission;
2. No outdoor storage at any time.

**ROLL CALL VOTE**

**AYES:** Schinzing, Jones, Winkler, Hindo, McKeever, Haber

**NAYS:** None

**RECUSED:** Czarnecki

**MOTION CARRIED UNANIMOUSLY**

**I. NEW BUSINESS**

**ITEM I1: PSP17-0008 – BEYOND SELF STORAGE – SITE PLAN REVIEW**

NorthPoint Development of Clayton MO is requesting site plan approval to construct an enclosed self storage facility located near the south west corner of Oakley Park & Haggerty Roads. Sidwell No.'s: 17-24-228-022 & pt. of 17-24-228-006/007/008 & 011

**MOTION** by Jones, seconded by Schinzing, that the Planning Commission approves, with conditions, Item PSP17-0008, Beyond Self Storage - Site Plan Review, the request by NorthPoint Development of Clayton MO for site plan approval to construct an

enclosed self storage facility located near the south west corner of Oakley Park & Haggerty Roads. Sidwell No.'s: 17-24-228-022 & pt. of 17-24-228-006/007/008 & 011 Move to approve Site Plan # PSP17-0008, a 110,000 sq ft 3-story self-storage facility building for NorthPoint Development's Beyond Self Storage, to be located upon portions of five vacant properties near the southwest corner of Oakley Park and Haggerty Roads.

**Approval is subject to the following conditions:**

1. Review and approval of engineered construction plans by the Township Engineer, Fire Marshal, and Building Department;
2. The proposed building materials and architecture to address the comments of the Planning Commission and approved administratively, such that the new building satisfies the intent of the façade design criteria of the HRC overlay;
3. A finding by the Planning Commission that the proposed parking is an appropriate deviation from an application of the minimum parking standards of Article 28 of the Zoning Ordinance given the nature of the proposed use;
4. A finding by the Planning Commission that 18-foot parking spaces are acceptable so long as the adjacent curb is 4 inches in height;
5. The design of the proposed driveway be revised to address the direction of the Planning Commission, particularly direction relative to replacing portions of the proposed impervious surface with landscaped greenspace;
6. Review and administrative approval of a revised site plan that includes:
  - a. An 8-foot concrete pathway along the property's Oakley Park Road frontage;
  - b. Details of the exterior lighting confirming compliance with the design and height requirements of Article 31;
  - c. The dumpster and dumpster enclosure to be consistent with the design requirements of the Zoning Ordinance;
  - d. Updated architectural elevations consistent with the direction of the Planning Commission;
  - e. Mechanical and utility equipment to be adequately screened;
7. Abandonment of a recorded drainage easement;
8. A land division application be reviewed and approved administratively to create a new legal description and parcel ID number for the subject property;
9. Administrative review of any future security fence or gate, but not to include chain-link fence and/or barbed wire;
10. Signs to be reviewed and approved under a separate Sign Permit by the Building Department subject to the requirements of Article 30 of the Zoning Ordinance;
11. The addition of a provision for future cross-access easement to accommodate future development.

**Discussion -**

The Commissioners discussed the cross access issue again, and addressed the need to reserve the right to require it in the future should it become necessary when the adjacent site is developed.

**ROLL CALL VOTE**

**AYES:** Jones, Schinzing, Winkler, Hindo

**NAYS:** Haber, McKeever

**RECUSED:** Czarnecki

**MOTION CARRIED**

**ITEM 12: DISCUSSION ON SIGNAGE WITHIN THE TOWN CENTER OVERLAY DISTRICT**

Jay James - The sign ordinance generally requires the Planning Commission to approve signs. The Building Official and Planning Director are authorized to look at the signs and approve them administratively; however, with the Town Center Overlay district, there are more specific sign requirements. We now have one of our first commercial buildings in there.

When they submitted their sign plan to me, personally I did not agree with the sign as submitted. Their building is located and is addressed on Martin Parkway. Although there is another road intended that will extend along their southern boundary into the future development, the face of their building and their address is Martin Parkway. They proposed their wall sign to be on the easterly side where they indicated they have their main entrance and drop off area.

That caused me an issue because I felt, coming down Martin Parkway, nobody would know what that building is as they're approaching it. Although they're proposing to have a monument sign, as you're heading southbound, you won't be able to see that monument sign.

When they submitted their wall sign, I looked at our ordinance and Section 30 actually indicates that wall signs are intended to be on the street side face, unless otherwise approved by the Planning Commission. That was not something I was comfortable with approving administratively and I wanted to get your input on this building in particular, and this will possibly set a precedent on some others in the area; however, the mall area itself will probably have their own independent sign package that comes before you specifically for that development. We have a couple other sites by the Pontiac Trail roundabout that may or may not be hospitality that could have a similar situation.

**Commission Comments:**

Chairperson Haber - My initial feeling was to have it on the right side of the building. As I drove down, I decided the west face would be better.

Jones - Is that what you're proposing?

Jay James - That's what I felt. My opinion is that it has to be on the west face, or you'll end up with one on both the north and south sides so it can be seen from either direction.

Haber - They only get one sign?

Dave Campbell - They get a monument sign and a wall sign. Keep in mind that this will eventually be a road going into the Aikens development next door. Therefore, their building will technically be on a corner, which would entitle them to a second wall sign when that day comes.

Jones - They can have two wall signs?

Jay James - If you're on a corner lot. Right now, they're not, but it's intended that one day it will be.

McKeever - It makes no sense to me, but as long as they don't come in and ask for a variance because people don't know what that building is. It doesn't make any sense to have the sign on the back side of the building, but if that's where they want it, I just don't want them to come back in six months and ask for a variance because the sign on the back of the building is not visible from Martin Parkway.

Dave Campbell - You're not in favor of requiring that they put a wall sign on the west face of the building?

McKeever - If this is where they want it, It's one less sign we have to look at on Martin Parkway.

Jay James - We have not discussed this yet with the developer at all. Their sign on the east face, on the back of the development, that may be considered a directional sign. It depends upon sizing, but they can still get something on that side that says, "First & Main, Main Entrance" and it would be considered a directional sign, and still have a wall sign on the Martin Parkway side.

Discussion continued regarding visibility and sizing of the signage, directional signs, the false front entrance along Martin Parkway which complies with the TC Overlay requirements, the actual main entrance, and the location of the monument sign. Dave Campbell also clarified that the sign will need to fit within a specific space on the façade and it would not be permitted to overlap from the siding to the brick portion.

The consensus of the Commissioners was that the wall sign should be placed upon the west face of the building.

### **ITEM 13: SCARLET'S SMILE PLAYGROUND DISCUSSION**

Dave Campbell gave a review of the Scarlet's Smile all-inclusive playground. The project is being promoted by Commerce Township residents, Mr. and Mrs. Stephen Clark. They are in the process of obtaining donations, funding and grants and the project is not cheap.

The Township is partnering to provide the land for them to build the playground. The play structure is proposed to be on the south side of Dodge V Park. This area primarily serves the soccer fields and concerts in the park, and it could now serve this play structure. The site plan was presented and the 3D renderings were included in the packets. The concept has been reviewed and approved by the Parks Committee, the Township Board, and the Library was also involved. They all agree that this area makes sense. Feedback is sought from the Planning Commission.

McKeever - Are there any handicap parking spaces along the sidewalk?

Jason Mayer - Along the sidewalk there are handicap spaces. I've been working with Parks and I believe they want to add 25 more spaces. There is a future plan for a soccer field, so we want to make sure any additional parking works with where the soccer field will go.

Discussions continued regarding the additional parking area, a new soccer field, and conceptual renderings.

Hindo - I've been fortunate enough to have seen this a few times and I think it looks great. It will be a benefit to the community. The location is good and the design looks great.

Chairperson Haber - I think it's a great idea. I would like to see it move forward once they have it fully funded.

Jones - All set.

Schinzing and Winkler had no comments to add.

**J: OTHER MATTERS TO COME BEFORE THE COMMISSION:**

None.

**K: PLANNING DIRECTOR'S REPORT**

Dave Campbell discussed the following:

- **NEXT REGULAR MEETING DATE: SEPTEMBER 11, 2017**
- At the September meeting, Mr. Tominna may return with a Conditional Rezoning agreement.
- You may also see one or more concept plans for the property that Beaumont was, at one time, going to build a hospital on at Maple Road and M5, the northwest corner. I've had a lot of meetings with potential buyers and developers for that property. It's a big piece of property in a very prominent location. I'm encouraging everyone to get in front of the Planning Commission as early as possible with their concepts.

McKeever initiated discussion with Jay James regarding the building located on the corner of Commerce and S. Commerce. Jay indicated that there is a proposal to conduct an asbestos survey so that demolition can be done soon.

**L: ADJOURNMENT**

**MOTION** by Czarnecki, supported by Jones, to adjourn the meeting at 9:08pm.

**MOTION CARRIED UNANIMOUSLY**

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Brian Winkler, Secretary