

**CHARTER TOWNSHIP OF COMMERCE
PLANNING COMMISSION MEETING**

Monday, June 4, 2012
2009 Township Drive
Commerce Township, Michigan 48390

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

ROLL CALL: Present: Larry Haber, Chairperson
Tom Jones, Vice Chairperson
Brian Winkler, Secretary
Bill McKeever
Jay Czarnecki
Peter Pace
Absent: Debra Kirkwood (excused)
Also Present: Jay James, Engineer/Building Inspector

APPROVAL OF MINUTES

MOTION by Jones, supported by Pace to approve the Planning Commission Special Meeting Minutes of May 21, 2012, with one correction. Jones requested that, on page 7 of 9, the 3rd bullet of the motion be edited to include the following:

- 3. The petitioner will add a note to the plan that there will be “no outdoor storage anywhere onsite, including the east side of the building, and no outdoor sales of merchandise”, per the Township Ordinance; **however, they can apply for a permit for a special outdoor sales event;***

MOTION CARRIED UNANIMOUSLY

UPDATE OF ACTIVITIES

Bill McKeever – Zoning Board of Appeals

- We have not met since the last meeting of the Planning Commission.

Brian Winkler – Downtown Development Authority

- We had a very short meeting in May.
- The marketing committee continues to entertain offers.
- Randy Thomas is present and may have something to add.

Randy Thomas – As of right now we have significant interest in both the residential and commercial developments.

Jay James – Building Department & Planning

- We have recent interest in additional phases to previous projects.
- Benstein Commons is beginning the next phase.
- A lot of people are working on improving their homes, building decks and gazebos, etc.

PUBLIC DISCUSSION OF MATTERS NOT ON THE AGENDA

None

ITEM I: SP12-24-14 – RAINBOW CHILD CARE

Rod Blight representing Rainbow Child Care of Troy MI is requesting site plan approval to construct a daycare facility located west off of Haggerty, just north of Pontiac Trail. Sidwell No.: 17-24-401-037 & 041

Jay James, Building Director, gave a review.

Rod Blight, Applicant, 1732 Crooks Rd, Troy, MI, was present along with Michelle Spencer, Powell Engineering & Associates, LLC, 4700 Cornerstone Dr, White Lake, MI.

Michelle Spencer – We have submitted revised plans with many of the items changed. The dumpster has been redone with a 10' pad that is 8" thick as required. There are trees in the right-of-way but those can easily be relocated as there is more than enough space. We request that the Planning Commission work with us on allowing signage to be administratively approved. There is one sign located just outside of the right-of-way which has the building name on it. There are also directional signs on the building to let parents know where to drop off children.

The parking lot is one space short. After speaking with the developer, we understand that there are far less parking spaces on other sites so this should not be a problem. We did show a sidewalk in front of the building along Haggerty as requested by the Planner. It does not lead to anything as there are wetlands to the south, but it is reflected.

Rod Blight – On the matter of parking, we do have over 20 facilities throughout the state and each has 30-40 spaces. Because of varying drop off times, 55 spaces is excessive for these business operations.

Jay James – I would also like to add that the applicant has submitted proposed marginal access to the north if there is any desire to connect to the party store and the building to the north for shared access. This will alleviate pulling out onto Haggerty Road. This is something that the Planning Commission can ask for. And although the south is wetlands, we do not know what the future may hold. Therefore, it may be insightful to request marginal access to the south also, even if it may never be used.

Commission Comments:

McKeever –

- In agreement with all the items noted in the Planner's report.
- I'm especially in favor of the sidewalk, or at the very least having a bond posted.
- A bond would cover the cost on that piece of property if the Township creates a special assessment district.
- Also in favor of shared access.

Michelle Spencer – We have spoken with the neighbors to the north and they are thrilled with the idea of a cross and marginal access agreement.

Haber – We are too. The attorneys will need to get involved with drafting the agreement.

McKeever –

- Is there a spot designated for loading, such as UPS or FedEx?
- Is a loading zone required by the Zoning Ordinance?

Rod Blight – We do not typically have any large deliveries requiring a loading zone. Food deliveries arrive in small cargo type vans which can be parked in a parking space and brought in by hand-truck.

Jay James – I will have to check the ordinance requirements.

Haber – Please make a note of it and if it is necessary, then the petitioner should understand that they may need to go forward with the loading zone.

Czarnecki –

- I am in agreement with the items listed in the report.
- In favor of the sidewalk.
- Is the shortage of one parking space any big deal?

Haber – We have discretion to eliminate it.

Rod Blight – We could redesign the entire parking plan to gain the one space; however, we feel the number of spaces is already excessive. We've considered the ratios for 15-20 staff members, and parents will not be at the building for more than 10-15 minutes at a time, so this should be more than sufficient.

Jones –

- I have a granddaughter who goes to a large daycare that accommodates all ages. They have parent/teacher events.
- Do you have events where all parents come in, such as an open house?
- How many children will be enrolled?

Rod Blight – We occasionally have events, but for example an open house may run from 3pm-7pm. Typically this would occur when parents are picking up children. They would spend a half hour in conference with teachers over snacks. It is not typical for us to have carnivals or events of that sort. We will have 120 children enrolled.

Jones –

- There would not be enough room for 120 parents and staff with only 56 spaces; however, I don't know if we need to put something in the requirements to limit this type of event.
- Parking would be a disaster if there were a nighttime event with everyone.

Michelle Spencer – We can add the space. We would not want to see a lack of one space cause any limitations.

Jones – This would not be about just one space. With 120 parents and children, it may be necessary to prohibit a gathering if all would be there at one time.

Jay James – If one parking space is an issue, you can allow the Planning Director to visit the site during the first year of operation to monitor the parking situation. Or, the petitioner would agree to install the extra space.

Haber – There is a possibility that an event may occur once or twice per year, if at all. It is also possible that they could park across the street and ferry back and forth. This could probably work out if parking became an issue. One space does not make a difference.

Jay James – Or there are options to the north also.

Rod Blight – I don't think it will be an issue. We have families with multiple children, so in all likelihood, even with an event with everyone present, it would not be 120 cars. I've been with the company 8 years and can tell you that issues are very unlikely.

Haber – Any other comments?

McKeever – The only thing we can do is ask for the one space. If they meet the ordinance for parking, that's all we can ask for.

Haber – I don't think this will be an issue, but there can be no parking on the street.

Pace –

- The building itself is very nice.
- I would suggest outside lighting around the perimeter and in back in the area where children play. There should be security lighting on a timer or motion sensor for light during evening hours.

Rod Blight – There are LED lights shown by the doors on the rear elevations, and we limit outside play. Children are not outside after dusk.

Haber – (To Pace) Is this a suggestion or something to include in the motion?

Pace –

- A suggestion.
- Also, in looking at the north entrance, with or without a traffic report, it is apparent that Haggerty is a very busy road.
- I suggested a decel lane at the beginning of the meeting.
- I am in favor of the marginal access, and would forego the decel lane if this access agreement occurs.
- The dumpster was corrected. How high is it?
- And, how high is the fence in back? Is it 6'?

Jay James – The dumpster is 8’.

Rod Blight – The fence is 5’ around the perimeter. It cannot be any lower and this is a safe height to prevent any possible child abductions.

Haber – That is in accordance with code.

Winkler –

- I am in agreement with all items addressed by the other Commissioners.
- I have no other issues.
- My only question was the number of employees, which was answered.

Pace – Last time, you mentioned there would be a bus on the site. Would that be parked in one of the back spaces at the facility?

Rod Blight – We are uncertain of the community needs with elementary schools, but we have the opportunity to use a 14-passenger bus to transport children to and from schools. It will be parked in back if that is a preference.

Haber – Could you pass the sample board around for the Commission?

Rod Blight complied and gave a review of the materials and architectural features. He addressed Haber’s concerns with mechanicals. All will be shielded and units enclosed to prevent any access by children.

Haber – The handicap parking is distant. Could you move at least one spot closer to the entrance?

Michelle Spencer – Most parents like a front door spot, and we wanted van accessible, but we can move one to the front.

Rod Blight – With a ramp in that area, they won’t feel as rushed as they would if they were right in front.

Haber –

- Signage will be Administratively approved.
- I love the rendering.
- I’m a bit paranoid about the location of the building with the traffic in front, even though they do play behind the building.
- I am still concerned with safety and kids are more clever than we give them credit for.

Rod Blight – We take that into account.

Haber –

- We are ok with the tree locations if the RCOC agrees.

- The shared access agreement is definitely necessary to the north and south, just in case we need it in the future. We will follow the recommendations of the attorneys.

Michelle Spencer – I will note that the exit only to the south will also be a right turn only, and the north drive will be an entrance only.

McKeever –

- Could the drives be redesigned so they would not be inviting for someone to turn into or out of?
- If the south is an exit only, then get rid of the radius.

Haber –

- Then it prevents any incoming traffic at the exit.
- They can only go one way, and a left exit is prevented.
- In addition, there must be a spring device on the dumpster enclosure to keep it closed. This is an issue at another daycare where it was wide open.

Open discussions took place regarding trash pickup and options for the enclosure.

Haber – How does drop-off and pickup work out?

Rod Blight – Parents have to sign children into their classrooms. There will be no curb dropping.

Haber –

- So we have addressed the curb cut, the parking agreement, sidewalk, and it is established that there will be 15-20 employees.

Jay James – The sidewalk required along a major road is 8' concrete or 10' asphalt.

Michelle Spencer – Ok.

Rod Blight – The sidewalk leads to the wetlands.

Haber – You may not need to do it now...

Jay James – If the neighboring properties put in a sidewalk, then it could be installed.

McKeever – A bond should be posted to cover the cost.

Jay James – It can be made part of their approval. If the adjoining property installs sidewalks, they will need to extend the sidewalk across their property. The attorneys could tie this in with the marginal access agreement. An agreement would be drafted between the Township and the property owner that sidewalks are to be installed when deemed necessary by the Township.

Open discussions continued regarding the wetlands, sidewalks, and expenses. Haber explained that this property could have another business on it someday. McKeever preferred that a bond be posted as an agreement may not cover it. James noted that gaps in the future sidewalks need to be prevented. Haber polled the Commission:

McKeever – Bond preferred at a minimum, or put in now.

Czarnecki – Bond.

Jones – Bond.

Pace – Put in now. We are trying to eventually get sidewalks into the community wherever possible.

Winkler – Put in now.

Haber – We can include this as part of the agreement, but it should be put in now and be done. This will stay consistent with the Township goals, even if it is a “bridge to nowhere”.

Michelle Spencer – They can put it up to the edge of the wetlands, at the right-of-way line almost to Haggerty Road, without a special permit. Otherwise there is a conservation easement beyond that point.

Jay James – Bring it to the south curb cut and put a ramp on the south side.

Michelle Spencer – That works really well.

MOTION by McKeever, supported by Pace, that the Planning Commission approves, with conditions, Item SP12-24-14, the request by Rainbow Child Care of Troy MI, represented by Rod Blight, for site plan approval to construct a daycare facility located west off of Haggerty, just north of Pontiac Trail. Sidwell No.: 17-24-401-037 & 041 Approval is for the reason that the information submitted by the applicant and the information presented to the Planning Commission demonstrates that the proposed site plan meets the requirements and standards of the Commerce Township Zoning Ordinance.

Approval is subject to the following conditions:

1. Approval by the RCOC and permitting, including for the plantings in the right of way; and,
2. Subject to KER Engineering report dated May 17, 2012; and,
3. Subject to the Fire Departments report dated May 3, 2012; and,
4. Relocation of at least one handicap parking space; and,
5. Redesign of the south drive as an exit-only and a right-turn only; and,
6. Required shared access agreements to the north and south; and,
7. The Planning Commission’s acceptance of 55 parking spaces as sufficient; and,
8. An 8’ concrete sidewalk to be installed along Haggerty Road frontage; and,
9. Administrative approval of signage; and,
10. If required by the ordinance, a loading zone will be added and will be subject to Administrative approval; and,

11. Dumpster enclosure and concrete pad brought into compliance with the Zoning Ordinance requirements as addressed.

MOTION CARRIED UNANIMOUSLY

ITEM II: SP12-10-15 – COMMERCE VILLAGE VETERINARY HOSPITAL

Andrea Putt of Milford MI is requesting site plan approval for a veterinary hospital in an existing building located at 605 Commerce Road. Sidwell No.: 17-10-403-004 & 016

Jay James, Building Director, gave a review. No changes are proposed to the existing building with the exception of removal of the garage door. This wall will be blended with the rest of the building.

Andrea Putt, Petitioner, 13257 Spencer, Milford, MI was present to address the proposal along with Ron Lilley, Builder for the project.

Andrea Putt – As noted on the Fire Department’s report, a “KNOX” lock box has been ordered. Although I do not have a copy, the loading area has been added on adjacent to the handicap parking area.

Haber – Is that to the east?

Ron Lilley - Yes.

Andrea Putt – We do have small vehicles coming in with deliveries.

Pace – No freight trucks?

Andrea Putt – No. And as for the trash pickup, we have medical waste companies to pickup most of the refuse. This is in individual containers in the deep freezer. The rest of the trash is just paper towel and paper. We recycle at the school and shred paper. Therefore, the plan should be sufficient.

Haber – Storage will not be a problem and it won’t be stored outside?

Andrea Putt – We are renovating the area that was used to house fire truck, so we have good space there for indoor storage of trash cans.

Commission Comments:

McKeever –

- Fine with the project as submitted.
- Questions about trash have been answered. If it becomes a nuisance, it would be a violation of the ordinance.
- As for lighting, although the ordinance does not require it, I strongly recommend you look into it. It is dark at 4pm in the winter and there is liability involved.

Czarnecki – I am good with the proposed as submitted.

Jones – Ok.

Pace –

- In agreement with the lighting suggestion.
- Pole lights would need to be restricted onto the lot to avoid having the lighting spill onto the adjacent residential area. Wall mounted lighting would not be wise.
- Trash will be municipal curb pickup? (Yes, in a cart or bin.)
- If you ever see that this will exceed expectations, a dumpster may be necessary. Could you suggest a designated area in the lot for a future dumpster if the need ever arose?

Andrea Putt – I don't believe it will. I come from another office with 7 veterinarians, and from my experience, a dumpster will not be necessary here.

Pace –

- If you see no need for it, then I am good with the proposed.
- As McKeever stated, the ordinance addresses the matter if it gets out of control.
- Good luck to you .

Haber – Do you want to see lighting as part of the motion?

Pace – I suggest that they put up 2 light poles.

Jay James – The ordinance does not require it.

McKeever – We don't have the ability to require it.

Winkler –

- I disagree with the need for lighting as it is not required by the ordinance and there is the potential for disturbance of the adjacent residents.
- The petitioners gave a preliminary review recently, and they have taken the time and effort to obtain the necessary variance for an otherwise unusable site.
- They are making good use of this vacant building and they have done a great job in complying with what is necessary.

Haber – Will the asphalt be taken out in front of the building?

Jay James – The petitioner discussed this with Kathleen Jackson and they do not believe it is a necessity.

Haber –

- We don't want to put a burden on you.

- If it does remain, maybe planter boxes could be added there to make it look nice. And, it could be blocked off to keep people from parking there.
- The door will be taken out and brick will be added consistent with the building.
- Signage will be administratively approved.
- There is no room there for more landscaping to the west.

Jay James – They are providing 14' to the west of the lot, and you have the 20' wide public alleyway, so it is 34'. Kathleen Jackson's intent was to note that you are getting more than the required 20'.

Haber – Good luck to you.

MOTION by Winkler, supported by McKeever, that the Planning Commission approves, with conditions, Item SP12-10-15, Commerce Village Veterinary Hospital, the request by Andrea Putt of Milford MI, for site plan approval for a veterinary hospital in an existing building located at 605 Commerce Road. Sidwell No.: 17-10-403-004 & 016. Approval is for the reason that the information submitted by the applicant and the information presented to the Planning Commission demonstrates that the proposed site plan meets the requirements and standards of the Commerce Township Zoning Ordinance.

Approval is subject to the following conditions:

1. The stipulations as listed in the Planner's Report dated May 30, 2012; and,
2. All signage to be administratively approved; and
3. Installation of a "No Right Turn" sign at the curb cut on Ponderosa Street; and
4. Fire Departments report dated 5-29-12; and
5. Engineers report dated June 1, 2012; and
6. The Planning Commission's acceptance of utilizing public trash collection as opposed to a dumpster as discussed herein; and,
7. Administrative approval of the detention basin landscaping; and
8. The Planning Commission's acceptance of the 14' bufferyard on the west side.

MOTION CARRIED UNANIMOUSLY

ITEM III: SP12-28-16 - MAVERICK BUILDING

Kevin Maguire of Commerce MI is requesting site plan approval to construct an addition onto the existing building located at 1200 Benstein Road. Sidwell No.: 17-28-476-020

Jay James, Building Director gave a review.
Brad Thompson, Petitioner and Engineer, B.F. Thompson, P.C., 1520 Gulley Road, Howell, MI, was present along with Kevin Maguire of Maverick Building Systems, 8225 Goldie St., Walled Lake, MI, to address the proposal.

Brad Thompson – There were a couple of items on the proposed and existing that have been changed with Kathleen Jackson, but are not reflected on the report. The first is a correction on page 1 of the Planner's report as follows: ***Side Setback (south) of 107' for the new building as proposed.***

Next, there was an existing lot to the south and an additional building in the rear that burned down. Kathleen Jackson mentioned removing or repairing the existing asphalt, and it will all be essentially removed. Any existing will be gone to the point of the right-of-way line or curbs off of Benstein Road. In time, the utility crossing will be done and all of this will be smashed up and removed. Curb and gutter will be added along the landscaped areas.

Previously, there was one row of parking in the front. This will be replaced and we will have similar parking with two rows of 8 spaces, for a total of 16 spaces in the front with handicap parking at the entrance. At one time, we discussed land banking to save additional space for future parking; however, we will also have 14-16 spaces in the back. Our current status is 18-19 employees, and we will now have up to 25 employees at the new location. No customers come to our site. Therefore, 32 spaces is expected to be sufficient.

There is a light at Loon Lake Road, and the plans show the current and proposed circulation with the existing curb cut. There are 3 lanes on Benstein Road. We are not proposing to do any work in the right-of-way other than the extension of the sidewalk which stops at the north property line, and will be brought to the south property line. Maverick is currently at the end of Goldie Street. By putting a 4,000 square foot addition onto this building, the site will meet the immediate and future needs of the business. Trucks come in and unload raw materials and wood at the rear of this building. It is taken from the storage area into the building to make trusses, which is the primary business. Hi-los are used, and the wood is stockpiled. When the product is complete, it is loaded back onto a truck and delivered to the job site. So according to Kevin, there is no loading and unloading at the building other than the hi-lo which brings the wood in and out. Therefore, the only area where asphalt is necessary is in the parking lot adjacent to the building. Kathleen Jackson and Jay James made recommendations that they would like to have the entire area paved out to the western limits of the storage area.

A few other items remain to be noted. We have the panhandle transmission line on the site which is owned by Consumers Energy. There is no good storm drainage outlet. We have Clarin on one side, and Benstein crossing to the north. They have provided an existing landscape berm that is 3-4' high, and the landscaping is 5-7' high with the pine trees to obscure the outdoor storage area from the residential.

Jay James and Brad Thompson discussed the number of current retention ponds which was estimated at 3-4.

Brad Thompson – Due to the layout, we did not propose anything other than grading and grassing of some areas. We did not propose additional landscaping because the site is adjacent to the existing landscaped berm. The requirement is 50' for a type "E" bufferyard, and we are providing about 90' up to the fence.

Mr. Thompson continued a detailed review of the detention, landscaping, proposed fencing, and provided the reasoning for each. He discussed irrigation which Jay James noted is only required in islands. He addressed the sanitary sewer to be brought down through the property as the site is currently on a septic. A hydrant would also be

brought in on the south side, and fire suppression would be included in the building. He reviewed the storm drain crossing under the outdoor storage area which would be crushed stone/gravel and would be re-graded as necessary. He reviewed lighting which meets the requirements. He noted that the proposed dumpster is 8' high, 10x12' per the ordinance, and would be located behind the building on the south side of the eastern addition. There was some confusion as to where Kathleen Jackson wanted this, but it will be relocated accordingly as necessary. The existing sign in the front yard would be removed as they do not sell to the general public. Numbers on the front door would be kept and the only name would be 3" high lettering on the front door. Lastly, the Fire Department review was received and did not present anything problematic.

Commission Comments:

Winkler –

- How many employees are there ? (19 at this time.)
- I think the Planner's recommendations regarding paving the loading area of the addition should be enforced.
- I would leave the dumpster location up to the Planner.
- In favor of Administrative approval for the materials for the dumpster enclosure and for the addition to the building.
- I think this is a good faith effort to meet the requirements given the existing site.

Pace – I noticed that this is a steel addition. Could it be block like the original building?

Kevin Maguire – It is a Butler building. (He presented the rendering to the Commission.) This is cost driven and is similar to what we have now.

Pace – The north fence is 6' high and wooden. It abuts the retention pond. Is this dog-eared or solid? What are the requirements?

Brad Thompson – It is shadow box.

Jay James – The ordinance says it could be wood or masonry.

Pace – Wood is a pain to maintain. Can you clarify the 6' gap that occurs at the southern fence between your fence and the neighbor's?

Brad Thompson – The industrial site has asphalt parking, an office, then storage areas and basin retention at the back. His fence is steel framing because he does steel contracting. It is a 5-6' fence along the south. Our fence would be 6' away to the north from the property line, creating a 12' corridor between the two fences which is undesirable.

Pace – I don't like that. I don't want to see strips of land created between fences. I suggest we come up with an idea to work around this.

Jay James – If we speak with the owner to the south and discuss that this corridor would not be sensible, maybe we can agree to abut the fence at his property line.

Open discussions continued regarding options to be explored to avoid the creation of this corridor between fences. This could be Administratively reviewed and approved. The fence materials were also discussed and slats were not favorable.

Jones – Ok with everything that has been discussed.

Czarnecki – I agree with the recommendations for paving of the loading area and the turning radii area.

McKeever –

- How far off is the landscaping? No calculations were submitted.
- Islands will be irrigated?
- Will the front façade be repaired?

Brad Thompson – We expect to exceed the overall requirements because of the extended size of the building and the parking area. Irrigation will be completed as required by the ordinance. Two islands were added in front for screening to obscure the building.

Kevin Maguire – We plan to replace wood on the front and repaint.

McKeever – Will you repaint the entire building?

Kevin Maguire – No, the masonry is fine. We will correct the wood parts and the soffit that is loose. We will also address any lighting issues, and we are looking to spruce up the building.

McKeever – I don't believe that slats are allowed in the fencing. I would prefer to see chain link without slats.

Jay James – That was one question. What you would prefer to see there. The north fence is wooden.

Brad Thompson – The east side 180' fence is proposed to be chain link, but it is 200' off of the east property line. There is adequate screening and buffering with this separation.

Jones – What about the north?

Brad Thompson – The north side is a wood screening fence for the residential. The existing berm is sufficient as it is heavily landscaped.

Open discussion continued regarding removal of the slats from the chain link fence, maintenance of wood fencing, screening requirements, detention basins and safety issues, and placement of the north fence in relation to the retention pond. After extensive discussion, the consensus of the Commission was to place the north fence on the north side of the detention pond.

McKeever –

- I am in agreement with the paving of the loading area as stated by Kathleen Jackson.
- I also agree that the dumpster enclosure needs to be better materials, but I do feel that it is located far enough off of the south property line.

Brad Thompson – The enclosure materials will be similar to those of the existing building.

Haber – Similar to the existing building and not the addition?

Brad Thompson – Yes.

Haber –

- I do not have issues with the parking.
- I don't like to see a lot of asphalt but I do agree with the paving extension.
- I would like to see the dumpster elsewhere, but I'm not sure where. That could be worked out with Kathleen Jackson.
- Signage has been addressed.
- What about issues in the Engineer's report?

Jay James – I did the report. The fence has been addressed. Down spouts should be directed toward the detention basin. The sewers will be hooked up.

Brad Thompson – Yes, it is currently on a septic.

Haber –

- The septic should be destroyed.
- The parking lot was a mess.
- There is a big dead tree to be removed.
- And the hanging molding should be cleaned up.

Brad Thompson confirmed that these items would be addressed.

Kevin Maguire clarified the loading and unloading area. They are trying to replicate their current situation which is functional. He explained the process for raw materials and finished goods. He does not feel the need to pave a loading area as no loading is done there. Trucks are routed into the outside storage area for loading and unloading. To pave this would be a cost disadvantage.

Jay James – I think we can work this out in the construction plans with limits for the loading area. We can discuss it further.

Kevin Maguire also addressed another cost issue. He discussed extension of the 12" water main with Jay James. This is a main transmission line and the extension is a significant budget item that does not appraise into the property. Kevin Maguire requested that this be deferred until future connection becomes necessary. After lengthy discussion, Jay James indicated that this could be included in the agreement, and there would be a fee associated with the agreement at the petitioner's expense. He had no issue with deferment at this time. Therefore, the installation could be postponed in the agreement, but it was noted that the petitioner may incur even more cost down the road, and the installation will disrupt the business at that time.

MOTION by Jones, supported by Pace, that the Planning Commission approves, with conditions, Item SP2-28-16, Maverick Building, the request by Kevin Maguire of Commerce MI for site plan approval to construct an addition onto the existing building located at 1200 Benstein Road. Sidwell No.: 17-28-476-020

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 following conditions:

1. KER Engineering review dated May 31, 2012; and,
2. Fire Department's review and approval; and,
3. Administrative approval of the color of the addition; and,
4. The Planning Commission's acceptance of the landscaping as presented; and,
5. The Planning Commission's acceptance of the parking spaces as proposed including repair of existing parking lot, striping of existing and any new parking spaces; and,
6. Administrative review and approval of paving of the loading area in the rear and the turning radii area; and
7. The Planning Commission's acceptance of the buffer between the subject parcel to the north, south and east property lines as discussed herein; and
8. Removal of the ground and wall signs and all appurtenances; and,
9. Wooden fencing on the north side of the detention pond along the north property line; and,
10. Along the south property line, the fence will be wooden and the placement is contingent upon an agreement with the adjacent property owner to the south to prevent a potential "corridor" between the fences as discussed herein; and,
11. A 6' high chain link fence will be allowable on the east side, as shown on the plans; however, no slats will be installed in the chain link fence; and,
12. An agreement will be entered into between the Township and petitioner, at the petitioner's expense, with regard to the water main installation, indicating that if and when it becomes necessary, the property owner will comply with installation and provide easements; and,
13. The dumpster enclosure is to meet all Zoning Ordinance requirements; and
14. The dumpster location is to be Administratively approved; and,

15. The Planners' report dated May 29, 2012 will reflect a correction: ***side setback (south) of 107' for the new building as proposed.***

MOTION CARRIED UNANIMOUSLY

ITEM IV: SP12-14-17 – DETROIT BIKE WEEK

Top Notch Entertainment of Warren MI is requesting approval to have a temporary event located at Multi Lakes Conservation Club at 3860 Newton Road.
Sidwell No.: 17-14-100-011

McKeever requested recusal from this item as he is a member of Multi-Lakes.

MOTION by Pace, supported by Jones, to recuse McKeever from Item SP12-14-17.

MOTION CARRIED UNANIMOUSLY

Jay James, gave a review.

Matthew Flynn, Top Notch Entertainment, 14335 E. Twelve Mile Road, Warren, MI, was present to address the request.

Matthew Flynn delivered a review. He discussed trash collection and recycling, volunteers including the Boy Scouts, relocation of "The Wall" which is a free exhibit, charities involved, vendors and entertainment. There are more volunteers this year to increase organization and parking control. Last year was a success and this year will be even better. He had 9 pages of notes for improvements from last year, including such items as chain link fencing, golf carts for shuffling from parking areas, hours for vendor carts, etc. There will be no sound issues and no spotlights. There were no complaints last year, and we expect the same this year. He indicated estimated calculations of revenue generated by the event last year to be \$900,000 for the local community. In closing, he noted that the Oakland County Sheriff's were clearing the premises prior to closing last year and hopes to avoid this from occurring this time around.

Jay James added that the staff will clarify the event times with the Sheriff's Department.

Commission Comments:

Winkler – Ok with proposed.

Pace –

- Will there be EMTs on staff on all days?
- Is there also private security staff?

Matthew Flynn – Yes, fire and ambulance are on site daily, and extra staff is there for the cage fights. Some of the security is private from multiple groups. Some are off-duty officers.

Open discussion took place regarding the hours of operation, bar hours, ordinance requirements, activities to be held including a karaoke tent, additional parking and

shuttling, and overtime pay for the Sheriffs. Matthew Flynn explained that overtime was paid by Top Notch. He added that permission was granted by Central High School for offsite "overflow" parking as a backup plan. The email in the packet granting permission had conflicting hours and he stated that he would address this, although the additional parking was not a requirement.

MOTION by Czarnecki, supported by Jones, that the Planning Commission approves, with a condition, Item SP12-14-17, Detroit Bike Week, the request by Top Notch Entertainment of Warren MI for approval to have a temporary event located at Multi Lakes Conservation Club at 3860 Newton Road. Sidwell No.: 17-14-100-011 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 condition that the event hours of operation are until 1:00am on Friday 7/27/12 and Saturday 7/28/12, and therefore the **premises are to be vacated by 1:30am** on those dates, and the Oakland County Sheriff's will be informed of this schedule accordingly.

MOTION CARRIED UNANIMOUSLY

ITEM V: DISCUSSION REGARDING EIFS IN THE ZONING ORDINANCE

MOTION by Winkler, supported by Jones, to table the Discussion Regarding EIFS in the Zoning Ordinance.

MOTION CARRIED UNANIMOUSLY

OTHER MATTERS TO COME BEFORE THE COMMISSION

Winkler suggested emailing Kathleen Jackson with any comments for the next meeting.


McKeever discussed the parking lot at Uptown Grille with Jay James.

The next Regularly Scheduled Planning Commission meeting will be Monday, July 16, 2012 at 7:00pm.

ADJOURNMENT

MOTION by Jones, supported by Pace, to adjourn the meeting at 9:21pm.

MOTION CARRIED UNANIMOUSLY



Brian Winkler, Secretary