

**CHARTER TOWNSHIP OF COMMERCE**  
**\*\*SPECIAL\*\* PLANNING COMMISSION MEETING**

Monday, March 12, 2012  
2009 Township Drive  
Commerce Township, Michigan 48390

**CALL TO ORDER:** Tom Jones, sitting in as Chairperson, called the meeting to order at 5:00pm.

**ROLL CALL:** Present: Tom Jones, Vice Chairperson  
Brian Winkler, Secretary  
Bill McKeever  
Debra Kirkwood  
Jay Czarnecki  
Absent: Larry Haber, Chairperson (excused)  
Peter Pace (excused)  
Also Present: Kathleen Jackson, Planning Director

**APPROVAL OF MINUTES**

**MOTION** by Kirkwood, supported by Jones, to approve the Planning Commission Meeting Minutes of March 5, 2012, with the following correction: Edit the motion for Item Z12-01 on page 5 of 7 to include: *The traffic study is to be presented to the Planning Commission at the site plan review, as was previously discussed.*

**MOTION CARRIED UNANIMOUSLY**

**UPDATE OF ACTIVITIES**

Brian Winkler – Downtown Development Authority

- No meeting since the last meeting of the Planning Commission
- The next meeting is a week from tomorrow.

Bill McKeever – Zoning Board of Appeals

- The special meeting was on February 15<sup>th</sup>
- Defer to Kathleen Jackson

Kathleen Jackson – There was one request approved for a fence that encroached into the front yard setback. This involved two variances, but if the Township Board approves what was recommended by the Planning Commission for the new fence ordinance, then it will actually be compliant with the exception of one small section.

Debra Kirkwood – Township Board of Trustees

- Our meeting is scheduled for tomorrow night.

**PUBLIC DISCUSSION OF MATTERS NOT ON THE AGENDA**

None

**ITEM I: CZ12-01 – BRENT KISH – CONDITIONAL REZONING – PUBLIC HEARING**

Brent Kish of Milford MI is requesting a conditional rezoning of a parcel of land that will consist of approximately 0.13 acres from R-1D (Single Family Residential) to B-1 (Local Business) located on the parcel directly south of 605 Commerce Road.  
Sidwell No.: 17-10-403-016

Kathleen Jackson, Planning Director gave a review. An item to be noted, in addition to the report, is a “No Right-Turn” sign at the exit of the lot to prevent cut-thru traffic in the adjacent residential neighborhood. I have spoken with the Landscape Architect regarding the arborvitae. I would like to ensure that the type chosen will be salt tolerant around the parking lot for the type C buffer-yard. Therefore, landscaping could be left to Administrative Approval if the Commission sees fit. If this conditional rezoning is recommended for approval, it will go before the Township Board and then return to the Planning Commission for site plan review.

Vice Chairperson Jones opened the public hearing.

Charles Lodge 4920 Whitlow Court, Commerce, MI stated that he is in charge of the Mount Royal Improvement Association. Their concern is having “no right-turn” into Ponderosa. And, if this becomes something else in the future, they would hope to have the parking lot removed and returned to its original state.

Sahira Rabban, of Annie’s Party Shop, was present on behalf of 535 and 537 W Commerce Road, Commerce MI, for Annie’s and Papa Romano’s. She is concerned that patrons of the veterinary clinic may park in her lot if there is overflow and she wants to avoid these issues.

Larry Porter, 4699 Ponderosa St, Commerce MI, stated that his property is just south of the site in question. Last time he attended a meeting regarding this lot, there was discussion regarding whether this was even large enough for a residence. He wondered if the lot was still too small to accommodate a house. He also noted that a house in Mount Royal could not be less than 1,200 square feet.

Kathleen Jackson – This lot does not meet the minimum size for residential. Although a house could be put on the property, it is currently a nonconforming parcel. I’m uncertain without looking at a site plan, but I believe you are correct and it would be difficult to put anything over 1,200 square feet there.

Larry Porter added that he has no problem with extending the lot. The trees on the property line are questionable. Some are dead and others are in need of attention. He spoke with the petitioners and they didn’t think these improvements would be a problem. He did note that the trees cannot extend past the fronts of the houses so as not to disrupt the view for those backing out of their driveways.

Mark Schafer, 2810 Shadow Ln, Milford, MI stated that he is the real estate agent representing 605 Commerce Road. They have been working to resolve concerns with the shortage of parking. He forwarded the Township Attorney’s conditional rezoning draft agreement to the holding company’s counsel for review. They are working toward the goal of executing the agreement very soon.

Kathleen Jackson – I did also receive a phone call today from Don and Hannah Donigan of 630 W Commerce Road. They informed me that they are in favor of the proposed; however, they did not have a computer available to send an email.

Vice Chairperson Jones closed the public hearing as there were no additional questions or comments.

The petitioners, Brent Kish and Dr. Andrea Putt, 13257 Spencer Road, Milford MI, were present to address the proposal.

Dr. Putt – I'd like to thank the Commission for the special meeting. I have been a veterinarian for 20 years now working in the Commerce area. I would like the opportunity to finally start my own business and we are willing to do whatever we can to make it happen.

**Commission Comments:**

McKeever –

- Would this parcel be restricted to parking only? Can we restrict it through our recommendation? Or, if it ceased to be a veterinary clinic, could the next owner put a building on the lot?
- Will the lots be combined since there will be one common owner?
- Do they meet the required number of parking spaces for the size of the clinic?

Kathleen Jackson – Although there are conflicting opinions regarding other B1 uses, the site plan would be approved for vet use only. Therefore, if the use changed, it would be required to come back before the Commission at that time. This is only changing the parking lot zoning, so it could not become a retail store, for example.

I am researching the possibility of combining the parcels. If it is feasible, we will require that they be combined. The alley ends past the property line, so that will be another item to incorporate. They would be short one parking space without the addition of this parcel, so they will actually have five extra spaces if approved.

Kirkwood –

- How many staff members will you have?
- My only concern is the parking and will it be sufficient to accommodate staff and clients. How many spaces are there?

Dr. Putt – I will be the only veterinarian on staff, but I hope to add another in about three years. I will have two technicians, one receptionist and one assistant.

Kathleen Jackson – They have 13 spaces.

Czarnecki – McKeever and Kirkwood have covered all of my concerns.

Winkler –

- Because this property is so small, it does seem to lend itself more to a business use as opposed to residential.

- Given that fact, and that there will be considerable screening between the proposed parking lot expansion and the adjacent residential to the south, I am comfortable with the conditions as specified by Kathleen Jackson.

Jones –

- I am in agreement with everything stated by the Commission.
- Previously, we discussed a crematorium when reviewing a veterinary clinic. Would that be proposed for this clinic?
- It presented issues with air quality and filtration, etc.

Dr. Putt – No, we would not be proposing a crematorium.

Jones –

- I would like to see this property put to a good use.
- This is certainly low impact; however, should we address off-site parking if issues arise?
- What are the hours of operation?

Kathleen Jackson – We can include stipulations. If issues and complaints come to the attention of staff, from adjacent businesses or residents, we can evaluate the number of employees and solutions at that time. The site plan does not allow for parking in the front or on Ponderosa. We will rely upon Annie's and Papa Romano's to keep us informed of any issues. They have estimated hours of 8am-8pm, and possibly Saturdays until 4pm.

Kirkwood – Will there be someone to patrol and cleanup the parking lot and back of the property?

Dr. Putt – Cleanliness is paramount. We want to have a professional image. We will do everything we can to make sure everyone is comfortable.

Jones requested a review of the conditions from Kathleen Jackson.

Kathleen Jackson –

- A "No Right-Turn" sign at the exit
- Administrative Approval of the landscaping
- RCOC review can be handled at the site plan review
- Planner's report
- Site plan and conditional rezoning draft agreement
- Combining lots is addressed in the minutes and requires further research. This will also be addressed at the next Township Board meeting.

Jones – Will there be parking evaluations?

Kathleen Jackson – That would be addressed further at the site plan review. It is not part of the draft agreement, but I will check with the attorney on that too.

Dr. Putt – I would also like to make clear that Larry Porter did not see the most recent landscaping plan. He was concerned about a tree in the corner, but the new plan does include a shrub and a tree in that corner.

Kathleen Jackson – The tree closest to Larry’s property is a 7’ tall crabapple and it does not obstruct vision. It is deciduous and slow growing. It can be pruned accordingly so it will not impede vision. The other taller trees are about 20’ back from the edge of the pavement/road.

Dr. Putt – Also, to address the concerns of Annie’s Party Shop, I have no intent of allowing clients to park in the party store lot. If any problems arise, please let me know.

Jones – Do we ever suggest or require a business to have a sign, inside or outside, informing customers to park only on their property?

Kathleen Jackson – They could place a sign, inside or out, at their discretion.

Jones – We can also leave that to Administrative Approval if necessary.

**MOTION** by McKeever, supported by Kirkwood, that the Planning Commission recommends approval, with conditions, to the Commerce Township Board of Trustees, of Item CZ12-01, the request by Brent Kish of Milford MI for a conditional rezoning of a parcel of land that will consist of approximately 0.13 acres from R-1D (Single Family Residential) to B-1 (Local Business) located on the parcel directly south of 605 Commerce Road. Sidwell No.: 17-10-403-016

Approval is recommended subject to the following conditions:

1. A “No Right-Turn” sign will be placed at the exit; and,
2. The space will only be used for parking; and,
3. Administrative Approval to address the landscaping plantings; and,
4. Review of combining the lots in the future; and,
5. The Planner’s report and site plans dated 3/8/12; and,
6. The conditional rezoning draft agreement.

Approval is recommended for the reason that the information submitted by the applicant and the information presented to the Planning Commission demonstrates that the proposed conditional rezoning meets the requirements and standards of the Commerce Township Zoning Ordinance.

**MOTION CARRIED UNANIMOUSLY**

**ITEM II: BEAUTIFICATION AWARDS - Discussion**

Kathleen Jackson gave a review.

Jones – I took a tour at Trilogy. It is a great place. This is my first selection. #1.

Kirkwood – It is very nice.

Kathleen Jackson – So is Trilogy #1 for new construction?

All Commissioners were in agreement.

Kathleen Jackson – And for the rehabilitation or remodel, Dunkin Donuts and Lake Sherwood are actually in that category.

Kirkwood – Abstain.

Jones – Dunkin Donuts.

Czarnecki, McKeever and Winkler were all in agreement with Dunkin Donuts.

Kathleen Jackson added that she would review the possibility of recognizing Lake Sherwood signage for a *neighborhood* beautification award.

**OTHER MATTERS TO COME BEFORE THE COMMISSION**

**The next Regularly Scheduled Planning Commission meeting will be Monday, April 2, 2012 at 7:00pm.**

**ADJOURNMENT**

**MOTION** by Kirkwood, supported by McKeever, to adjourn the meeting at 5:36pm.

**MOTION CARRIED UNANIMOUSLY**

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Brian Winkler, Secretary