

**FINAL
CHARTER TOWNSHIP OF COMMERCE
PLANNING COMMISSION MEETING**

Monday, August 10, 2026
2009 Township Drive
Commerce Township, Michigan 48390

A. CALL TO ORDER: Chairperson Parel called the meeting to order at 6:59pm.

ROLL CALL: Present: Brian Parel, Chairperson
Joe Loskill, Secretary
George Weber
Brady Phillips
Caitlin Bearer
Mickey McCanham
Absent: Brian Winkler, Vice Chairperson (excused)
Also Present: Dave Campbell, Township Planning Director
Paula Lankford, Senior Planner
Bethany Miller, Associate Planner
Andy Miller, Assistant Building Official

B. APPROVAL OF AGENDA

MOTION by Loskill, supported by Phillips, to approve the Planning Commission Regular Meeting Agenda of August 10, 2026, as written.

MOTION CARRIED UNANIMOUSLY

C. APPROVAL OF MINUTES

MOTION by Weber, supported by Loskill, to approve the Planning Commission Regular Meeting Minutes of July 6, 2026, and the Special Meeting Minutes of July 13, 2026, as written.

MOTION CARRIED UNANIMOUSLY

D. UPDATE OF ACTIVITIES

Caitlin Bearer – Zoning Board of Appeals

- We had one petitioner asking for a variance for a fence at Commerce Lake.
- They are next to a boat ramp, and they originally wanted to have a 6-foot fence. We approved a 4-foot privacy fence.

Debbie Watson – Downtown Development Authority

- The only highlight from our July DDA meeting was that we appointed Katelyn Massey as the new DDA Treasurer.
- As most of you know, Molly Philips retired as of June 30th, and we will miss her dearly. Katelyn has stepped in to take over that position, and we look forward to working with her.

George Weber – Township Board of Trustees

- The last Trustee meeting was July 14th.
- We had a number of items on the agenda.
- Of note, the Township Board denied a permit for a massage parlor. I think a number of people know there was a massage parlor at Richardson Road that was accused of some illegal activities. It has been closed, and a new operator wanted to come in. That application was denied due to inaccurate and incomplete information.

- The Board approved the site condominium and plat for the Northern Pointe site condominium next to Walled Lake Northern.
- We approved a resolution for the Detroit Institute of Art Partnership in Public Art.
- We approved moving forward with the new authority for CLEMIS, which is the activity that handles all the dispatch for 911, so police and fire for most of Oakland County.
- The Board approved the Conditional Rezoning for Wingate Preserve at Commerce and Carey Roads.
- The Township Board also approved extending the temporary moratorium on data centers within Commerce Township, basically through the end of the year. So, that gives us another 4 months to revise the Ordinance to make sure that we're better protected if something were to come. Of note so that everybody is clear on this, nobody has come to Commerce Township asking for or even investigating putting a data center here. We're trying to get ahead of the curve.
- We approved removing a dangerous building on E. Commerce Road.
- We approved the acquisition of a piece of land, which will wind up being a donation. It's along Union Lake Road. A resident is working with the Township to give us the parcel so that it can remain greenspace. It will cut down on development on what is already a busy thoroughfare
- Finally, we were surprised by the State and the County on the costs of the roundabouts that are going in just up the road here at Richardson and Union Lake Road. What was originally thought to be \$700,000 to \$900,000 will now be closer to \$2 million for the Township's participation. That is the best case for our participation, and because it came from the County, I don't think anybody should be surprised that the original estimate was off by 60%.

Chairperson Parel – Do you have any update from the Building Department?

Dave Campbell – Typically our Building Official, Jay James, would provide an update from the Building Department side of things. Instead, he sent his new Deputy Building Official, Andy Miller. So, Andy, I don't know if there is anything notable from the Building Department's report as far as the number of permit activities or anything that the Planning Commission should be aware of.

Andy Miller –

- We're in the process of dealing with the Kroger project.
- We're working a lot with fiber optic installations.
- We're trying to get a handle on the dangerous buildings.
- We're also dealing with the sewer and water, which as you may know is challenging.

Chairperson Parel – Thanks, Andy. I appreciate it.

E. PUBLIC DISCUSSION ON MATTERS FOR WHICH THERE IS NO PUBLIC HEARING SCHEDULED

Chairperson Parel opened to Public Discussion on matters for which there is no public hearing scheduled.

Chairperson Parel – We have 3 scheduled public hearings later on. If there are folks in the audience that would like to speak on those matters, I would just ask that you wait until the proper time. You will have an opportunity. Those items are in regard to a Conditional Rezoning for Commerce Lake Market, Luai's Automotive Special Land Use, and Squeals Landscaping for a Special Land Use tied to a site plan. So, if you're here to speak on one of those 3 items, please hold your comments until then.

Dave Campbell – Correct. But what we're not having a public hearing on is the discussion on the data centers. That public hearing might occur at our September meeting. So, if anyone has any comments relative to data centers, the general public comments that you're about to open would be the opportunity to speak to that. The other 3 items have a public hearing scheduled. So, anyone who has comments on those items should hold their comments until the actual public hearing for those.

Chairperson Parel – Thank you for clarifying. To that point, data center comments, or any other comments anyone might have regarding anything outside of those other 3 items, we would welcome you up. We have just a couple ground rules, please. First and foremost, please be respectful, not only to us, but also to employees of the Township and to fellow Commerce Township residents. We're going to try to keep comments to 2 minutes each. We have a timer up here. No need to repeat comments. We hear you. We may not be able to respond to every comment. There are a lot of folks here. When you come up, there's a microphone and please provide your name and address.

Dave Campbell – With any public comments, and when we get to the public hearing, it's not intended to be a back and forth. It's meant to be, the public speaks and we and the Planning Commission listen. It's not meant to be a dialogue or back and forth. That's where things can get out of hand. So, it's meant to be one person talking and everyone else listening. That's one of the ground rules. The other thing we like to say is, we're all grownups, this isn't meant to be a pep rally, so we're not going to cheer, boo or catcall. One person talks, everybody else listens.

Chairperson Parel – With that, would anyone like to speak?

Marsha Loree Craig, 2529 Marchar, Wolverine Lake – I think a fuel center at that location would be ideal. There's a lot of boaters and a lot of people low on gas running around. We're near the interstates and I think it's an ideal location.

Chairperson Parel – We appreciate it. Just as a reminder, we will have a public hearing on that matter coming up.

Bonnie MacMillan, 2893 Benstein Road, Commerce Township – I am against the proposal for the Commerce Lake Market. Just with the traffic and congestion, not being able to get out of my driveway or anything, and making the left turn onto Glengary is horrendous.

Dave Campbell – So, just as a reminder, we will be having a public hearing here in a moment specifically on the topic of the Commerce Lake Market. So, if you prefer to hold your comments until we actually get to that public hearing, that would be the best time to share those comments.

Chairperson Parel closed Public Discussion on matters for which there is no public hearing scheduled.

F. TABLED ITEMS

None.

G. OLD BUSINESS

None.

H. SCHEDULED PUBLIC HEARINGS

ITEM H.1. PCZ26-01 – COMMERCE LAKE MARKET – CONDITIONAL REZONING

Commerce Lake Market (Steve Bakko, owner/operator) is requesting a Conditional Rezoning of two parcels of land from B-2 (Community Business) and R-1D (One Family Residential) to B-3 (General Business) located on the north side of Glengary Road east side of Benstein Road. The owner intends to rebuild and expand his existing building (1740 Glengary), demolish the existing residential home (2750 Benstein) and add a 4-pump (8 nozzles) fueling center. PIN#'s: 17-21-276-064 & 17-21-276-063

Chairperson Parel – We will have Dave Campbell give everybody some background on the proposal, then we will see if there are any questions from the Commissioners. Then we will give the petitioner an opportunity to speak, and then we will open the public hearing to hear those comments.

Dave Campbell – The owner of the existing Commerce Lake Market is Mr. Bakko. The existing market is at 1740 Glengary Rd. It's this building here on the north side of Glengary. Over here is the intersection of Glengary and Benstein roads. Mr. Bakko proposes to demolish the existing building and combine the property of the existing building with the adjacent property of the existing residential home, at 2750 Benstein Road, for the purpose of building a new, larger convenience store and also to add gas pumps or a fuel center to the to the existing operation. I'll pull up the proposed conceptual site plan here in a moment.

This proposal has come before the Planning Commission several times as it has evolved. Most recently, Mr. Bakko came to the Planning Commission at our meeting in July for what we call the optional preliminary hearing for a Conditional Rezoning. For this project to come to fruition, both properties, the existing store and the existing home, would need to be rezoned. The existing store is currently zoned B-2 Community Business. The existing home is currently zoned R-1B, Single Family Residential. In order to add the fuel center component to the proposal, both properties would need to be rezoned to B-3 General Business because gas stations/fuel centers are only allowed in the B-3 zoning district, and only then as a Special Land Use. Mr. Bakko has opted to pursue what we call a Conditional Rezoning, which is what is often called contract zoning. That means if the Township agrees to amend the zoning designation for these two properties to B-3, it would do so conditional on Mr. Bakko entering into a contract with the Township that effectively says, if you give me the zoning I need, I promise to build this and only this. So, Mr. Bakko would be conditionally and contractually obligated to construct a gas station and a convenience store consistent with the Conditional Rezoning plan that we'll look at here in a moment.

The Conditional Rezoning plan, which would be an exhibit to the Conditional Rezoning agreement, or the contract with the Township, shows the new store to the north of the

existing store. You can see the existing store underneath this store will be demolished. This area would be repurposed with additional parking. The new store of about 6,000 square feet would be to the north of that. There would be one point of access off the north side of Glengary Rd. Currently there are two driveways on the north side of Glengary; one would be eliminated and there would be one bidirectional driveway on the north side of Glengary. The second point of access would be a driveway on the east side of Benstein Road, right about here. It probably goes without saying the existing home would be demolished to make way for the new point of access and the new fuel canopy that would have 4 double-loaded fuel pumps, for a total of 8 fueling nozzles, along with some additional parking along the west side of the proposed store. The existing Geary Masonry building and facility would remain. So, the new Commerce Lake Market would kind of wrap around the Geary Masonry operation right at the hard corner of Glengary and Benstein.

Within the Conditional Rezoning agreement are a number of conditions that Mr. Bakko is volunteering. Those conditions have to do with the hours of operation for the existing store. They have to do with the look and the aesthetic of the existing store, so we'll get to that as I scroll through here. This is the proposed floor plan for the proposed new store. These are the conceptual building elevations and the conceptual renderings for the new store. This would be looking northward at the new building and the new canopy. What's being proposed are two options for the Township to consider with the canopy; one with the roof that would kind of match the proposed peak roof of the proposed building, and the other would just be a flat canopy. This is something that the Planning Commission would probably want to discuss tonight because one of the things that has been a discussion with Mr. Bakko in some of our previous meetings is doing everything possible to limit the height of the proposed fuel canopy to keep it in scale with the surrounding neighborhood and not let it be too tall or too large, and to be on scale with its surroundings. The canopy does have to be a minimum height in order to meet clearance standards, both for building code and fire code, so it would have to at least be able to meet those clearances, but the intent is that it not be any taller than necessary.

The building as proposed; these are not meant to be final building elevations, but they are meant to be a commitment by Mr. Bakko within the Conditional Rezoning agreement to a building made up primarily of brick and stone materials with windows and some aesthetic and architectural enhancements to present a quality building. So, within the Conditional Rezoning agreement would be a commitment to that level of architecture and building materials. There's also commitment to the traffic improvements that are recommended within the traffic impact study that was conducted as part of this project. Specifically, the existing center left turn lane along Glengary Road and the existing center left turn lane along Benstein Road would both have to be extended, northward along Benstein, and eastward along Glengary, in order to provide adequate stacking space within the existing center left turn lane so that inbound traffic can make the left turn into the existing driveway along Glengary, and the new driveway along Benstein. Mr. Bakko is also volunteering to enhance landscaping features, putting limits on the interactive screens that would go within the gas pump. I think we've all seen and heard the screens that want to blare advertising. These screens would be primarily silent other than being able to communicate with the station attendant inside the store. They will be doing that to avoid some of the noise objections you often see with the gas pumps.

From a procedural standpoint, the Conditional Rezoning would have to come to the Planning Commission for a public hearing, which is part of what we're here for this evening. The Planning Commission would hear any public comments and would then base any action in part on those comments that they received. If the Planning Commission is prepared to do so, they would be making a formal recommendation to the Township Board and then the Township Board would have final decision over the Conditional Rezoning. The earliest the Township Board could potentially act on the rezoning would be the Board's September meeting. That assumes, one, that the Planning Commission is ready to make their formal recommendation this evening. And two, because this is a property that is a municipal border, what I mean by that is Glengary Road is the municipal border between Commerce Township and the Village of Wolverine Lake. So, anytime you have a rezoning proposed along a municipal border, State law says that the County, in our case Oakland County, has to review the rezoning. Their role is to ensure that one community is not considering or approving a rezoning that's completely disparate from the zoning and the land use in the town next door. So, if the Planning Commission is prepared to make a formal recommendation on the Conditional Rezoning this evening, this project would then proceed to the Oakland County Conditional Zoning Committee, and they would make their recommendation on the border zoning case. If they do that at their meeting later in the month of August, then this could proceed to our Township Board for a final decision on the Conditional Rezoning at the Board's September meeting.

If all of that happens and the Board approves the Conditional Rezoning, then Mr. Bakko would still have to come back to this Planning Commission to seek approval of two things. One, the Special Land Use of a gas station in what is now B-3 zoning, and two, the site plan that would go along with that Special Land Use. When we talk about the site plan, we would be talking about a more detailed version of this Conditional Rezoning plan that is currently an exhibit to the Conditional Rezoning agreement. So, this plan would be more fleshed out with more detail with respect to landscaping, lighting, engineering, building and architectural detail, et cetera. Those would be all the additional levels of detail that would come back to this Planning Commission, potentially in October, if the plans are ready for the Planning Commission's consideration of the Special Land Use and the site plan that goes along with it.

As I mentioned, there was a traffic impact study done by the Township's Traffic Engineer as part of this project. What they do is evaluate the additional traffic that would be generated by the bigger store and by the addition of the gas pumps. As I mentioned, the recommendations of that study are the extension of the two left turn lanes along Glengary and Benstein. The petitioner also invested in a market analysis of the site, because if this project proceeds to the point where the Planning Commission is considering Special Land Use approval, one of the criteria of Special Land Use approval is there has to be demonstration of a documented and immediate need for the use. It's the developer's obligation to show this Planning Commission that there is a need for this for this use, specifically for a fuel center at this location. So, the petitioner invested in a market research analyst company to look at the site. We can talk about it later in the meeting and you have a copy of their study and the executive summary that went along with it. Their conclusion was that there is a need for fuel sales at this location based upon the other competitors in the vicinity, or maybe the lack of competitors in the vicinity. I think they determined that the closest competitor is 1.8 miles away. They estimate how many gallons of fuel this center would sell in an average month, and they estimate how much revenue the convenience store would do in an average month, and

both of them are considered healthy numbers for a store of this size, which they would contend is demonstration of a documented and immediate need.

The other thing that happened prior to this project coming before the Planning Commission for its Conditional Rezoning is Mr. Bakko and his team first approached the State of Michigan, because the State of Michigan has regulatory authority of the underground storage tanks for the fuel center. The State of Michigan has standards for underground storage tanks when they are in proximity to domestic residential drinking wells. Typically, they want to see a certain isolation distance between underground storage tanks and drinking wells, and when that minimum isolation distance can't be met, then the State requires additional fail safes for the underground tanks, and all the pipes that connect to them, to ensure that there is little to no threat of any contamination of the residential drinking wells.

In a letter from January of this year, the State of Michigan, and specifically the Department of Licensing Regulatory Affairs, approved a variance for the Commerce Lake Market to have underground storage tanks for the fuel center, subject to a number of conditions. Those conditions have to do with all of the tanks being double-walled, and all of the connections to them being double-walled, and for there to be alarm systems, constant monitoring, inspections, recording and so forth. And so long as all those conditions can be met, then the underground tanks can be approved in their proposed locations per the standards of the State of Michigan.

That is my best attempt to summarize where we are with this project. I know Mr. Bakko and his son Cameron are here, along with their Architect, Mr. Abdelnour, and they're welcome to approach the Planning Commission and give an overview on their own behalf. Otherwise, unless there's any questions for me, you have the option to open up the public hearing and receive any public comments.

Mr. Bakko, owner of Commerce Lake Market, was present along with Cameron Bakko and Mr. Ghassan Abdelnour, Architect, GAV & Assoc, 24001 Orchard Lake Rd, Farmington, MI 48336.

Mr. Abdelnour – Thank you for having us here tonight. We're hoping to come up with a nice project for the Township. Thank you to the Planning Department for the extra help through the whole process. Mr. Campbell summarized the process. We have been here several times. We always hear what you're telling us, and we always go back and try to figure out what you want us to do. We worked with the site. We had issues with the entrances. We took out one of them, and we kept the other one. We had issues with the traffic study, so we went through it and worked with the Township and the Village of Wolverine Lake. Also, we worked on the buildings. We talked about the materials and the height. We are providing a nice-looking building and we're pushing it to the back. We're putting brick with metal siding and some finished block at the bottom with some details of limestone. We're trying to come up with a building that is not high, and not low, but just works with the neighborhood. We went also with a design that's more of a residential look, with the canopy with a hip roof in the front, trying to make it more attractive for the neighborhood.

The other two items that we wanted you to see are the canopy and the pumps. You asked us last time to come up with a different design, one to match the entrance, and one to make it without the hip roof to see for the height reason. For us, it works both ways. I think the hip roof makes it a little bit cozier with the building itself, but visually, it works both ways. We have to meet the requirement of clearance at the bottom for

trucks and vans, and everybody else. I think Mr. Weber asked us to do a rendering facing the corner from the neighborhood to show what they would see.

Mr. Abdelnour showed the Commissioners printed photos of the rendering, while Dave Campbell worked to locate it and bring it up on the overhead.

Mr. Abdelnour – This was just to make sure that it would not be an eyesore in the corner. The building at the front is really high enough to cover part of the gas station, so it's not creating issues with the neighbors and the houses around it. As we discussed, we had to do the traffic study and the market study. We feel very comfortable with doing this project. I think the market is creating good things for the neighbors. The store is going to be nice inside and provide a lot of good things for the neighborhood. That's all I have now, but I can answer any questions. And Cameron is here.

Dave Campbell – Mr. Abdelnour, is this the rendering that you were referencing with the Geary Masonry building in the front?

Mr. Abdelnour – Yes.

Dave Campbell – That's meant to provide some sense of scale, if you were standing in the middle of the intersection, with what the canopy and store would look like with the existing building in the foreground.

Mr. Abdelnour – The idea is to see the scale. Scale is very important on both streets so it's not an eyesore. The building itself is pushed to the back, so it creates parking in front. We made it a very walkable area around the building. We created sidewalks close to the building from each side. So actually, we are very comfortable with the design, but we're here to hear from you. If there's anything we need to change, we'd love to do it.

Weber – One question on this rendering. The State minimum for the canopy is 13'8". There was discussion on 16'. Is this representation at the minimum of 13'8"?

Mr. Abdelnour – I think we did this one at 16'.

Weber – So it's actually going to be lower?

Mr. Abdelnour – Yes.

Chairperson Parel – Just on that topic, that's a great point. Are you proposing the shorter height canopy?

Mr. Abdelnour – Most of the gas stations we do at 16' just to be comfortable and no issues with the canopy when people drive under it, but really 13'8" to 14' is doable because they use the same concept in bridges. We usually do 16' just to be on the safe side. But the design here was done at 16'. So, like Mr. Weber said, we can lower to 13'8".

Chairperson Parel – Okay. I think I understand your concerns, but the height of that canopy was critical for us. My thought is the shorter the better.

Weber – You mean the 13'8"?

Chairperson Parel – Yes.

Weber – Yes, I agree.

Mr. Abdelnour – And we kept it lower than the building so it would feel better on the street side for people walking.

Chairperson Parel – The point is, with this rendering, that's the higher version at 16'. And it would actually be lower than that, right?

Mr. Abdelnour – Yes, like 2.5'.

Chairperson Parel – Yes, great.

Dave Campbell – Once the public hearing is open and closed, I'm guessing the petitioner's team would like to have an opportunity to answer any questions or address any concerns that get brought up.

Chairperson Parel opened the public hearing.

John Sammut, 2815 Woodbury St, Commerce Township – I have lots of questions. First is the entrance/exit from Glengary and Benstein; what's going to prevent people from bypassing the light all together to head north from Glengary? The other I've got is property values go down when there's a gas station in the area. It's not just more traffic, but more drastic traffic with left turns, right turns, going into the gas station and coming out, traffic jams.

I'm worried about pollution of the groundwater of course. And the noise, more noise, more traffic. And the lights; what kind of lights is he going to have to advertise that it is a service station, how big, how bright? Will they dim at night, or not? I live within 300 feet. That's why I got the letter.

We've got a lot of empty businesses around the area. I'm afraid if another one fails, we're going to have more. We have the dentist building across the street that's vacant, and a couple more just on the other side of Wolverine Lake on Benstein, quite a few there. The church, that used to be a sports bar, and a church again, now it's vacant again, next to the Eagle's club.

And the tanks; I'm concerned about not only leaks from tanks, but also from surface leaks from the gasoline for so much traffic, leaking oil into the storm drains. Is there going to be anything to collect that to prevent polluting the groundwater? And, does this affect home insurance rates, being close to a gas station? Does anyone know about that? I guess that's about all I've got for now.

Mike Knish, 1171 Mallow St, Wolverine Lake – I've got a bit of a cold. I would like to see Steve build this building. One thing I don't like, when you try to pull out of his place of business right now, it's a suicide attempt. Trying to get out is horrible. The fact that he's going to move his building back and you can pull in and out a lot easier, that's what I appreciate. I would talk a little bit more, but my voice is terrible. I do appreciate Steve putting the money into our neighborhoods.

Greg Morris, 2874 Benstein Road, Commerce Township – First, my family really likes Commerce Lake Market. We shop there regularly and we're glad it's part of the neighborhood. I want to thank the owner for all of the extensive work in this proposal. My concern remains specifically with adding a gas station. I'm asking for denial of that rezoning to allow it. My biggest concern is groundwater. Our home, like many nearby homes, relies on a private well. My understanding is that the proposed underground fuel storage could not meet the normal separation requirement from nearby residential wells and requires a State variance. I recognize that additional safeguards come with that variance, but those safeguards address how the tanks can be installed. They don't answer whether underground gasoline storage is the right use for this location in the first place.

Traffic is also a concern. Glengary and Benstein is already a busy intersection. The traffic study recommended extending the turn lanes, which reinforces to me that the existing traffic conditions and the additional demands created by this project are significant considerations. My family has experienced this intersection firsthand. My wife was actually involved in an accident there just while stopped at the traffic light. Now one accident doesn't prove that the project is unsafe, but it makes the traffic concerns very real that come with it.

I support reinvestment in Commerce Lake Market. I appreciate the work the owner has put in to try to make this project work. I simply just don't believe that a gas station is the right use for this location, this close to homes and private wells. If the Planning Commission ultimately reaches a different conclusion, I'll respect the decision and hope the project is successful, but my position tonight is no. I'm asking the Planning Commission to recommend denial of the rezoning.

Kelly Burt, 3129 Linda Marie Way, Commerce Township – I shop at Commerce Lake Market all the time. I support modernizing that area and making it look better than it does today. As far as a gas station goes, as long as everything is done right, I would support it.

Brad Wheatley, 2713 Woodbury St., Commerce Township – I just bought my house. I'm about 3 months into it and I'm pretty oblivious about this going on until my family brought it to my eyes. I invested in my first property, and my biggest fear right now is with the gas station coming in. Statistics show that anything within the first 300 feet of a gas station loses about 10 to 15% of its house value. So, I'm potentially losing about \$30,000 to \$40,000 on my first investment of my life. I am a third generation of a business with family. I support growth and redeveloping to improve, but there's a point where you've got to look at the people around you and your residents and you can't hurt everyone. Thank you for your time.

Tom Hanson, 1510 Trimont St, Wolverine Lake – I've been a resident for about 30 years now, so even prior to Steve arriving there, we've always used that location for its convenience. My opinion is that the gas station center should be approved because there is a big demand. There's a convenience to it. There are no gas stations around. If I head north, I've got to get up to Waterford or whatever. There are no gas stations, there's none. We might get one on Oakley Park, but that's off the beat off Benstein. I've spoken with my neighbors. We talk all the time. The reception of it was outstanding. People are tired of driving into Walled Lake or up to Commerce just to get gas for the lawn mower. A convenience store and a gas station together, it's my understanding that

they're going to put a kitchen in there, so you're going to get quick carryout convenience there. We don't have a whole lot there. We've got the Glengary Inn and the Benstein Bar & Grill. You could get quick carryouts, the convenience store looks like it's going to be bigger. You guys have to decide on the height of it. I don't care about the height. I think it puts a shiny penny on the corner that has been awfully needed for quite a long time. Some of the other speakers talked about their situation, and that's unfortunate, but sometimes things have got to be done for the greater good. And the fact that he's willing to invest in that area, it's going to help it, it's going to look better and it's going to work. It's just a good thing.

Mike Blackwell, 1460 Carpenter Court, Commerce Township – I've shopped at this market for over 30 years. I've lived in Commerce for 32 years. I've shopped with multiple owners of this market. I think Steve is great guy. Everything I've seen here; I think it absolutely looks great. I do understand the concern with the gas station and the tanks. That's anywhere you go. The State is the one who drives how that happens. I think this is a good idea. I think this is going to be great looking on the corner. Hopefully it will cause some of the other businesses in the area to upgrade also. I know Steve has tried multiple times to improve the look of the market, and he was denied on different things, such as putting up a new sign. But he has tried to do what he could do. Let's not forget, this is going to generate a lot of money for the Township too.

Cary Cole, 1900 Loon Lake Road, Wixom – I live just south of this location. I've been in the area 10 years. Moved to Commerce Township 10 years ago. My daughters played softball at Maple Glen Park. I feel like I've watched them grow up going through the doors at the Commerce Market. I really have grown to know the family a bit. I feel like they treat my daughters as family. I really think this is beautiful. I hadn't seen the renderings before. I think it's a great addition to the area and it would help modernize and bring up that area, which would be great. I trust the owners and the family there to execute on the plan whatever requirements you come up with. I think they will follow through and it will be a great addition.

Tom Toma, 4332 Darlene Dr, Commerce Township – I've known the family for a lot of years now, just from being at the corner there and helping serve the community for so many years for us. I have a question. What was at that Geary corner years ago? What was that?

Numerous replies – It was a gas station.

Tom Toma – It was a gas station. Yes, so everything is there, I mean it has been there. It was a gas station before. So, I don't know that there's a ton of change, right. And for what the Bakko family wants to invest in our community, especially in that specific corner where I know that there was a lot of negativity about the way that it looked and so many different things that are going on. I think, for somebody to come in and want to spend that much money in our community and make it look like that, I think he needs applause for what he's doing and for all the effort that he has put behind it. Thank you.

Ty Geary, 409 Rosario, White Lake, and Geary Masonry, 2718 Benstein, Commerce Township – I'm his neighbor. Just like he's trying to do, I did get a chance several years ago to make my place look better and I don't see how he could not have the same opportunity, especially when I saw that. I mean I think it would look amazing. For the last 5 years, I've had nothing but compliments about how we were able to make something older look nicer. His store could use an upgrade to me, and the gas part, and the good food part – I'm for it.

John Anolick, 1550 Carpenter Court, Commerce Township – We've been at our house for about 30 years now. We're just a few blocks away from the market. Steve and his family are great. We've come there many times. This is the first time I've seen the renderings. I think it looks great. The gas station is definitely something we could use in that area. Thank you.

Kyle Kilby, 2065 Glengary Road, Commerce Township – I've been in this area since 1990. My family and I have grown up here. I've talked to Steve and we've known them and their family for a long time. A lot of effort and a lot of work has gone into this proposal for him and I know that he is very dedicated to putting forth a better facility there. I mean Commerce Market right now, it's about the same since when we moved out here in 1990. I know that he's putting forth the effort to make it look really good.

Dennis Tendall – I've been in business for probably 45 years. I'm a chemist by trade and I retired when I was 71 years old. I've been living in Commerce for over 30 years, and I've dealt with all kinds of things, including buried containers, and I've dealt with the State. I'm very familiar with what they're talking about with regards to double lined containers. The State has come up with so many strong protections to make sure that there aren't leakers, that it's almost impossible to have leakers nowadays. Back 30 years ago, 40 years ago, I mean it was just one tank in the ground, and when it leaked, it leaked. But now they've double lined them and it's almost impossible to have any kind of leakers at all. So, it's not a problem anymore. From my standpoint, as a retired business owner, not a problem. I love to see new businesses. When I see the Benstein Grille and what that place used to be versus what it is today, and come in the community, and how everything is, I just want to see the community grow. I'm all for it.

Jennifer [Leeks], Woodlawn, Wolverine Lake – I just want to say I fully support this. I think this is a great idea. I know a lot of people are saying about the gas, but it's like who drives to the middle of nowhere to fill up their tank? This is what we're living in. I think this is a beautiful plan. I live on Woodlawn. I'm in the community and I fully support this. I just wanted to give my opinion. Thank you.

Suzanne Sadler, 2860 Tall Pines Way, Commerce Township – I'm here to speak on the character of Steve. You can't meet a nicer man and his family. They are just the best. I stop in there just about every day. It reminds me of when I was a kid and we would run to the party store down the road on our bikes so we could go and get candy, and they all knew our names when we went in there on our bikes. The proposal that Steve is making is beautiful. I think it would be fantastic for the community and Steve is just the best, his whole family. They know you by name when you walk into the store. I'm happy to see this beautiful construction made. Thank you very much.

Patrick Sivyer, 2864 Woodbury, Commerce Township – I'm right around the corner from the store. There are just a couple things I want to mention. One is the perception of people I know who come into my neighborhood to visit me, the perception they have when they come into the neighborhood. When you see some of the rundown buildings, and Steve's store is getting older looking now, it has been there 50 years or whatever. It has served its purpose and now a facelift would be welcomed. I don't know if the appearance improvement, as you're entering into that little neighborhood there, outweighs the loss that people would have for having a gas station in the neighborhood. It seems to me like, aesthetically, this is going to make a significant improvement in the area.

I also feel bad because we all have a concern for the groundwater. I had to put a very expensive well in because we are in a contamination zone. It was 4 to 5 times more than what my neighbors put in just a couple years prior to that, but at the same token, the State is going to be in charge of this. They're going to be making sure that all the fail safes are put into place. They do it everywhere else, and it gets passed, and people have no issues with it. I've worked with Steve a little bit. He works with people in the community trying to help out. We support families during the holidays. He has big plans for doing a lot more of that in the new facility. I just think it would be a good improvement.

Ed Pitt, 1632 Nottingham Ct., Commerce Township – I've been a resident here for 20 years. I thank the board for listening to me. I've been going to Steve's party store for many years and I've found him to be a good friend. Also, it just seemed like he was always there when there was a brown out or when we didn't have power. He was there in the morning starting up that generator, getting that store ready. I appreciate that, I really do. He's a good man. He's a good listener. I think the store will be a real asset to all those things that we need. I like the building. I'm an artist. I talked to Steve about the landscaping and all that kind of stuff. It's really good for the community. I really see it that way. Thank you.

Rob Keller, 2882 Benstein Road, Commerce Township – I'm here to support Steve and his proposal for the gas station. I started a new business this year. I'm an operator of a food truck here in Commerce. Steve and his family have been extremely supportive and have helped me get the name out, and let me set up in the parking lot to serve food. I feel like if he's allowed to invest in the community, he would continue to do good things and continue to support everybody.

Leburn Patterson, 2320 Benstein Road, Wolverine Lake – I've known Steve since they bought the store. I think it looks great. They're nice people. They try to help the community. If somebody doesn't have the money, they come in there, he gives them credit. What more could you ask of a neighbor? Thank you.

Marsha Loree Craig, 2529 Marchar, Wolverine Lake – I've already been up here. I have one more thing to say. There's a difference between a money grab and a responsible business owner. This here that you're looking at is a responsible business owner. He's going to do what it takes to keep the environment safe and keep us protected.

Cynthia Knobelsdorf, 2796 Benstein Road, Commerce Township – I'm here speaking on behalf of myself and my husband, Kenneth. He has been in that house 40 years. I've been there 21 years. I don't begrudge the market in any way. I love the design and everything. I never go in there. I've been in it once in the whole time I've lived here. I have a couple concerns about the traffic study. I read that and I don't know if they usually use old Google Photos, but there's like a three quarter of a million-dollar house that's missing on here. Also, my other main concern is in this traffic study at this corner of Benstein and Glengary, there's nothing, not one word about the ingress and egress from the Little Caesars/Vape shop onto Benstein Road, or the shuttered dental office that's now up for sale or rent, lease. Eventually something will be there. That entrance is going to be right across from this proposed driveway on Benstein. In all these diagrams, nobody took that into consideration, so it's kind of a red flag for me. How is that going to mix into all this?

Commerce, like the whole United States, has a housing shortage. So, one of my main things is, why tear down a perfectly good house? But I don't own it, so not up to me. The other thing, gasoline sales are way down in the U.S. for a lot of different reasons.

People are working from home, electric cars, hybrids. We really don't need all the gas that we think we need, and the data is there if you take a look at that.

Declining property values is a big one. I talked to an appraiser that said my little probably \$250,000 house would lose \$25,000 to \$50,000 if I went to sell it if it's so near, about 200 feet away, from a gas station. It's very concerning. Also, as far as that goes in an appraisal, it also could come up that we may not be able to sell a house with that underground storage tank so close, so it's kind of a concern.

With the underground storage tank, there was a gas station that operated at what is now Geary's Masonry from 1950 until 2001; either a gas station or automotive service. In 1999, they found one 2,000-gallon tank and 2-1,000-gallon tanks that were leaking there. Within 1,500 feet of that property at 2718, there's 136 wells. The population is about 405 within 1,500 feet of that. So that's very concerning. Accidents do happen.

Chairperson Parel – I don't mean to interrupt you, but we're going on 3 minutes.

Cynthia Knobelsdorf – Two minutes, okay, yep. According to the US Environmental Protection Agency, EPA, over 4,000 new releases, leaks, spills, over fills from underground storage tanks are happening. So, it's not like it never happens. Every year in the United States – that's a lot, 4,000 every year. And benzene – I'm going to be so close to benzene. It causes cancer, leukemia, all that. My husband has already been through Vietnam. His government did him dirty already. I hope Commerce Township doesn't as well.

Frieda Bechtelheimer Warrick – Many people recognize the name because Bechtelheimer has been here over 60 years. I've grown up in my house, which is right next door to the proposed gas station. I am dead set against a gas station. The last gas station leaked gas into our wells. Our well had to go down and it's stuck at 75 feet. It's contaminated again from the former gas station that has been turned into Geary's Masonry. The store is wonderful. I think the idea of a store in the neighborhood would be wonderful, but no gas stations. It's only a mile and a half to get to the nearest gas station. Also, we're getting rid of gas cars. The car manufacturers are now presenting us with electric cars. I think an electric station would be better. I don't know if it will make any difference, but I'm still dead set against a stupid gas station.

John McDonald, 1155 Glengary, Wolverine Lake – Been here 30 years. I go to Steve's place all the time. Great place. He's very concerned with the neighborhood and its people. I understand the concerns with these leaks, but everything is being taken care of. They continuously improve on these things. So, as far as gas leaks, I really don't see it, and if it is, I'm sure they're on top of it pretty quickly. Like they said, they're double-walled. Steve does many things for the community, and to brighten up that area right there would be a great deal. And like they say, he's a great guy, and like I said, I've been here 30 years. Improvement is not a bad thing.

Michael Derum, 3724 Cheryl Drive, Commerce Township – Steve's place is a little over a mile from mine. We have the ballparks and the fields on one end, and the ball fields and the park on the other end of Glengary. There are no gas stations on Glengary or on Benstein. And yes, that gas station on the corner lot did leak. Those tanks were put in over 70 years ago. I used to go there when I had to get emissions checks for my car back in the day. Things change. I worked construction around here for 40+ years, all in concrete. I've worked on many gas stations. You would not believe the technology that goes into them these days. I used to feel guilty about building all these homes, look at the extra traffic. My place used to be so nice. I used to walk as a kid from Hawk Lake down to Proud Lake, Glengary was a dirt road. We got gas stations around every lake in Oakland County basically in Michigan. We're putting another gas line underneath the Straits of Mackinaw. So, the technology is there and tested. Steve and his family, they care about the community. He does community work. He volunteers. He helps people who need help. He has Santa Claus for the kids at Christmastime. He has customer appreciation days, and Cameron cooks hot dogs and burgers for the customers. All I can say is, I love this man. He's good for the community. I love that building. Thank you.

Jessie Stuart, 2750 Benstein Road, Commerce Township – I live right there. What I see there, that gas station would be very good for everybody. I ride my bike everywhere through there. I've lived there for 50 years. I know Steve. He actually saved my life. Thank you.

Kris Prekaj, 2593 Benstein Road, Commerce Township – My dad, Pete, is two doors down from Steve. Steve is a very good guy and we respect him, but me and my dad spent a lot of money building brand new houses there two years ago. So, we're both concerned about the whole project. I have four kids. A lot of people miss, you know, the Dairy Twist across the street. With all the traffic that place has already, from both sides, all the way from the Benstein Grille to Oakley Park, it becomes busy, every morning and every evening. We're against it. We respect Steve, but my dad put in a well three years ago, and that ground is still contaminated. Paula probably knows because we paid like \$40,000 to put a well in there. So, we're against it. Picture your kids or grandkids there, in that area, everyone is speeding with the two exits, it's not a good idea. Thank you.

Pete Prekaj, 2780 Benstein Road, Commerce Township – You need to ask 10 or 15 houses around, not two miles down. If somebody is a mile from a gas station, it's nothing else. I'm next door. If somebody told me he was going to build a gas station; I would not have spent a lot of money to build a house. Oakland County, he told me to spend a lot of money for water, triple to build because of the oil in the corner. I have respect for him. The building he is going to build is okay, but the gas station – I don't like it.

Craig Ostrowe, 2400 Woodlawn St, Wolverine Lake – I've lived here for 50 years in the Village, since I was three years old. Steve actually helped me with my wedding. I got a lot of my stuff from him. I do appreciate him and I support what he's doing.

Greg Rohl – I'm just a lawyer from West Bloomfield. More importantly, I represent the owners of the Marathon on Commerce, Marah and Farah. They're very excited about this development. They want to wish Steve the best of luck, but they want to make sure that the record is clear because if you look historically at what this board has done, the last three attempts to expand operations at a gas station, one of which was my client's, were declined and rejected out of hand. And, if you look at the memo that Dave prepared on May 4, 2026, he essentially outlines the significant departures and the rejections. Then if you pull up all of those particular rejections as to why it was rejected, the major reason is that it was noncompliant with the Master Plan. I'm not sure what the Master Plan is here or how it would impact the Master Plan, but my clients just wanted to say, what's good for the goose is good for the gander. And if this is going to go through, and they hope it does, then it opens the door for others similarly situated to avail themselves of the same opportunities.

Tammy Cook, 5668 Carroll Lake Road, Commerce Township – I live closer to Marathon gas station. My questions are, and it may be coming down in the future, I don't know how this whole scene goes, but a car charger station; is it going to have one of those? Are they not going to have one? There's outside storage. It states on the plan, outside storage, but it doesn't give any dimensions. So, is that all the way across the front of the store, because currently, like at Marathon, they're supposed to have no outside storage. The ice machine is on the side, and it's all across the front of the store. That traffic study, did it include for future food service, or was it just a party store and a gas station? The delivery, it's usually behind the building, but you can't go behind the building and go back out and deliver. So, is delivery right in front of the store? And the height of the gas station canopy looks like it's lower than the roof, so the pitched roof looks great compared to the flat. Those are just my concerns and thank you very much for your time.

Chairperson Parel – Would anyone else like to speak on the matter? Speak now or forever hold your peace.

Dave Campbell – Mr. Parel, we did get just today a total of 13 emails, written correspondence from folks who couldn't make it to the meeting. Of the 13, 12 are in support, and 1 is in opposition. The reasons for opposition are things we've heard tonight; traffic, environmental concerns, et cetera. And the support echoes a lot of what we've heard tonight with respect to the current owner, the way they do business, the way they operate and in support of their efforts to expand and reinvest. I will provide these to our recording secretary so they can be included in the record.

Email correspondence received was as follows (several lacked addresses):

1. Joseph Genereux, 2875 Benstein Road, Commerce Township – Opposed to the proposal, citing environmental concerns, traffic issues, home values
2. Laura Conner – In favor of the proposal
3. Jeff Snelling – In favor of the proposal, frequents the existing store

4. Tiffany Pupava – In favor of the proposal
5. Alex Deyonker – In favor of the proposal
6. Brett Billin, 1775 Medler Rd, Commerce Township – In favor of the proposal for community enhancement
7. Brett Wagner, 835 Laguna, Wolverine Lake – In favor of the proposal; need a gas station nearby for convenience, a positive addition
8. Brianna Collar – In favor of the proposal; has been a faithful customer for years, has respect for the owner
9. Dennis Kayfes – In favor of the proposal; it will be a valuable addition to the community, adds convenience, positive commercial growth, and he has confidence in the design and safety measures
10. D.J. Summers – In favor of the proposal
11. Jennifer Waites – In favor of the proposal; need a gas station in the area, Steve and his family are nice and friendly
12. Lesley Merlino – In favor of the proposal; strongly support, excited about possibility of a gas station in community, Steve and his family are amazing business owners and truly invested in the community
13. Robin Benzinger – In favor of the proposal; great addition to the community and nice to have a gas station closer

Chairperson Parel closed the public hearing.

Dave Campbell – With respect to alcohol sales, this is something that would maybe be prevalent if and when this project proceeds to the Special Land Use step of the process. Off-premises alcohol sales outlets, which the Commerce Lake Market is one, are currently considered a Special Land Use within our Zoning Ordinance, and there are criteria or limits for off-premises alcohol sales outlets. Most relevant of those criteria oftentimes are the spacing standards. The Zoning Ordinance had spacing standards for alcohol sales outlets relative to one another, relative to residential zoning districts, relative to places of worship, relative to daycares, and parks and so forth. This particular location would likely not be able to meet those Special Land Use limits. But it is an existing location, so what has occurred in prior instances with other operators at other locations, including the aforementioned Marathon station, is as long as they are not expanding the alcohol sales, then they're allowed to remain and allowed to continue operating. So, when we talk about an expansion, what we did with Marathon, and what would likely happen with this one, is we would set a baseline of the existing alcohol sales that they currently operate with, whether that's based on the square footage dedicated to alcohol sales, or whether that's based on volume, or whether that's based on revenue. Then, as a condition of Special Land Use approval, if we get to that point, the Planning Commission would say, Special Land Use approval is granted, so long as there is no expansion to the alcohol sales beyond whatever that baseline is. Again, the same approach that was taken with the Marathon station when they did a knock down and rebuild of their store a couple years ago.

Chairperson Parel – I appreciate that. I thought that might be relevant. I know if I lived in the area, that would be my concern.

Dave Campbell – I will let Mr. Bakko and Cameron Bakko and the team speak for themselves, but my understanding is that they're agreeable to that. Their intent with this knock down and rebuild is to expand the store, but expand it in an effort to have it operate more as a market. That would include, as they described it, more fresh options, more grocery options, more hot food options. Based on the conversations I've had, they're agreeable to keeping their alcohol sales at the baseline they're at now, which would not trigger the Special Land Use limits, and then therefore trigger the spacing standards.

Chairperson Parel – I do appreciate it.

Commission Comments:

McCanham – We've heard a lot in the last couple meetings. The only thing that was new to me was the liquor license deal, but you've answered the question. I'm waiting to hear what everybody else thinks.

Weber – Originally, I was opposed to the gas station. I think that was 8 months ago when we first started looking at this. I think a couple of things have swayed me. The most important things we think about are traffic, density and safety. I think the traffic study, while it maybe has some imperfections in it, I think what it does demonstrate is that there's not a lot of new traffic that is going to be generated from this, meaning that it's going to be pass-through traffic for the most part, people that are already on Glengary or already on Benstein. Somebody is not going to drive from Wixom to come to Steve and Cameron, unfortunately. I don't think the traffic impact is going to be significant.

I have concerns with the Dairy Twist being across the street. I do want to understand more once we get to site plan, assuming we get that far, that the increased center turn lanes will address that. The documentation that we got from the State offered a little bit about the technology and the double-walled tanks. I think what's more important is the mandate of the inspections and automatic full-time leak detection technology being installed. So, it's not that a leak might occur and can only be found with an inspection, because actually there is going to be leak detection technology that's built into the system.

For those reasons, I think it has overcome my objections. I live a half mile from this location. The environment and the traffic are a concern to me, but I think the improvement of that site overcomes that.

Loskill – We've discussed this a number of times at several meetings. I have no further issues.

Phillips – I really appreciate the public hearings and getting feedback from people. It was mixed tonight, but mostly very positive I think. I also think I heard concerns about the environmental risks, but after reading the State of Michigan regulations and compliance commitment, I don't think that's a huge risk. I also don't think the traffic impact is going to be significant, and there are improvements proposed. I really like seeing the investment in the community. We have talked about this proposal many times and I'm in favor.

Bearer – Thank you, everyone, for all of your comments. Mr. Bakko, I don't know you personally, but it sounds like you've made a tremendous impact on the surrounding community. Just one thing I wanted to point out that put my mind at ease a little bit from the State when the variance was requested. Along with the sensors that were pointed out, there's also mandatory monthly inspections of those sensors, which I think is important to note as well. Not only are sensors required, but they have to be inspected to actually be working. I think that's an important thing for this audience to hear.

Chairperson Parel – I don't want to repeat anything, and I think a lot of my comments are more relevant for site plan approval, if it makes it there. There are some things I'm thinking of. Dave, please tell me if these are items to be addressed later on in site plan approval. Hours of operation of the gas pumps? My question is that we have gone back and forth several times talking about that.

Dave Campbell – Monday through Saturday until 11:00pm, and 10:00pm on Sundays.

Chairperson Parel – Have we established that?

Dave Campbell – We can certainly have that discussion, and it would be for tonight because it's something they would be committing to within the Conditional Rezoning agreement.

Chairperson Parel – The proposal on the table is, the gas station and market would be open until 11:00pm weekdays and Saturdays?

Dave Campbell – 6:00am to 11:00pm Monday through Friday, 7:00am to 11:00pm on Saturday, 8:00am to 10:00pm on Sunday.

Chairperson Parel – Any concerns from the Commissioners regarding those hours?

Weber – I think those are the existing hours. Those are your present hours, correct? We're not changing the hours of operation. It's keeping it consistent with what it is today.

Chairperson Parel – Okay. Dave, signage?

Dave Campbell – That's something that would be looked at in more detail if and when it gets to site plan approval. I'm supposed to put everyone on notice. Given the constraints of the site, it might be challenging to find a conforming site for a freestanding sign. That's something that can be looked at, if and when we get to consideration of the site plan.

Chairperson Parel – Okay. If there were to be a motion made, it sounds like we've made a decision on the height of the canopy. And unless I'm incorrect, also the style of the canopy. The style might be more of a site plan matter.

Dave Campbell – I would contend the style of the canopy would be something to look at more closely if and when it gets to site plan. The height though, if Mr. Bakko and his team are willing to commit to it, that might be worthy of being committed to within the Conditional Rezoning agreement, but they would have to volunteer that.

Chairperson Parel – I believe they have. Are we good with the height of the canopy?

Mr. Abdelnour – Yes.

Dave Campbell – Just so we're all on the same page, we're talking 13'6"? It's my understanding that both the fire code and building code say a minimum clearance of 13'6", so that's as low as you can go.

Mr. Abdelnour – I don't want to have any issues. I would say 14' and make everybody happy.

Chairperson Parel – We understand, and we appreciate that. Thank you. Then just a couple quick things. Fuel pump screens; are we talking about advertisements on the screens, or would it simply be screens that show the pricing and your credit card information? Do you know that yet?

Dave Campbell – Correct me if this is a misunderstanding on my part. What they're committing to within the agreement is that there wouldn't be any audio emanating from the screens. As to what the screens are actually displaying, I'll let them speak to.

Cameron Bakko – Have you seen the new big screens that the dispensers have? It would have those, but there's a setting that you toggle on them that will eliminate the sound. It will advertise visually, so you can see things. I think for safety reasons, if the mic has to come on from somebody inside, it will work, but that's only if need be. But, the sound will turn off. It won't have any annoying advertisements or music.

Chairperson Parel – What happens at 10:00 on Sunday, or 11:00 on a weekday or Saturday? Do those shut off?

Cameron Bakko – Yes, they can shut off, if I'm not mistaken.

Chairperson Parel – Wonderful.

Dave Campbell – Cameron, when you talk about advertising on the screen, it's promotional like 2-for-1 Snickers Bars inside? Stuff like that, or is it off-site advertising for a car dealership down the road?

Cameron Bakko – No, it's in-store advertisements that don't require any noise. If you happen to be looking at it, then great. But as far as commercials like you see on TV, no, nothing like that.

Chairperson Parel – Thank you for clarifying. My last comment is just general. Like George, I was on the fence. I'm not sure I was opposed, but definitely on the fence. You folks have put together what I would say is a beautiful building. I think you've taken all of the proper precautions with the State regulations, and I also do think that in this area of Commerce, there is a need for it. I think it's a great project. I support it. The big thing that tied it all together for me is that I look at that corner, I know how busy it gets, and I know there's traffic concerns, but I look at the feeling of community that you get at this corner with all the baseball fields, with the locally owned ice cream shop, and with folks and families like you with a family-run business, and I see you expanding. I see you putting in tables for folks to sit outside, including your food offerings. I think that's good for the community. Thank you, and I thank the community for coming out. We really do appreciate all of the comments.

Mr. Abdelnour – I just want to make sure. Which canopy are we deciding on? The covered canopy or the flat?

Dave Campbell – I think we are deferring until we get to site plan consideration.

Chairperson Parel – Do we have to? I'm happy.

Dave Campbell – If this Planning Commission is approaching the point of making a motion, a recommendation to the Township Board, the Planning Department did provide recommended motion language. It does sound like there might be one addition relative to the height of the fueling canopy, or more specifically, the clearance underneath the fueling canopy at 14'.

Weber – I think there's two. The height of no taller than 14', and the other would be clarifying what Mr. Bakko said about the advertisements on the pumps. Those would have no audio and the advertisements would be limited to in-store promotions.

Dave Campbell – I believe the no audio part is already in there, but limiting it to only include on-premises advertising would be in addition to that.

McCanham – Is the 14' clearance, or the top of the roof?

Dave Campbell – That's 14' to the bottom, so it's clearance.

Chairperson Parel – Noting those two additions, would somebody care to make a motion?

MOTION by Loskill, supported by Phillips. Move to recommend the Township Board approve PCZ#26-01, a conditional rezoning petition by Saad Bakko for the redevelopment & expansion of Commerce Lake Market at 1740 Glengary Road for a convenience store with fuel pumps upon a site consisting of two parcels at 1740 Glengary Road and 2750 Benstein Road. The subject properties would be conditionally rezoned from B-2 (Community Business) and R-1D (One Family Residential) to B-3 (General Business). The Planning Commission's recommendation is based on a finding that the conditional rezoning petition meets the applicable criteria within Articles 3 and 36 of the Township's Zoning Ordinance, is consistent with the intent of the Commerce Township

Master Plan, and is an opportunity to realize significant improvements to the site and to the vicinity. The Planning Commission offers their recommendation with the expectation that the project – if its conditional rezoning is approved by the Township Board - would return to the Planning Commission for consideration of approval of a site plan and Special Land Use that demonstrates compliance with all applicable standards of the Zoning Ordinance and with the approved conditional rezoning plan. The Planning Commission offers their recommendation on the conditional rezoning with a reasonable expectation that the project can satisfy the applicable requirements for Special Land Use approval, including the requirement that the project will demonstrate a documented and immediate need for fuel sales.

The Planning Commission's recommendation of approval is conditional upon the following:

1. The applicant enter into a conditional rezoning agreement with conditions volunteered by the applicant and acceptable to the Planning Commission and Township Board, and the executed conditional rezoning agreement be recorded with the Oakland County Register of Deeds prior to any formal consideration by the Planning Commission of the site plan and Special Land Use;
2. The petitioner to consider volunteering to revise the conditional rezoning agreement prior to consideration by the Township Board to limit to the area of alcohol sales to that which currently exists within the existing store;
3. The petitioner to apply for approval by the Planning Commission of a site plan and Special Land Use consistent with the terms of the conditional rezoning agreement subsequent to approval and recording of the agreement;
4. Any public road improvements committed to within the conditional rezoning agreement, shown on the conditional rezoning plan, and/or recommended by the Township's Traffic Engineer within the traffic impact study to be reviewed and approved by the Road Commission for Oakland County (RCOC) and the Village of Wolverine Lake;
5. The canopy height clearance is limited to 14-foot and 0-inches;
6. The gas pump screens will only have ads for their in-store promotions, and they will have no audio.

MOTION CARRIED UNANIMOUSLY

ITEM H.2. PSU26-03 – LUAI'S AUTOMOTIVE – SPECIAL LAND USE

Luai's Automotive is requesting Special Land Use approval for an automotive repair shop within an existing building in the TLM (Technology & Light Manufacturing) zoning district located at 4224 Martin Rd. PIN#: 17-13-326-003

Dave Campbell – What's proposed is for the new user within the existing building at the northwest corner of Martin Road and Pioneer Drive, at 4224 Martin. The petitioner is Luai's Automotive. The subject property is zoned TLM, Technology and Light Manufacturing, and automotive repair is a Special Land Use in the TLM zoning district, subject to certain conditions. Perhaps the most notable of those conditions is that all activities are done within a fully enclosed building. In other words, no outdoor storage, no storage of damaged or wrecked vehicles, no storage of vehicle parts, no vehicles on display for sale or for lease. Everything has to take place within the existing building. Because it's a Special Land Use, it requires a public hearing, so that has been properly noticed in the Oakland Press and every property owner within 300 feet received their Special Land Use letter. They also put up their signs that a Special Land Use is proposed.

Mr. Luai Poota has provided a narrative describing the use and describing the nature of their business, and committing to complying with the Special Land Use standards of there being no outdoor activity outside of the building. They did ask for one potential deviation from that being that customers could drop off their vehicles after hours, or “store” their vehicles overnight until they can be pulled in. So, that would be a deviation that the Planning Commission would want to consider.

The other consideration is, typically when we're looking at new users and new uses within an existing site and an existing building, we look to whether we can bring the existing site into reasonable compliance with the current standards of the Zoning Ordinance. A lot of times what we talk about when we talk about reasonable compliance is whether we would want to see a sidewalk along the property's frontage. This particular stretch of Martin Road doesn't have sidewalks on either side. There are sidewalks along both sides of Martin Road, moving southward as far as Oakley Park, but then the sidewalks cease once you get to the roundabout at Oakley Park. So, one of the things the Planning Commission has considered in instances where it maybe doesn't make sense to put in a sidewalk today, because it would be a sidewalk that wouldn't connect to anything, is whether a better option would be to have the petitioner put into a fund what it would cost to build that sidewalk so the Township can use those funds to do a sidewalk improvement somewhere in the vicinity where maybe it makes more sense. That's one of the things we're hoping the Planning Commission can consider.

Whether or not they're going to need a dumpster is still to be determined, so we make a recommendation that if the Planning Commission is ready to take action on the Special Land Use, they do so conditional upon the Planning Department having administrative review and approval authority if they decide to put in a dumpster, and if so, they would have to put it within an enclosure that would match the building.

No vehicle sales, rental, lease or display. And then maybe the last recommendation again, in the spirit of bringing the site into reasonable compliance, is taking the existing freestanding sign along Martin Road, which I will go to this view to see if you can tell.

The existing sign, which I assume they're going to want to retain and repurpose, is currently on a pair of 4x4s. A lot of times what we do in these instances is have them put a skin around the base to have at least the appearance of more of a monument sign, which is something we would require if the sign were to go in today.

So that might give you another example that the Planning Commission could condition any approval on upgrading that sign with a base that gives it the appearance of a monument sign. Otherwise, they're not proposing to make really any major alterations to the existing building or to the existing site, so there isn't really a site plan that goes along with the Special Land Use. It's really just the Planning Commission's consideration of Special Land Use approval for the automotive repair facility to occupy or reoccupy an existing building. I'll see if there are any questions for me, otherwise, the petitioner is welcome to come up and answer any questions on their behalf.

Chairperson Parel – Dave, you mentioned a deviation regarding dropping cars off in the PM. Is that already referenced in the motion language?

Dave Campbell – It is; *vehicles shall not be stored beyond temporary overnight parking of vehicles dropped off after business hours*. In addition to that; *absolutely positively no outdoor storage including but not limited to outdoor storage of partially dismantled vehicles, damaged vehicles, new and used parts, and discarded parts*.

Chairperson Parel – Are you saying we need to modify it?

Loskill – No.

Dave Campbell – No, I'm saying the motion language takes into account overnight drop off of vehicles, but beyond that, no outdoor storage of vehicles awaiting repair, or of vehicles in any state of disrepair. Everything is meant to be contained within the existing building. That is a criterion for Special Land Use in the TLM zoning district.

Chairperson Parel – Got it. Thank you, Dave. We welcome the petitioners up if you gentlemen would like to come up and have a conversation.

Dave Campbell – Once they've had an opportunity to introduce themselves, keep in mind, we do still need to open and close the public hearing.

Luai Poota and Jacob Ellis were present to address the request.

Jacob Ellis – We are proposing a Special Land Use. Hopefully you guys can take into consideration the building is already existing. We will be making no changes to any construction. We're only adding and installing equipment. You mentioned the dumpster. There is already an enclosure there, and a dumpster is currently on the property, which will be removed and replaced with ours. That's pretty much it. We do respect everything you guys have told us you wanted us to do.

Chairperson Parel – Dave, can you pull up the street view?

Dave Campbell – I can. It will take a second.

Chairperson Parel opened the public hearing.

No comments.

Chairperson Parel closed the public hearing.

Commission Comments:

Bearer – I have no questions.

Phillips – I'm just curious, what's going on with the roof on that building?

Jacob Ellis – Are you talking about the dark spots?

Phillips – Yes.

Jacob Ellis – There's gutters that go inside the cinder blocks and they take the water off the building.

Phillips – Okay, so it's intentional. It has purpose.

Luai Poota – The gutters are on this side.

Dave Campbell – So you're happy with the roof? The roof is in good shape.

Jacob Ellis – Yes, no leaks.

Dave Campbell – If I may, help me understand what you guys are planning with the dumpster. You've got the existing enclosure.

Jacob Ellis – Yes.

Dave Campbell – And then this picture is before you guys, this is May of '24, and this is what we're trying to avoid is having a dumpster sitting out in the open like that.

Jacob Ellis – We don't need any of that. We just need one dumpster and it's going to be inside the enclosure.

Loskill – When I drove by today, there were three dumpsters. There was one in the enclosure, one next to it, and then there was a large 20 or 40-yard dumpster.

Jacob Ellis – Yes, they are cleaning things out.

Dave Campbell – So that's temporary while everything gets cleaned out.

Luai Poota – Yes, they already took it. They finished everything inside, so it should be taken care of soon.

Dave Campbell – Does that dumpster enclosure have gates on it? I can't tell. Typically, we require gates on the enclosure.

Jacob Ellis – It does not have gates.

Dave Campbell – Okay. So that might be something the Planning Commission could consider is upgrading that dumpster enclosure to add gates which is something we would normally require on any new site plan.

Jacob Ellis – We're not sure. It might, but if it doesn't, we would respect that.

Dave Campbell – Okay.

McCanham – It's got the posts there for gates.

Dave Campbell – I don't see gates on it.

Loskill – I've got nothing. It's an existing building and good luck.

Weber – In the write-up, it said you won't be doing any oil changes. How do you ...

Luai Poota – Unless if I have to do them, I can use an oil pan. You know we have to put oil inside the car.

Weber – Exactly.

Luai Poota – We don't have any oil change pits or anything.

Weber – So it's not going to be like a fast lube.

Luai Poota – That would require a basement for us to do that many oil changes. We don't have that and we're not going to be doing that.

Weber – I would look to Andy on whatever is required, whether it's a grease pit or whatever. Basically, if we move forward, you're just going to have to meet whatever the Building Code is.

Andy Miller – Correct.

Weber – How many bays are you going to have?

Luai Poota – There's two big garage doors in the back and we're going to put the lifts inside the building.

Weber – But how many repair bays?

Jacob Ellis – It's going to be about ... Right now, we're not sure. We haven't really taken over the building yet, but it should be between 8 to 10.

Weber – And out of curiosity, how many techs are you going to have?

Jacob Ellis – 5 to 6 in the beginning.

Weber – Okay. So, I'm just trying to wrap my **head** around it. If you have a vehicle down and you have to wait for parts or something, you're not going to be dragging them out into the lot while you're waiting for parts.

Jacob Ellis – There will be no damaged cars out there, no eyesores, nothing like that. Everything will be inside the building.

Dave Campbell – Is this facility in addition to the operation on Haggerty Road, or is this replacing that operation?

Jacob Ellis – This will be separate actually.

Dave Campbell – So, Haggerty remains and then you're adding this.

Jacob Ellis – Yes.

Weber – No other questions. Thank you.

McCanham – I got nothing.

Chairperson Parel – That makes two of us. Any other questions? Dave, anything else from you? Would someone care to make a motion?

Dave Campbell – Just a reminder, you're right up the street from Township Hall, so a lot of people are going to be watching that there's no outdoor storage.

Luai Poota – No problem.

MOTION by Loskill, supported by Phillips. Move to approve PSU #26-03, a Special Land Use for Luai's Automotive, to allow a vehicle repair establishment within the TLM – Technology & Light Manufacturing zoning district at 4224 Martin Road.

Special land use approval is based on the following findings:

1. The applicant has demonstrated to the satisfaction of the Planning Commission that the proposed use complies with the general standards for Special Land Use approval within Sec. 34.08 of the Zoning Ordinance;
2. The applicant has demonstrated to the satisfaction of the Planning Commission that the proposed vehicle repair establishment satisfies the intent of the Use Standards of Sec. 26.303 of the Zoning Ordinance so long as the conditions of approval listed below are satisfied.
3. A traffic impact study for the proposed use shall not be required because the traffic anticipated for a vehicle repair facility is consistent with other land uses that could be permitted within the existing building and within the TLM zoning district.

Special land use approval for a vehicle repair establishment is subject to the following conditions:

1. Perpetual compliance with the requirements of Sec. 26.303 of the Zoning Ordinance, including but not limited to:
 - a. All repair work to be conducted within an enclosed building;
 - b. Vehicles shall not be stored beyond temporary overnight parking of vehicles dropped off after business hours;
 - c. Absolutely positively no outdoor storage including but not limited to outdoor storage of partially dismantled vehicles, damaged vehicles, new and used parts, and discarded parts;
 - d. No vehicle sales, rental/lease, and/or display.
2. Any installation of a dumpster/enclosure to be administratively approved by the Planning Department;
3. A base to be installed under the existing freestanding sign to give it the appearance of a monument sign;
4. A contribution to the Township's sidewalks & pathways fund in an amount proportionate to the installation of an 8ft concrete sidewalk along the site's Martin Road frontage;
5. 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;
6. Any exterior lighting – including security lighting – to be administratively approved by the Planning Department and consistent with the height & cutoff standards of Article 31 of the Zoning Ordinance;
7. If they install a dumpster, they would need to provide gates on the front of the enclosure to screen that from roadway.

MOTION CARRIED UNANIMOUSLY

>>Items H.3. and Item I.1. would be heard together, with separate motions to be made for each item.

ITEM H.3. PSU26-04 – SQUEALS LANDSCAPING – SPECIAL LAND USE

Squeals Landscaping is requesting Special Land Use approval for outdoor storage (topsoil, mulch, sand, rock, etc.) on vacant Lot 30 in the Homestead Industrial Park located adjacent to their existing building at 4184 Pioneer Dr in the TLM (Technology & Light Manufacturing) zoning district.

PIN#: 17-13-326-021

I. NEW BUSINESS

ITEM I.1. PSP26-06 – SQUEALS LANDSCAPING – SITE PLAN

Squeals Landscaping is requesting Site Plan approval for outdoor storage (topsoil, mulch, sand, rock, etc.) on vacant Lot 30 in the Homestead Industrial Park located adjacent to their existing building at 4184 Pioneer Dr in the TLM (Technology & Light Manufacturing) zoning district. PIN#: 17-13-326-021

Dave Campbell – This is a Special Land Use and the site plan that goes along with it. Squeals Landscaping currently exists at 4184 Pioneer, which is also Unit 32 of the Homestead Industrial Park.

David Biel, who owns and operates Squeals Landscaping, has purchased the lot next door, which is Lot 30, which is currently undeveloped. What Mr. Biel proposes to do is combine these two properties into one new condominium unit within the Homestead Industrial condominium, and expand his existing outdoor storage operation to the southerly half of the undeveloped Lot 30. So, because it's outdoor storage in the TLM zoning district, it would require Special Land Use approval. I'm trying to get to the site plan developed by Mr. Biel's engineer.

In addition to the expansion of outdoor storage, he would also provide additional parking for the existing Squeals Landscaping operation, with a new driveway on the south side of Pioneer. As you can see, a new outdoor storage yard to the south, parking to the north, with the existing building to remain, and the existing outdoor storage yard to remain. The outdoor storage yard is proposed to be screened along its north side with a simulated stone vinyl fence that this Planning Commission has seen on a number of other applications; a 6-foot simulated stone vinyl fence. That would include upgrading the existing privacy fence along the north side of the existing storage yard right where I'm moving my cursor. That's currently a wooden privacy fence, so that would be upgraded with the simulated vinyl to match the new simulated vinyl along the north side of the proposed storage yard.

Along the west, east and south side of the combined storage yard would be a proposed 6-foot wooden privacy fence. That would be new along the new portion of the storage yard, and he would be keeping the existing along the south and east sides of the existing storage yard. The proposed parking lot would be paved, curb and gutter, consistent with Township standards. It would have to meet all standards relative to maintenance of stormwater. The Homestead Industrial Park has a shared detention pond. I'll go to the aerial so you can see where that is. Everything within Homestead ultimately drains into this pond here, including any storm that would come off the existing or the proposed Squeals Landscaping.

What's relevant with the outdoor storage for TLM is what's typically required is a stone masonry fence surrounding the perimeter of any outdoor storage yard. The Planning

Commission can deviate, and in some instances has deviated from that standard and allowed the aforementioned simulated stone vinyl fence. It would be the Planning Commission's discretion whether to allow for, in lieu of a masonry wall, the new and continuation of the existing 6-foot wooden privacy fence along the south, west and east sides of the storage yard. That would be something the Planning Commission would want to specifically note within their motion language if you are to approve the Special Land Use.

Another consideration of the Planning Commission and potential deviation is typically in the TLM zoning district outdoor storage is not allowed in the required rear yard. So, the required rear yard in this district is 35 feet from the property line, and in this case that would be the south property line. The Planning Commission has the discretion to deviate from that. What Mr. Biel's team is proposing is to allow the outdoor storage to continue all the way to the south property line on the existing yard, and also continue all the way to the south property line on the proposed new storage yard, rather than have there be a 35-foot gap through here where they would not be allowed to have outdoor storage. This is something the Planning Commission could consider.

It's probably relevant that the property to the south is also zoned TLM and has light manufacturing land uses. This is American Rubber through here. So, the Planning Commission might consider the neighboring uses and what impact they might have, with or without that 35-foot rear yard separation for any outdoor storage. Obviously 84 Lumber who went in next door to the west, they took over an existing site that already had outdoor storage right to the property line. On their new portion, they did maintain the 35-foot buffer. So, it would be up to the Planning Commission whether you want to see a 35-foot buffer here or not.

As I mentioned, because this is a commercial industrial park condominium, the master deed and the exhibit B documents for the condominium would have to be amended so that units 30 and 32 are combined into one new condominium unit. That's comparable to what had to happen with 84 Lumber. I think they took over a total of 3 condominium units and combined them into one. That same type of condominium amendment would be necessary to combine units 30 and 32. So I think that's covered most of what I want to cover. I can see if there's any questions for me. Otherwise, I know I see Mr. Biel over there and Mr. Orman, if you want them to make a presentation or answer any questions on their own behalf.

Chairperson Parel – Thanks. Would you gentlemen care to come up and speak, or has Dave already passed on the message?

David Biel – Good evening. I'm David Biel from Squeals Landscaping. Basically, I think Dave's got it pretty well summarized. I've been there since 1994. I own the building and I also operate my business out of there. I am the longest tenant in there. Every other building has changed hands. I've seen it for a long time and we try and take care of the place. I'm in the landscape business and unfortunately, that could have a reputation of things getting dirty in the backyard, but there's not one vehicle there that we don't use. There's not one piece of equipment that's not used on a regular basis. We try and keep everything clean. We blow the yard. I'm just looking to expand. Throughout the years, we've grown a little bit and I just had an opportunity to buy the land next door. I'm just looking to expand and make it a little bit easier to operate and meet my needs. I will answer any questions.

Chairperson Parel opened the public hearing.

No comments.

Chairperson Parel closed the public hearing.

Dave Campbell – I will mention too that Mr. Biel did get an email from the condo association with their support of this project. I think, for their bylaws, they're meant to approve any new use, including an outdoor storage use. I believe we have an email from Mr. Kunzman in his role as the association president stating support for the project.

Chairperson Parel – Great.

Commission Comments:

McCanham – No comments.

Weber – I don't have any issues with anything being proposed, including the 35-foot setback. Just one question; the fence that is going to be facing Pioneer Drive, what would your thoughts be on having an 8-foot rather than a 6-foot fence? It seems to me, I'm not sure a 6-foot is going to screen what you're trying to do. So, similar to what Lakeside Marine did, which I think was an 8-foot.

Dave Campbell – They did do an 8-foot and then we also had them commit to any boats over a certain height would be kept toward the back side of the lot so they hopefully weren't sticking up above the 8-foot fence.

David Biel – Right now, we have an existing 6-foot fence. My only concern with 8-foot is that we would need two gates and they get really heavy. But, if we have to make it 8-foot, we will.

Weber – If a 6-foot will screen what's going to be behind it, your equipment and the materials for your storage, then I'm okay. If 6-foot doesn't do it, then I would recommend an 8-foot. I don't know what you're going to be storing or how tall it's going to be.

Dave Campbell – It might be how you arrange it too. The taller stuff maybe keep further south so that it's not peeking out over the top.

Alex Orman – I'm the engineer for the project. I'd like to add to that point. Most equipment and materials are going to be stored on the back of the property of the storage area, and it's a downhill actually. So, with the position of that view, you basically cannot see anything.

Weber – Then I'm good. And, maybe I'll give a public service announcement. You just finished up work at my neighbor's on Laguna and the work was outstanding. It looks great. I know they're very happy with it and the clean-up, and everything off the road. Whatever crew you had doing that did a great job.

David Biel – Thank you.

Loskill – Nothing for me. I'm good.

Phillips – I'm curious, for the request on the variance from the 35-foot setback. Is that necessary? Why is that needed?

David Biel – Well, because it's a lot of real estate. We can only do storage behind the building, so that basically chops the value of the lot in half, and that last 35-feet, there's really nothing behind me. There's another parking lot for Boulder Lane where they have their development. And right now, currently on my current building, we go all the way to the back. We just store pallets of brick and some boulders. In my line of business, there's just so many different products available and we come back with a half of pallet of something. You might need it tomorrow, or you might not need it for 3 years. So, that space is very valuable for us to be able to store materials.

Dave Campbell – Mr. Biel is correct that his storage yard, per the TLM standards, can only be in the rear yard. The rear yard is defined by the back of the existing building. So basically, he can't have any storage beyond this line where I'm moving my cursor because that's where the rear yard starts. For storage purposes, he can't use the front half of his lot. So, I can understand the argument that losing another 35-feet to the back would cost him some real estate.

Phillips – What's the screening of the property line, between you and your neighbors?

David Biel – It's 6-foot wood fence all the way around all the sides, and the front would be the fancy fence.

Dave Campbell – The fancy fence, minus the rust; I'm not sure who has the rusty sprinklers hitting this section of the fence, but that is what would be along the Pioneer side, and then the wooden privacy fence around the east, west and south side.

Phillips – Okay, thank you.

Bearer – No questions.

Dave Campbell – On this one, because there are site improvements and there is a site plan, there are potentially two motions. The first one is consideration of the Special Land Use, and then subsequent to that, the site plan that goes along with it.

MOTION by Phillips, supported by Weber. Move to approve PSU#26-04, a Special Land Use for Squeals Landscaping, to allow outdoor storage within the TLM – Technology & Light Manufacturing zoning district located at 4184 Pioneer Drive.

Special Land Use approval is based upon the following findings:

1. The applicant has demonstrated to the satisfaction of the Planning Commission that the proposed use complies with the Special Land Use criteria of Sections 34.08 and 22.02.K of the Zoning Ordinance, particularly as it applies to adequate screening of outdoor storage of a landscaping storage yard in the Technology & Light Manufacturing zoning district;
2. The existing and proposed outdoor storage may extend to the southerly property line, including into the 35ft required rear yard;

3. The combination of existing and proposed fencing is an acceptable alternative to a decorative masonry wall.

Special land use approval is based on the following condition(s):

1. Approval of a corresponding site plan by the Planning Commission;

MOTION CARRIED UNANIMOUSLY

MOTION by Phillips, supported by Loskill. Move to approve Site Plan #PSP26-06, a continued use of an existing 5,600 sq ft building for landscaping sales and office with accessory outdoor storage of landscaping material and equipment upon 2.4 acres at 4184 Pioneer Drive, a property zoned TLM – Technology & Light Manufacturing. Approval is based on a finding that the site plan proposes improvements in reasonable proportion to the scale of the existing building and the impact of the expansion of the outdoor storage yard, consistent with the goals of Sec. 39.05 of the Zoning Ordinance relative to nonconforming sites, so long as certain conditions of the Planning Commission noted below can be included on a revised plan.

Site plan 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. An executed agreement for stormwater management;
3. Administrative approval of a revised site plan to include the following:
 - a. The details of a dumpster enclosure if a dumpster is proposed;
 - b. Any planned exterior lighting to ensure consistency with the standards of Article 31, particularly relative to fixture height and design;
 - c. Inclusion of a barrier-free/van-accessible parking space.
4. Any new 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;
5. Final stamping sets to be reviewed and approved by all reviewing agencies;
6. The two subject properties to be combined, including a recorded copy of the latest amended Master Deed & Exhibits.

MOTION CARRIED UNANIMOUSLY

ITEM I.2. PROSPECTIVE ZONING ORDINANCE AMENDMENTS RELATIVE TO DATA CENTERS

Potential series of Zoning Ordinance amendments relative to data centers within the I-Industrial and TLM-Technology & Light Manufacturing zoning districts.

****NO DATA CENTER IS CURRENTLY PROPOSED;** this will be a discussion on prospective amendments to the Zoning Ordinance to create standards for a data center if & when a data center is proposed**

Dave Campbell – So, when this was brought to the Planning Commission back in May, we did have a full house of folks who had questions and concerns. Some were maybe under the impression that there was actually a data center proposed in Commerce Township, which there is not. The conversation in May was something of a kickoff of what the Planning Department was considering with respect to amending our Zoning Ordinance and creating standards within our Zoning Ordinance for data centers, and particularly the large, what are often called hyperscale data centers, so that if one were proposed in Commerce Township, we would not find ourselves in the position that some of our peer communities have found themselves in, which is they don't have any

standards in place, so when a data center comes along, they don't have standards to hold that data center to. In other words, we wanted to be proactive and have standards within our Zoning Ordinance relative to data centers for if and when the day comes that one is proposed.

The other thing that's relevant from a scheduling standpoint is when we had that conversation with the Planning Commission, we were at about the midpoint of a moratorium on the acceptance of any applications for a data center. So, in February, our Township Board imposed a six-month moratorium on the acceptance of any applications for a data center to give this Planning Commission, this Planning Department, and the Township Board the opportunity to draft these Zoning Ordinance amendments that we're going to discuss this evening. The Township Board, at their meeting back in July, as Mr. Weber has mentioned, extended that moratorium to another four months to give the Planning Commission and Township Board more time to consider the proposed amendments. The moratorium would be over in December, so effectively the Planning Commission and the Township Board have the next four months to hopefully adopt standards within our Zoning Ordinance. From a scheduling standpoint, what the Planning Department is hoping is we can have a preliminary discussion on the preliminary amendments that are in your packet this evening, and the Planning Commission can make a determination if we are at a point where we can schedule a public hearing for the Zoning Ordinance amendments for the Planning Commission's meeting in September. That's what I hope the outcome of this discussion can be.

What you have is a series of redline amendments to, I think, four sections of the Zoning Ordinance. Article 2 is one of those articles to be amended to provide a new definition for data centers, and as you'll see, and it is key to the discussion, the definition divides the data centers into two tiers. Tier 1 would be any data center of less than 20,000 square feet. Tier 2 would be anything greater than 20,000 square feet. What we're saying is Tier 1 data centers would be considered a principal permitted use, both in the TLM zoning district and in the industrial zoning district. But the Tier 2 data centers, which are the large-scale data centers that are often called the hyperscale centers, those would only be allowed in the industrial zoning district and only then as a Special Land Use. So, that's what the amendment to Article 5, the land use table, is meant to represent.

The changes to Article 22, which are the uses permitted in the TLM zoning district, we have stricken the existing permitted use of data processing and computer centers, including service and maintenance of electronic data processing equipment. So that's the older land use description that predates anyone's inkling that there would ever be such a thing as a data center. We would be striking that as a principal permitted use and replacing it with Tier 1 data centers of less than 20,000 square feet. That would be the amendment to Article 22.

Then the big change would be an amendment to Article 23, which is the uses that are allowed in our industrial zoning district, which would say that a data center less than 20,000 square feet, a Tier 1 data center, would be a principal permitted use in industrial, but anything greater than 20,000 square feet would be a Special Land Use subject to the requirements of Article 26. And then all those use standards for a large-scale data center are then encompassed within a new set of use standards within Section 26.403 of Article 26, which is our use standards. So, this is really the meat of what's being proposed. These are all the Special Land Use standards for a Tier 2 data center within the industrial zoning district.

Included are dimensional standards for the height and the setback of the building, standards for parking, standards relative to connections to public utilities, specifically water and sewer, standards requiring that any temperature and humidity control system would have to be a closed loop/sealed system, standards for stormwater management, stating that all stormwater has to be contained on the site and that it cannot outlet to any adjacent properties. They would have to submit a noise and vibration abatement plan, which I know Mr. Parel and I discussed a little bit earlier today. Relative to that, they would have to submit an emissions abatement plan to deal with any emissions that might be generated by a data center.

And then maybe the last big one that we're proposing is that they have to submit a decommissioning and environmental remediation plan, which would include a performance guarantee. So effectively, they would have to put up a performance guarantee in an amount sufficient to guarantee that, if and when a data center becomes functionally obsolete, that Commerce Township is not left with a massive building that no one else can repurpose. They would have to put the site back to its pre-development condition, whatever that was. And they would have to put up a financial guarantee, likely in the form of a bond, in an amount to ensure that the site would be returned to its pre-development condition.

So, that is a brief summary of the changes that we are proposing, mostly within Article 26 and for Special Land Use consideration for a data center in the industrial zoning district, and only the industrial zoning district. And as I say, the next steps in the process would be to have a public hearing with this Planning Commission with these same standards, potentially with some revisions based on any discussion tonight. I also want to go through these with the Township Attorney. You may have heard that the City of Wixom, I just saw the headline today, is being sued by a data center developer. I don't know all the details, I just saw the headline, it just came out this afternoon. There was a data center proposed along Wixom Road at what used to be the Ford assembly plant on one of those industrial sites, and the city council has either rescinded whatever preliminary approvals they may have had, or changed rules. I'm not sure what, but now there is a lawsuit. So, we certainly want the Township Attorney to vet any new standards to hopefully keep Commerce Township away from any potential lawsuits, like some of our neighbors, not just Wixom, but all the commotion that we're hearing in Lyon Township, Saline Township and so forth. We're going to do our best to avoid any of that.

Chairperson Parel – I was under the impression that this language came from our Township Attorney.

Dave Campbell – We borrowed language from a lot of different sources with this. Again, given what's happening with Wixom just today, I want the Township Attorney to have another whack at this. We did also have the Township Engineer look at it, specific to the standards relative to municipal water and municipal sewer, and they are comfortable with what we are proposing there.

Chairperson Parel – Yes. I'm obviously no lawyer, but to me, it's critical that our Township Attorney utilize all of his resources and experience to put this together for us.

Dave Campbell – Be careful, you don't have to look at his bills.

Weber – Dave is following the 12-step process that says, we get way down the path, we make sure it's what it is before we start paying hourly.

Chairperson Parel – I understand. They're there to protect us.

Dave Campbell – And so are these standards. These are meant to be in place.

Chairperson Parel – If he hasn't seen these yet, I just wonder ... Maybe the purpose of bringing them tonight is just to get some feedback at this point. Understanding that, he is going to look at it and probably work on this.

Dave Campbell – That's exactly right. I wanted an opportunity to have this discussion with the Planning Commission before the Township Attorney dives into this. And maybe the Township Attorney doesn't have to do too deep of a dive. Maybe this is in pretty good shape, in his opinion, but I wanted to have this conversation this evening before we took it to the Attorney, and before we have a public hearing potentially at the Planning Commission's meeting in September.

Chairperson Parel – I think that makes sense.

Commission Comments:

Bearer – I know at the previous meeting, we had talked about the two tiers. I'm curious if there is any room for addition about not having it based purely on the square footage, in some way. I don't know how this would be, but the infrastructure impact as well. My concern is, what if technology advances to the point where the infrastructure impact is still as great, but the 20,000 square foot size shrinks, and that then becomes a Tier 1, but the impact to the infrastructure is still the same as a 30,000 square foot, but the technology has advanced to the point where that could then be permissible.

Dave Campbell – So, if we're talking about impacts, are we just talking about water and/or sewer? Are we talking about electricity demand?

Bearer – Yes, any utility.

Dave Campbell – We can certainly look at going that route. I guess in my mind, square footage is maybe the simplest criteria. When you're talking about electricity and water usage, you're effectively entrusting the developer to tell you what their electricity usage is and what their water usage is. So, you're having to entrust the ones who are trying to build the data center, whereas square footage is more challenging to give funny numbers on the math perhaps. But, if there's a consensus there, we can look at enhancing or redefining these tiers, to go beyond square footage and also include ...

Bearer – I would still want the square footage to be there, just in addition. I don't know, this is not my area. But, if there was any possibility to somewhere add, in addition to the square footage, the impact.

Dave Campbell – If we need to know how much electricity it's going to generate, you'd go to the developer and ask how much electricity they're going to demand. They would say, I don't know, what number do you want to hear. That's the balance we have to find.

Chairperson Parel – Dave, in that instance wouldn't the developer have to work with DTE and get approval?

Dave Campbell – That's a fair point, yes. So yes, we could try to come up with some language to enhance the tiers to not just be based on square footage, but also on demand on utilities; water, sewer and electricity.

Chairperson Parel – What if these smaller facilities are causing the same challenges?

Bearer – The same drainage, and what if in a year, this becomes moot because everything changes. Again, not my area of expertise. I have no idea how far off that is, but I would hate to see us get through all of this work and then have it be a moot point in two years.

Paula Lankford – Dave, have you looked at other communities and how they handle this? I'm sure you researched.

Dave Campbell – Yes, I have, and again, this is an evolving thing for every community. This is something that a year or two ago was not much of a discussion. So yes, there are different criteria for how you define these data centers. I'm sure there are examples that are consistent with what you're describing. We can take a look at that and bring something back that addresses not only square footage, but I would think electricity usage is probably another good gauge of their impact.

Chairperson Parel – Thank you.

Phillips – It seems like there is a lot of discussion about whoever is putting in the data center, that they are required to provide their own power source and be self-sufficient.

Dave Campbell – And any upgrades too; if they have to put in some sort of utility substation, that is 100% a cost they have to bear.

Phillips – But are they required to provide the source of the electricity?

Dave Campbell – I don't understand the question.

Phillips – Are they buying the electricity from DTE, or do they have to have their own power plant? We've talked about back-up generators.

Dave Campbell – They're all going to want to have back-up generators because they have to be able to operate 24/7. I guess we didn't consider whether they would want to have their own private power source. If there are thoughts on that, we could try to say, you must connect to a public utility and not have your own power.

Phillips – It's a concern of the drain on the public utility.

Andy Miller – From what I understand, they're allowed to do both. They're allowed to either tie into the electric grid, or they are allowed to create their own power.

Dave Campbell – Do we have any examples of anyone actually creating their own power?

Andy Miller – Not that I know of here in the State yet. Saline is the biggest one that is going in right now. We could definitely look into it.

Dave Campbell – That's something we will look into as well.

Phillips – And I don't know if they want to put in a bunch of solar panels or giant windmills that I hate.

Dave Campbell – My understanding is, even if they wanted to, they would not come close to being able to generate the kind of power that these places need. They could supplement with solar panels and wind.

Phillips – My other question was the 20,000 square feet. I don't know what relevance that has to a data center.

Dave Campbell – Think of a typical Walgreen's or CVS. That's 15,000 to 20,000 square feet, if that at least gives you some idea of what a 20,000 square foot building looks like. The intent there is ...

Phillips – I get the idea on the size, but I don't know what data center you would put in that is that size, versus some of the ones that I've heard of that are how many thousand acres.

Dave Campbell – Huron Valley Hospital, for example. They might get to a point where they just need a standalone building for all their cloud-based computing and whatever AI they might wind up using over the next 5-10 years. So, they are one example of a corporate enterprise that might need a standalone data center, but those are not the hyperscale, the massive ones that I think are getting a lot of the attention, the ones that are thousands of square feet. So, that's where we wanted to create a tier to consider a lot of the existing uses that need data centers. I mean Commerce Township is one of them. We've got a server room and you could call that a data center. If they get to a point where they need a standalone building, up to 20,000 square feet, we can allow those in industrial and in TLM. Once you get beyond 20,000 square feet, now you're getting toward the more hyperscale level, and that's where we're saying, only in the industrial zoning district.

Weber – So Dave, is the 20,000 square feet ... I'm trying to figure out how to phrase this question. So, we have Homedics or we have Huron Valley, which are over 20,000 square feet right now. But, is the 20,000 square foot just the dimension of the server room or is it the building? So, Huron Valley Hospital and its server room, it's over 20,000 square feet today.

Dave Campbell – The intent is for it to just be the square footage of the data center itself, the server room, whatever you want to call it.

Weber – Okay, so that was confusing to me in reading this. I didn't catch that when I was reading through the definitions, that the square footage wasn't the building. It was actually the server room, and maybe I just missed it.

Dave Campbell – *A data center facility or campus of less than 20,000 combined square feet.*

Weber – So, data center facility or campus ...

Dave Campbell – *Typical examples include corporate or enterprise data centers.*

Weber – Part of our discussion on the tiering was that we did not want to impact existing businesses, or any normal business, Williams International, Homedics, Huron Valley, whatever it is. So that's where it just wasn't clear to me how that's defined. So, when you say campus, somebody might say it's part of Huron Valley's campus, so therefore, they're a hyper center.

Dave Campbell – I understand the question and I could define that better. The intent is, the 20,000 square foot threshold, that's only meant for the actual building/housing of the data center, and not for the entirety of a place like Huron Valley Hospital.

Weber – Okay.

Dave Campbell – My understanding is there is another business model out there, which is businesses that need a standalone data center, but they maybe don't need a whole building to themselves, so then there would be buildings that are leased, portioned out, to where all these different users have a different portion of the building for their own small data center, which would be acceptable so long as it's no more than 20,000 square feet. If it gets over 20,000 square feet, then it has to go in the industrial zoning district.

Chairperson Parel – Brady, are you all set?

Phillips – Not at all. I don't have other questions, it's just a big issue.

Loskill – In studying these data centers and listening to reports of different neighborhoods with these hyperscale data centers, the one issue that seems to be an overriding concern is the continuous noise levels that are generated. I think we need to be cognizant of the fact that, as currently designed, these are projecting what I would consider to be objectionable sound levels and vibration levels, outside of their property lines. I think we should have some sort of clarification about what kind of levels we permit. I know we have a certain current threshold that is a maximum, but I don't think that takes into consideration these things operating with this noise output, 24 hours a day, 7 days a week. If there are loud hums and vibrations that are emanating quite a distance away from these buildings, I think we should look at what we think should be an acceptable noise level at the property line. I think it should be something less than what we currently permit for, just general noise levels.

Dave Campbell – It's that last part where we have to be careful. That's the one thing I did pick up from the Wixom story. One of the arguments that's being made against the City of Wixom in this lawsuit is you're applying different standards to us as a data center than you're applying to every other permitted use in the industrial zoning district. That's arbitrary. You can't tell us that we can only make this much noise, but anybody else makes that much noise. So again, that's an example of something I want to be careful with and have the Township Attorney weigh in because he might agree with that logic, that you can't tell the data center that they have to play by an entirely different rulebook in terms of noise and vibration than the stamping plant next door.

Weber – Joe's comment is one of my questions as well. Maybe we make that broad for any business within the industrial district. When we did our noise ordinance, it was basically to protect people from nuisance noises, whether it's a party that's going on too long, or somebody running a machine shop in their garage, whatever. It didn't contemplate the 24/7 constant noise. And it is really noise, vibration and harshness that can be an issue, so maybe we make that broad enough so that anything within the industrial that is 24/7 gets different consideration. So, it's not just data centers. If there is any manufacturing that would create noise above a certain level, 24 hours a day, that it needs to hit a threshold. I don't know what that is, but somebody someplace has probably figured out, at what point in time does that constant noise, hum, vibration cause an issue.

Dave Campbell – That all makes sense. That would mean what we would come back to you with, potentially in September, is another amendment to our general performance standards, which includes noise. That would have some new language, some new standards relative to continuous noise.

Chairperson Parel – We just have to make sure that's not going to affect any existing businesses, or any businesses that you want to attract to the community.

Weber – Exactly.

Loskill – That was my main concern.

Weber – Dave, you've got under the public utility connection standards, *shall connect to the Commerce Township public water system*. Is that for bathrooms, lunchroom, etc., in the building? Further down, you talk about that it has to be a closed loop system which is generally going to contemplate coolant or something like that. When you're talking about connection to the water system, we're saying we don't want a well

Dave Campbell – Agreed. That's what this is meant to say, yes.

Weber – We don't want a well, but is the connectivity to our water system for cooling, or is it just for general purpose water in a building?

Dave Campbell – The intent would be, that would include the cooling system as well. My understanding is that these cooling systems are very particular and finicky, so the water, even as great as Commerce Township's water is, would probably have to be

treated or filtered, before it goes into these closed loop cooling systems. As opposed to bringing in their own water ...

Weber – No. My understanding is that the closed systems, it's not water that's running through it. It's a coolant of some kind.

Dave Campbell – I thought it was a combination of glycol mixed with water or something.

Weber – It could be, but it's a chemical system.

Dave Campbell – Do you want to strike the requirement that they connect to municipal water?

Weber – I think having it for bathrooms, kitchens and whatever makes a lot of sense. Really, what we're trying to say is we don't want that building tapping into our aquifer for anything.

Loskill – You could write that as domestic water use versus coolant water use.

Weber – Yes.

Dave Campbell – So we're all on the same page, we're not suggesting they could use a well for their cooling system. That's the whole concern.

Weber – Correct.

Dave Campbell – Okay.

Weber – If it is a closed loop system, those have to be purged within a periodic basis. I don't know what that is, but when that gets purged, and I think you cover it here, it basically has to go into our wastewater treatment plant.

Dave Campbell – I think we're double covered. Between the requirements of the State, and then what we will require at a local level.

Weber – There are some things I've read about that say the water that comes out of the closed loop system has a substantially higher rate of nitrates in it than standard water coming out, and that most wastewater treatment plants cannot filter out the enhanced level of nitrates. I think that's something we should understand, but I also think maybe you've covered that later on.

Dave Campbell – That's what we try to do with requiring that they submit a pollution incident prevention plan, a PIPP. It shall be submitted and reviewed by the Township Engineer and the agency designated to operate Commerce Township's sanitary sewer system and wastewater treatment plant. In this case, Oakland County used to operate our sewer system. Now we use F&V Operations. Maybe 5 years from now, it's somebody else. The intent there is that they would have to submit their PIPP that would be reviewed by our engineer and by the agency running our sewer system to ensure

that they're not out-letting what you're describing. It would be their obligation to filter nitrates and whatever else before it gets to our treatment plant.

Weber – Okay, and that's the key. They've got to sanitize it before it gets to our plant.

Dave Campbell – Yes.

Weber – Okay. Following onto Caitlin's comments, maybe two questions. Where did 20,000 come from? How did you select 20,000 square feet?

Dave Campbell – I think we saw it in a few other examples of model ordinances and mimicked what we saw other communities using.

Weber – I think it's valuable to at least investigate out there some level of intensity on top of it. To Caitlin's point, with technology growing way faster than we can think, and so if there is something on intensity of resources, whether that's electric, water, whatever it might be. If somebody else has already looked at that, we can borrow some good language and I think that would be valuable to look for.

Dave Campbell – Okay.

McCanham – My question was like yours. The square footage doesn't really equate. It seems like its apples and oranges. Square footage is square footage. Over time, how much data production and cooling they need in that square footage, we don't know what that is. So, I'm just wondering how other places are dealing with it, whether they measure it on square footage, or production levels. The other thing was, I was also thinking about the coolant and the infrastructure of the domestic water and domestic electricity, separate from production. I'm wondering if there is some way to measure that. The other thing is, on the County level at emergency management, in the Planning Committee, we still don't know the issues. There is a plethora of hazardous materials and explosive issues to deal with, and locally, do you have that infrastructure? Does a little Township have what you need for a major explosive incident? Are they following the EPA's reporting to the local county on how much hazardous glycol and those different things. Are we addressing those kinds of things at all? Our fire departments need to know what they're responding to, and residents in the area need to know what's happening and what kind of level. So, I'm just wondering.

Dave Campbell – So requiring some sort of an emergency preparedness plan? Something like that?

McCanham – Sure. I think Oakland County has started on some of that with emergency management. We talk about it in our meetings.

Dave Campbell – To that point, that's part of the challenge here. This is new to everyone.

McCanham – There's so much.

Dave Campbell – We're all kind of making it up as we go because this is a new thing. On the other side of that argument, the operators who are building these data centers, these are biggest of the big companies. This is Meta, Oracle, ChatGPT and these organizations that have seemingly unlimited resources. They are very proprietary with how they want to build and operate these places, because they want to compete and have a better data center than the next guy. So, getting disclosures from them of how they're going to operate and how much electricity they're going to use, and what kind of systems they're going to have in place – they don't like disclosing that because it's a competition. That's what makes this ...

McCanham – In the case of hazmat, that's absolutely required federal reporting. It's 302 Permit for the EPA. Every county has a system. When you think of some of the operations, like every hospital in Oakland County has a reporting system because of all the different things they have. They are checked for their nuclear stuff, and all that kind of stuff. It's required and it's non-proprietary. Those aren't proprietary things. If you look at some very big businesses, they have their own public safety department in their businesses, auto plants and all those kinds of things. Those are all things which have not gelled into acceptable standards yet.

Chairperson Parel – Thanks, Mickey. Dave, for me, I understand the purpose, Section 26.403 regarding the Tier 2 data centers, and a paragraph in there regarding the purpose. One of those purposes is to avoid the overburden of public and private utilities and infrastructure. We do talk in #2 about public utility connection standards, but is there a point in which we discuss more of a private utility connection as it relates to DTE or whoever is supplying electricity to the building? Is that mentioned here?

Dave Campbell – Well, for example, we talk about dimensional standards, building setbacks, and also setbacks for any utility structure or substation, whatever it is, and that those have to meet the same setback standards as the building itself. Are you looking for language more specific to how they connect, where they connect?

Chairperson Parel – Usage is a big one too. I know there are a lot of concerns from the community with regard to usage, and I don't know how you lawyer around it, but how increased usage at a property like this could potentially increase costs for homeowners. It could also affect other businesses and residents. There's detail here about municipal water connections and usage.

Dave Campbell – I agree, there could be some additional language standards for impact and demand on private utilities, specifically electricity. Some sort of a utility demand summary that they would have to submit that would, one, maybe help us define the tiers to Caitlin's point, and then two, provide some sort of assurance that they're not going to overburden the grid and cause everyone else to have a brown out situation.

Chairperson Parel – I agree with Caitlin's point that technology is moving faster than government works. We need to be cautious of that.

Dave Campbell – I'm going to Frankenmuth on the 18th. The Michigan Township's Association is doing sessions on a few different things, but I think the main session is going to be on data centers. Hopefully there will be some good information from MTA on data centers to help all of us answer a lot of these questions. We're not the only community trying to answer these questions.

Chairperson Parel – It's smart to get ahead of it. I think we've had a good conversation tonight. I think the lawyers need to take another stab at it. My guess is that it's probably going to come back to us in a different format after that.

Dave Campbell – And another thought is, wherever we land with all of this, assuming our Township Board adopts standards in November-ish, even if those standards are only at 85% of where we need to be, better 85% than 0%. Right now, we're at 0%. As we learn and get more educated, and as more data comes out, and we see what's happening in other communities, we can always come back and amend this 6 months later and enhance what we already did.

Chairperson Parel – A point was made before, I do think we potentially have to adjust existing ordinances as it relates to existing businesses, and future businesses.

Dave Campbell – I'm just scared to go back and look at noise standards again, because then we're going to have the same conversations about barking dogs.

Chairperson Parel – I understand, but could they be tied to these zoning areas, the industrial and the TLM, as opposed to residential?

Dave Campbell – It's a fair question, but I'll repeat myself, I want the Township Attorney's input because the answer might be, you can't require something in one zoning district that's different than another zoning district.

Chairperson Parel – My concern, I align with Joe, isn't that they're going to turn on a generator and test it for five minutes a week. My concern is that there is going to be some kind of low hum that is going to be constant, 24 hours a day, and it's going to drive residents insane. They'll want to move and their home values are going to go down.

Dave Campbell – It's a different kind of noise.

Chairperson Parel – How do you monitor that; how do you track that? I don't know.

Weber – It has to be addressed someplace else.

Chairperson Parel – Well, think about it, if there is a dog barking or somebody having a house party, ordinance folks can go out there with a meter, right?

Discussion continued regarding enforcement of the noise ordinance.

Chairperson Parel – So, we're good with this and we're going to send it off to the lawyers.

McCanham – I was reading yesterday, the super centers that they're building, Elon Musk started everybody off on a trend of jet turbine engines, natural gas fed, to create power. Think of the enormous sound of those. He had those mounted on trucks, and now some of the other companies have started to play with that kind of generation of electricity – jet engines. Now, you think of all the noise we hear on the internet and everything around here, when Williams does one of their tests in the early morning. Even a mile away, you're hearing that. So, jet engines and turbines, natural gas fed. It's a lot of noise.

Chairperson Parel – Yes, okay. Dave, do you need anything else from us tonight on this matter?

Dave Campbell – Assuming we can get this all shaped up with the Attorney, and all the comments that we're hearing tonight, are you comfortable with the prospect of having a public hearing on this in September? Keeping in mind, we are on something of a shot clock with this 4-month moratorium.

Chairperson Parel – I understand. Is the next time we're going to see it the Thursday before that meeting? Can we maybe have a look at it prior to that?

Dave Campbell – I will try, but you're right, we're all at the mercy of the Attorney's schedule. We will do our best to get it to you prior to that.

Chairperson Parel – Yes, it would be nice to see this earlier.

Dave Campbell – You have to promise to read it then if I send it out early.

Chairperson Parel – No comment.

ITEM I.3. OAKLEY PARK BUSINESS CAMPUS – USE DETERMINATION

Jon Stewart of SPS Investment is requesting a use determination for “warehouse or wholesale establishment within a wholly enclosed building” as a Special Land Use within the TLM (Technology & Light Manufacturing) district.
PIN#'s 17-24-201-009 & -008

Dave Campbell – So, last month you saw a concept plan for a two-space development on the south side of Oakley Park, between Martin and Haggerty, on two undeveloped properties. What Mr. Stewart and Mr. Williams are proposing with those two phases is the easterly phase would be what they're calling warehouse suites and the westerly phase would be flex spaces. What we're talking about tonight is more specific to the warehouse suites.

Mr. Stewart and Mr. Williams can describe this better than I can, but these would be storage spaces for commercial users; contractors, people in e-business who need a place to store their equipment, store their materials, store their inventory. The properties are currently zoned TLM. Currently warehouse and wholesale establishments are a Special Land Use in the TLM zoning district. What's not usually allowed in the TLM zoning district is your more traditional self-storage facilities, the Public Storage places of the world.

What these gentlemen are proposing is maybe somewhere in between your traditional warehouse, what we all think of as a warehouse, a big standalone building at one end of the spectrum, and at the other end of spectrum is the self-storage facilities. This is somewhere in between. What they would contend is these are closer to being a warehouse use because they're only projected to be leased to commercial users. They have a large overhead door that's more conducive to commercial vehicles, trucks, forklifts, and so forth. So, these are not mini-storage uses that a guy like me would need if I'm between houses for a couple of months and I need a place to store my furniture. These are more geared toward the commercial users. Therefore, they are more of a warehouse use, and therefore they are consistent with the TLM zoning district, such that they could be considered at a later date as a Special Land Use in TLM without the need to rezone the property.

So, that is what they're looking for with a use determination and that's what hopefully the Planning Commission is ready to consider this evening. If you are and if you get to a point where you're wanting to make a motion, we did provide motion language in your agenda packet, but after a conversation with Mr. Stewart, the Planning Department added a sentence at the end, kind of meant to reaffirm that these are meant to be commercial in use, so the extra sentence that is in the e-mail that I hope you all have in front of you; *the Planning Commission's determination is based on an understanding that the warehouse suites would be leased exclusively to commercial users rather than for personal storage, as is more typical for mini-warehouse and self-storage.* So again, that's meant to reiterate that these are commercial spaces, not personal storage spaces, and if the Planning Commission agrees with that logic and agrees with that use determination, then these gentlemen would likely be back in front of you within the next month or two seeking Special Land Use approval for these warehouse suites in the TLM zoning district.

Commission Comments:

Weber – Dave, does it make sense since we're kind of creating a new definition here, right? And what Mr. Stewart is proposing are units that range from between 800 to 1000 square feet, since this is precedent setting, to ensure that we're protected, should we put in there somewhere that there is a minimum size? So that a warehouse suite is no smaller than 800 square feet?

Dave Campbell – That logic makes sense to me, and these gentlemen seem to be nodding their heads.

Weber – It fits with what you've proposed. We're just using your proposal to set a standard.

Mr. Stewart – Yes, our smallest size unit on the conceptual site plan was 800 square feet and that's what we intend to move forward with.

Dave Campbell – That seemingly would avoid someone coming forth with a self-storage facility with units of 200 square feet and proposing as a mini-warehouse. I see the logic. So, if you are inclined to, you could work in the 800 square foot minimum into the motion language.

Chairperson Parel – Gentlemen, would you like to make a comment?

Weber – Put it this way, do you have anything further to add?

Dave Campbell – They sat here all night. They should have to say something.

Weber - #1, don't sell past the close.

Mr. Stewart – Just want to say, thank you guys for your time and we appreciate it. Mr. Chair, Planning Commissioners, I know it's getting late. We certainly appreciate your time and hearing us out. There were a couple things from last month that I wanted to bring back up and reassure you about which path we're going with on this development. As Dave said, with the commercial business users, that's a commitment we want to make to the Township. So, there's certainly a demand in that category for commercial business users, and we're confident in being able to fill it up with that type of user. The project itself lends itself to that user. It's more of a modern type of user. Small businesses are growing exponentially every day, especially in Oakland County, and e-commerce is a huge category that's growing. We expect that to be about 20% of our users, e-commerce retailers who need that inventory storage. They're in their basement at home, or their garage or whatever, and their spouse is saying get this stuff out. There are some modern businesses like that which are great users for the site. As far as personal storage, like the concerns we talked about last time, just the sheer cost of a unit, we're in the \$800 to \$1100 range per unit, and that's going to keep them from being attracted to this type of property. This is more business warehouse suites attracting businesses that need that extra inventory supply, equipment storage, and space to try to keep their spouse happy.

Loskill – Are you going to do anything about signage? Are you going to allow signage on the building or the doors? What is going to be permitted?

Mr. Stewart – We plan to have just a sign for our development with the name of the building. As far as tenants go, there will be no signage, not even a sticker on the door.

Loskill – Will there at least be an address or a unit number or something?

Mr. Stewart – Yes, there will be unit numbers.

There were no other comments from the Commissioners.

MOTION by Weber, supported by Loskill. Move to determine that “warehouse suites” as proposed for the Oakley Park Business Campus is a use consistent with Sec. 22.02.1 “warehouse or wholesale establishment within a wholly enclosed building” within Article 22 – Technology & Light Manufacturing of the Zoning Ordinance, and is distinct from “mini-warehouse / self-storage” as permitted in other zoning districts, and can be reviewed by the Planning Commission at a future date as an application for approval of a Special Land Use in the TLM zoning district per the standards & procedures of Article 34 – Special Land Uses of the Zoning Ordinance.

The Planning Commission's determination is based in part on an understanding that "warehouse suites" would be leased exclusively to commercial users, rather than for personal storage as is typical for "mini-warehouse / self-storage, and will be a minimum of 800 square feet.

MOTION CARRIED UNANIMOUSLY

Dave Campbell – Are you guys thinking you're going to be right back here in September?

Mr. Stewart – We've got a couple questions.

Loskill – They've already got ads up on Facebook.

Mr. Stewart – We will know more this week.

J: OTHER MATTERS TO COME BEFORE THE COMMISSION:

None.

K: PLANNING DIRECTOR'S REPORT

NEXT REGULAR MEETING DATE: MONDAY, SEPTEMBER 14, 2026, AT 7:00PM.

Dave Campbell discussed the following items that may be seen at the September meeting:

- Perhaps this project for the Oakley Park Business Campus
- Hopefully ordinance amendments for data centers
- A couple concept plans
- A meeting or two ago, you saw a concept for a daycare/preschool facility called The Learning Experience. At the time, they were looking at the southwest corner of Wise and Carroll Lake. We just heard from them the other day and now they're looking at a site just up the road here; the east side of Martin, just south of Richardson. There is a medical office building at the southeast corner of Richardson and Martin, there's vacant land just south of there. At one point, somebody got site plan approval for a medical office facility there, but they never built it. Now these guys are looking at doing a daycare there. They hope to have their concept plan in front of you.

Weber – That location though, we did a lot of heavy lifting on access behind it. There's a giant retaining wall that was needed because of the way it slopes down from the drive-in. I think whatever we did on that site plan, which was probably 3 years ago, I think a lot of that can be brought back up.

Dave Campbell – I would agree. The site has been engineered so hopefully they can repurpose a lot of the work that has already been done.

- The other concept is another one that is familiar. Comparable to the flex spaces that Mr. Stewart is looking to do, if you'll remember, Dennis Park was looking to do flex spaces over toward Walled Lake Western High School on that oddly configured long narrow triangle. The concern there was fire code, access and whether or not these units would be fire suppressed. I did not talk to Dennis, but he talked to Paula the other day. He wants to come back with a concept plan for very comparable units, but with the fire suppression. His trade-off is going to be that they won't be as pretty as they would have been because we're making him put in fire suppression.

Chairperson Parel – Is the difference between this project and that project the size of the units?

Weber – It's the number of units and he had to have two access points that were far enough apart, where this unit has two access points. Dennis could get two access points, but they were too close.

Dave Campbell – I would say these are comparable to the flex spaces. I'm not sure how they compare size wise, but it's the same idea, where you have office space in the front of your unit and open space in the back for workspace, warehouse, inventory, or whatever you need. The properties Dennis Parks wants to do are zoned industrial.

Paula Lankford – And he's having them as for-sale units.

Dave Campbell – Yes, they're for-sale, essentially condominium units, whereas Mr. Stewart is looking to lease. I think that's it for September. I don't know if you guys are here waiting to hear on Wingate Preserve. I think they're shooting for October to come back to the Planning Commission for approval of their condominium site.

Resident – Thank you.

L: ADJOURNMENT

MOTION by Loskill, supported by Weber, to adjourn the meeting at 9:58pm.

MOTION CARRIED UNANIMOUSLY

Joe Loskill, Secretary