

**CHARTER TOWNSHIP OF COMMERCE  
PLANNING COMMISSION MEETING**

Monday, January 13, 2014  
2009 Township Drive  
Commerce Township, Michigan 48390

**CALL TO ORDER:** Tom Jones, Vice Chairperson, called the meeting to order at 7:00pm.

**ROLL CALL:** Present: Tom Jones, Vice Chairperson  
Brian Winkler, Secretary  
Bill McKeever  
Jay Czarnecki  
David Law  
John Hindo  
Absent: Larry Haber, Chairperson (excused)  
Also Present: Kathleen Jackson, Planning Consultant  
Jay James, Engineer/Building Inspector  
Terry Carroll, Community Development Director  
Jason Mayer, Township Engineer, Giffels-Webster

**APPROVAL OF MINUTES**

**MOTION** by Hindo, supported by Czarnecki, to approve the Planning Commission Meeting Minutes of December 2, 2013, as written.

**MOTION CARRIED UNANIMOUSLY**

**UPDATE OF ACTIVITIES**

David Law – Township Board of Trustees

- Mr. Law introduced Terry Carroll, the new Community Director hired by the Township Board. He will be coordinating with the Building and Planning Departments.

Brian Winkler – Downtown Development Authority

- We made one small edit to the budget which was accepted by both the DDA and the Board.

Kathleen Jackson - Planning Department

- Terry Carroll's email address has been established and is consistent with the format of everyone's emails.
- With respect to the DDA, an offer was withdrawn for multi-family. After many discussions with staff, the DDA and the Township Board, and in light of the Planning Commission's activities to update the Master Plan and limit multi-family, they felt it was in their best interest to withdraw.
- The Township Board did adopt the outdoor storage ordinance and the enforcement officer has been taking action.

Jay James – Building Department

- The Building Department has been quiet due to the holidays and the weather.

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

None

*Kathleen Jackson proposed that Items I and II remain on the table and there were no objections.*

**ITEM I: PSU13-006 SHOPPES AT COMMERCE – SPECIAL LAND USE – Tabled from 12-2-13 - REMAIN TABLED**

*Bogie Commerce Associates, LLC of Southfield MI is requesting a Special land Use to construct a new drive thru at an existing retail center located at 1203 Commerce Road. Sidwell No.: 17-10-127-040*

**ITEM II: PSP13-0037 – SHOPPES AT COMMERCE – Tabled from 12-2-13 - REMAIN TABLED**

*Bogie Commerce Associates, LLC of Southfield MI is requesting site plan approval to construct a new drive thru at an existing retail center located at 1203 Commerce Road. Sidwell No.: 17-10-127-040*

**ITEM III: PZ13-0006 – E.R. THOMAS DEV. – REZONING – PUBLIC HEARING**

E.R. Thomas Development of Walled lake MI is requesting a rezoning of parcels of land consisting of approximately 1.20 acres from R-1B (One Family Residential) to R-2 (Two Family Residential) located at 2425 Pontiac Trail and a vacant parcel to the west. Sidwell No.: 17-25-126-124 & 125

Kathleen Jackson, Planning Director gave a review. She explained the traditional rezoning is not tied to any particular use and advised the Commission that the future use may include any of the uses listed in the report. She distributed a map of the two parcels and discussed zoning and uses of the adjacent properties with the Commissioners.

Tom Thomasma of Old Towne Builder, P.O. Box 758, Walled Lake, MI, was present to address the rezoning request. He explained that he has been doing a lot of building in Commerce Township for many years. He explained the difficulty they'd had in marketing these parcels as single-family as there did not seem to be any interest. He felt that with the widening of Pontiac Trail, single-family would not seem conducive. He does have some parties interested in duplex units and feels that this is a more specific segment that he could market to.

Kathleen Jackson cautioned the Planning Commission. Despite the fact that the petitioner may mention duplex, he cannot be held to any specific use with this type of rezoning. The Commissioners must consider all the uses in that district, R-2.

Vice Chairperson Jones opened the public hearing.

Susan Averbuch, 9005 Campbell Creek Drive, Commerce Township – After all the Commission has done in dealing with this multi-family issue, I thought the consensus

was to lean toward more of a traditional single-family use, especially being so close to the DDA where single-family has already been approved. With all due respect, I respectfully disagree that there is no market for single-family. We want to see high-end single-family and we want this to be a showcase.

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

**Commission Comments:**

McKeever - Given the location and potential uses, I could not vote in favor of traditional rezoning. If it were rezoned to R2 then anything permissible on that list could show up there. I'm not saying that's the intention here, but properties get sold and the use could end up being incompatible. I won't vote for this, but may consider conditional rezoning.

Kathleen Jackson - If the conditional rezoning is brought voluntarily by the petitioner and presented to the Commission.

McKeever - Yes.

Hindo - How close is this to the Shapiro multi-family development?

Jay James - It is located south of it and is about 1500 to 2000 feet away, or about a quarter of a mile.

Hindo - I guess my thoughts are in line with Bill's. No further comments.

Czarnecki - I am also in agreement with Bill.

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Jones - I agree with Bill as well. I recall in the past reviewing training materials that included cases where property was sold and resold, then it was developed into something else.

Law - If voluntarily brought before the Commission by the petitioner, I would also consider conditional rezoning.

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Winkler - I agree with Bill's comments as well.

Kathleen Jackson - The Commission's options are to recommend approval without conditions, recommend denial and state the Finding of Fact, or table the item to allow the petitioner to work with staff.

**MOTION** by McKeever, supported by Hindo, to **table** Item PZ13-0006, the request by E.R. Thomas Development of Walled lake MI for rezoning of parcels of land consisting of approximately 1.20 acres from R-1B (One Family Residential) to R-2 (Two Family Residential) located at 2425 Pontiac Trail and a vacant parcel to the west.

Sidwell No.: 17-25-126-124 & 125

The item is tabled to allow the petitioner to work with staff to look at the proposal in more detail.

**MOTION CARRIED UNANIMOUSLY**

**ITEM IV: PSP13-0038 – CARNIVAL**

Lakes Area Rotary Club is requesting site plan approval for a temporary event (carnival) located east of the Martin Parkway, south and east of the Township Library. Sidwell No.: 17-24-401-002

Kathleen Jackson, Planning Director gave a review of the proposal which would be similar to last year's event. This year the event would be held on the DDA property and Township Library property. Meetings have been held involving the Rotary Club, Township staff, the Fire Marshall, the Oakland County Sheriff's Department, and the Electrical Inspector. Communications were distributed to the D.D.A. Attorney and the Water Resource Commission.

The Rotary Club is requesting administrative approvals as many items will not be finalized until closer to the date of the event. The liquor license will go before the Township Board early this year. Updates will be provided to the Planning Commission as the event progresses. There will not be any music or a beer tent at the carnival this year and those were the only items complained about last year. It's possible they may have an attraction that involves a motorcycle enclosed in a round cage, but this area has a natural buffer with water and trees to shield the surrounding properties from noise.

Cheryl Savage was present to answer any questions.

**Commission Comments:**

Jones - There were a number of conditions stipulated for last year's event. Are all of those included in your current recommendations?

Kathleen Jackson - Yes. We have also had discussions with the RCOC and the Township Librarian. There were no incidents involving the police last year. The only occurrence was one incident of heat stroke. The DDA has reviewed this and given permission for us to move forward with the request. The Rotary Club uses their own volunteers for security.

Cheryl Savage - We have about 80 volunteers.

Jones - Jay, will you be monitoring this as you did last year?

Jay James - We will check distances and make sure it is in compliance. They pull building and electrical permits and require approvals before opening.

Czarnecki - Is there any interest in this property right now?

Kathleen Jackson - There is interest. The developer has requested confidentiality. This event was discussed with Randy Thomas and the developer. This will not interfere with any groundbreaking.

McKeever, Hindo, Law and Winkler had no issues or questions.

Cheryl Savage - If we have the motorcycle in the cage, it would only be for a couple of shows a day that are 15 to 20 minutes each. It's not a constant thing and would not be as noisy as bands are.

**MOTION** by Hindo, supported by McKeever, that the Planning Commission approves **with conditions**, Item PSP13-0038, Carnival, the request by the Lakes Area Rotary Club for site plan approval for a temporary event (carnival) located east of the Martin Parkway, south and east of the Township Library. Sidwell No.: 17-24-401-002. Approval is for the reason that the information submitted by the applicant and the information presented to the Planning Commission demonstrates that the proposed meets the requirements and standards of the Commerce Township Zoning Ordinance. **Approval is subject to the conditions as specified in the Planner's Report dated January 9, 2014.**

**MOTION CARRIED UNANIMOUSLY**

**ITEM V: MASTER PLAN UPDATE DISCUSSION**

Kathleen Jackson - I met with Amy Neary of McKenna. The last time they updated our Master Plan was in 2007. Amy is working on a proposal that will include changing both the Zoning Map and the Future Land Use Map so that they are consistent. She will have the proposal available for the next meeting. The state statute will be followed in this regard and a public hearing will be held. We also have updated information to incorporate for economic and housing trends. This will give a better glimpse for developers of what the Township is like as it has changed a great deal since 2007.

**OTHER MATTERS TO COME BEFORE THE COMMISSION**

McKeever discussed enforcement issues with Jay James regarding equipment storage at the northeast corner of Commerce and Carroll Lake Roads.

**The next regularly scheduled Planning Commission meeting will be Monday, February 3, 2014 at 7:00pm.**

**ADJOURNMENT**

**MOTION** by Law, supported by Czarnecki, to adjourn the meeting at 7:30 pm.

**MOTION CARRIED UNANIMOUSLY**



Brian Winkler, Secretary