

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

Monday, September 11, 2023
2009 Township Drive
Commerce Township, Michigan 48390

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

ROLL CALL: Present:

Brian Parel, Chairperson
Brian Winkler, Vice Chairperson
Joe Loskill, Secretary
Bill McKeever

Absent:

George Weber (excused)
Sam Karim (excused)
Brady Phillips (excused)

Also Present:

Dave Campbell, Township Planning Director
Jill Bahm, Partner, Giffels Webster
Julia Upfal, Planner, Giffels Webster
Rose Kim, Staff Planner, Giffels Webster
Jay James, Engineer/Building Official
Mark Gall, Township Fire Marshal

B. APPROVAL OF AGENDA

MOTION by Loskill, supported by Winkler, to approve the Planning Commission Regular Meeting Agenda of September 11, 2023, with one change; to move Item I2. to follow Item J2.

MOTION CARRIED UNANIMOUSLY

C. APPROVAL OF REGULAR MEETING MINUTES

D. APPROVAL OF SPECIAL MEETING MINUTES

MOTION by Loskill, seconded by McKeever, to approve the Planning Commission Regular and Special Meeting Minutes of August 7, 2023, as written.

MOTION CARRIED UNANIMOUSLY

E. UPDATE OF ACTIVITIES

Brian Winkler – Downtown Development Authority

- This is a summary of the August 15th DDA meeting.
- Insite Commercial Report:
 - Parcel B1-Phase I, Aikens Five and Main: Per Randy Thomas, he flew a restaurant group over the site which garnered positive input.
 - A purchase agreement between Aikens, commercial developer, and Continental, residential developer, has been signed.
 - Continental hopes to be in front of the Planning Commission during our October meeting.
- Attorney's Report:
 - The purchase agreement, amendment to the master deed and sub-condominium associated with the .44 acre parcel needed for the residential development have been moving ahead.
 - A legal description for Pad 'A', the DDA parcel on the southeast corner of Five and Main, has been completed and the pad is now clearly defined in light of the residential portion of the development being further refined.

- The current 2023 DDA Budget is being reviewed against current expenses.
- The proposed 2024 DDA Budget was reviewed and approved by the DDA Board.
- Larry Gray noted that the construction of the OCSO Substation is scheduled for completion by the end of October.

Chairperson Parel – Thanks, Brian. Dave, on the Five & Main residential component, Brian mentioned that the next time we will see them is in October. Is that to approve the final site plan?

Dave Campbell – That would be to approve a site plan just for the residential portion of the project. And yes, they are shooting for the October 2nd meeting. They just submitted some of the materials today, and more of it is forthcoming.

Bill McKeever – Zoning Board of Appeals

- We did not have an agenda.

Chairperson Parel – Although George isn't here, does anybody have any updates from the Trustees?

Dave Campbell – Township Board of Trustees

- We're getting into budget season, so that's always fun.
- Their next meeting is tomorrow night, and some of the things we discuss tonight will go to the Board tomorrow.

Jay James – Building Department

- We've actually been very busy.
- We had FEMA in here about a month ago to do our annual 5-year audit on the floodplain, which we did pretty well on. She wanted additional information, so we're working on getting her that.
- We had the State in here for our MS4 permit renewal audit. That went okay and we're getting them more information on that.
- With all of the storms we've had, we have been inundated with drainage and soil erosion issues for the last month.
- Demolition started this week at the old Township Hall.

Unidentified Speaker – Was that the one on Fisher?

Jay James – Yes.

F. PUBLIC DISCUSSION OF MATTERS NOT ON THE AGENDA

Chairperson Parel opened to Public Discussion of Matters Not on the Agenda.

Andy Sarkisian, 3398 Tiquewood Circle, Commerce Township – Good evening. I'm in the Lake Sherwood subdivision. Larry asked me to pop in for the open mic. I was sitting here, and I made comments a few weeks ago at the joint meeting with the Trustees when the tree ordinance, which I understand has a different name, was discussed. I was raising my hand, but it wasn't protocol, and Larry misunderstood that as saying here's somebody to put on a citizen's committee or something like that. I don't think there is a formal committee yet, but a couple comments.

Since then, the reason I had my hand up was because I was hearing some issues here and there about what happens when someone plants a tree and sidewalks crack. I said well there's a solution for that in the ordinance. You don't want to take away property owner's rights.

I reviewed tree ordinances for Plymouth and Milford Township. The interesting thing about their ordinances is that it's a two-way street; it's about the trees that they like, and it's about the trees that they don't like. It's not about taking away property owner's rights. In those townships, it's more focused on new development and builders on preserving what they call heritage trees and making sure other trees are just planted in areas where they will cause problems later.

I wish, in Lake Sherwood, that 60 years ago we had a tree ordinance that said no poplars/cottonwoods. At the time, the body of knowledge probably said it's good to have willows because of their root system around water, but they are trashy trees as well and about 95% of Lake Sherwood residents wish they weren't planted either.

I'm not sure if this is the right body, but I can share what I have learned and I'm happy to further serve as Larry may have alluded to. That's all, thank you.

Chairperson Parel – The tree ordinance is something that is pretty near and dear to my heart, so I appreciate you bringing that up. I know the Township Trustees and the Planning Department are working hard to hopefully come up with a solution that works for everyone. I share in a lot of the comments you made. Thank you.

Aaron Woods, 8604 Palomino Drive, Commerce Township – I've never been here before. I live in Golf Manor. I just have a question. Traffic is awful, and I'm sure you've heard that before. Is there anything that could be done or is being done about it? I know with the new developments, you have 721 new living spaces for families or houses, which could equate to 1,442 additional cars on the road. I'm just wondering if there is anything that could possibly be done.

Chairperson Parel – I appreciate that too. I'll try to address that, and if anybody else wants to take it. If you want to stick around tonight, we have representatives here from Giffels Webster. We're going to discuss a lot of the hard work that has gone in over the last year in preparing our Master Plan. What you'll see is that through our experience, and through Dave's experience with his group, and with the Township and the Trustees, and with feedback from residents, traffic seems to be #1 or #2 on everybody's minds. A lot of people are concerned about trees, nonmotorized pathways and over development, but we always seem to come back to traffic.

From my perspective, I think that is something that this Commission is always focused on. This other gentleman made a great point; we have to be careful because people and businesses have rights to their property. They have the right to develop, and we can't take away those rights. At the same time, we have to make sure that... I'll give you an example. If somebody comes in for Special Land Use, that requires us to prove certain things to the community before we make a decision, that it is necessary or needed, and something that won't cause traffic concerns. We take that very seriously and we've done it multiple times where we have either turned things down, or severely manipulated plans to try to reduce the amount of traffic impact.

I can think of a ton of different examples, but most recently, we have a church that purchased the Bay Pointe Country Club. That was a property that was designated to us as one of the top properties that we recognize are potentially going to be developed in

the next few years. We had some folks come in for a public hearing. I think, for the right reasons, they were concerned. That's a high traffic corner there in Union Lake. The alternative was a plan proposed a year prior which was something like 200 to 250 single-family homes. We worked with that developer to put together something more reasonable. The deal never came through, but now that we have this alternative, we support it. We think having a church there will be less intrusive and it will ease up the traffic as best we can, without taking away people's rights to develop their property. It's something we care about a lot. If you're interested in sticking around, or if not, there's some information we can share.

Aaron Wood – I can stick around.

Chairperson Parel – We are reviewing the preliminary draft of our Master Plan. It has been about 8 years. There should be some good information in there for you.

Aaron Wood – Okay. Also, I know he said something about FEMA and about the flood and flood discharge frequency. I know that because we have lakes, it seems the water table is a little higher. It is an area of concern because I don't want my basement flooding.

Chairperson Parel – Yes, and obviously Jay's team is working with that. Jay is a great guy if you want to reach out to him. This may not be the forum.

Aaron Wood – Yes, I understand. When that information comes in, it would be nice to hear it.

Chairperson Parel – Jay, does some of that information make it out to the public?

Jay James – The flood plain information is already out there for you, but if you have specific areas of concern, just give me a call.

Aaron Wood – No, just in general.

Jay James – Some areas of the Township have more water issues than others do. We're actually lucky we have all of these lakes in the area because they do handle a lot of water when we get big rains. We didn't experience the same rains as Canton recently. I'm only aware of one house that got water in it, and it was because of a blocked culvert, whereas in Canton, they were kayaking in the Target parking lot. I'd be glad to share information.

Aaron Wood – I was just wondering in general. If it's online, I can look it up.

Jay James – Yes, we have a lot of information online.

Chairperson Parel – Traffic, trees and nonmotorized pathways are the top topics.

Dave Campbell – I would say traffic is #1 by far. We talk about the others a lot too. Today was the first day you could pay your tax bill, so we get a lot of folks in here that

don't typically visit Township Hall. While they're here, they visit each counter and that's what we hear about.

Chairperson Parel – You're right, traffic is #1. It doesn't help that a highway dumps into our Township with no means of getting people through.

Dave Campbell – They gave us a dead end expressway.

Chairperson Parel – I agree. It's something we have to deal with. Also, potentially upcoming, is the Commerce Drive-in Theater property. They're potentially looking to develop that and that could have a lot to do with that corner and the traffic there. They're already working on plans.

Chairperson Parel closed Public Discussion of Matters Not on the Agenda.

G. TABLED ITEMS

None.

H. OLD BUSINESS

None.

I. SCHEDULED PUBLIC HEARINGS

ITEM 11. PSU23-02– A & A SOLUTION, LLC – SPECIAL LAND USE – PUBLIC HEARING

A & A Solution, LLC of Royal Oak MI, is requesting approval for a Special Land Use for an outdoor storage facility for rental space of boats & trailers, RV's, etc. in the Industrial zoning district, located at 1409 & 1429 Claranton Drive in the Claran Industrial Sub (Lots 12 & 13). PIN#'s: 17-27-352-006 & 17-27-352-007

David Campbell – The area we're talking about is on the west side of Ladd Road, north of Maple. I'll zoom in on the aerial. A & A Solution proposes primarily a boat and RV storage yard; basically, outdoor storage space for rent. The proposed use is a Special Land Use in our Industrial zoning district. Therefore, we are required by State law to hold a public hearing before the Planning Commission takes any action.

This area of the Township might be familiar to the Planning Commission because less than a year ago, we had a similar proposal on Lots 10 & 11, just south of the subject property. Those were also proposed and approved to be storage yards; those were storage lots for a building contractor, PCI Builders, to store their construction equipment.

The applicant submitted a site plan which I will bring up. The site plan is pretty straightforward. The perimeter of both lots would be fenced in with one perimeter fence. On the west and east sides would be an 8' vinyl, faux stone fence. This is the same fence that was approved for the builder's storage yard to the south. It's also the same fence material that the Township put into our cemetery along Benstein Road, which I thought turned out pretty nice, so we have been encouraging other developers to use that same material. In this case, as any storage facilities along Claran continue to come forth, we are looking for some consistency in fencing.

Between the proposed fence and the road would be landscaping. Our Landscape Architect took a look at this and determined that it complies with the requirements of the

Zoning Ordinance. On the south side of the proposed storage yard, they would be tying into the existing fence at the builder's yard, which is an 8' chain link fence with fabric screening. It's already existing along the south side, and they would be mimicking it along the north side. Per the Zoning Ordinance and the Special Land Use standards for outdoor storage yards in the Industrial district, and specifically boat and RV yards, it is the Planning Commission's determination as to the adequate means of fencing.

The surface material is going to be a compacted gravel, again, the same as their neighbor to the south. That is considered an impervious surface by our Township Engineer, so they will be required to manage their storm water. They are proposing a catch basin and a storm drain to outlet to the existing storm water system along Claranton. On the aerial, you can see everything ultimately outlets into this pond.

They are proposing about a 15' buffer between their fence and the westerly property line, which they share with the Benstein Crossing development. The intent is that they will preserve as much of the existing vegetation as they can along the westerly property line for a buffer. It did come up in our public hearing with PCI, when we had a pretty good turnout from the residents of Benstein Crossing, and they had some concerns about the prospect of a new outdoor storage yard. With that particular user, they had concerns with the idea of construction equipment coming and going on a daily basis, along with the noise and dust that might get kicked up with that. I would say it's a little bit different animal with what is being proposed this evening. The folks from A & A Solution can correct me if I'm wrong, but it's my understanding that boats and RVs would be rolling in this time of year as people store them for the season, and they would stay in place until next spring when they roll back out. In between, it would seemingly be a relatively quiet and non-objectionable activity level.

Another point I think is relevant with Benstein Crossing is that the industrial parks, both Claran and their neighbors in the Harrison Industrial Park, and the Metro Industrial Park; all of these were pre-existing prior to the Benstein Crossing development. In fact, the Benstein Crossing property was zoned Industrial until the developer got a rezone to multi-family. When the development got approved, they purposefully kept a 25' buffer along the east edge of Benstein Crossing. They purposefully kept it zoned Industrial so that any industrial users that came in would not be required to put in the buffer zone. It was mindful to not impede the development of the industrial park that preceded them. Lastly, we need to be mindful that boat storage is a tough topic in Commerce Township. We have plenty of beautiful lakes and boats that people enjoy, but folks need a place to keep those boats. A lot of times, boat storage guys will cram boats into any corner of Commerce Township that they can find and some of our colleagues in code enforcement have to chase them around all winter because they are putting boats where they're not permitted.

In this case, this is the Industrial zoning district; this is where we would want to see boat and RV storage occur, with adequate screening. I think that's relevant to point out to the Planning Commission that this is the right way to do it.

Because this is a Special Land Use, we do need to hold the public hearing before any action is taken on the Special Land Use, or any corresponding action on the site plan.

Chairperson Parel discussed the 25' strip of land with Dave Campbell. Dave pulled up the zoning map and explained the 25' buffer, zoned industrial, which divides the industrial properties from Benstein Crossing. Although the 25' strip is on the Benstein Crossing property, it was purposefully left zoned as industrial. The houses abut right to that industrial zoning line, and there's an area of vegetation with large spruce trees.

Therefore, the subject properties do not directly abut a residential zoning district. If they did, then they would have to provide a 50' buffer yard. Anything that develops on the industrial lots could come right up to their westerly property line. A & A Solution is offering about a 15' vegetated area, as noted on the plans.

Allen Moring of A & A Solution, LLC, 818 Longfellow Ave, Royal Oak, MI, was present along with Andrew Heidecker, 1715 Shankin Drive, Wolverine Lake, MI, to address the request.

Allen Moring – Thanks for having us. Dave kind of covered everything for us. We're basically looking to duplicate what our neighbors to the south did. It will be a seamless look across the front and back. As Dave mentioned, primarily this is going to be for storage of local residents' valuable property. We want to do it the right way so we will do it per the Township request. It will be drained properly. I think it will be a nice look. A couple things that weren't mentioned; I don't know if you have been back in that property, but it looks like there is some drag racing going on and things like that. I think the development will help to reduce that from a visibility standpoint. We don't want to disrupt any neighbors in the area. We think it's a good project.

Andrew Heidecker – Living so close to this area, my neighbors and people around the Wolverine Lake area are constantly parking boats in their driveways. We have a Wolverine Lake Facebook page, and the issues are a constant point of discussion. Then we're starting to see a proliferation of people shoving boats into parking lots and random unfenced areas, and then code enforcement needs to chase them around. This area has commonly been a drag strip or a burnout area. We hope to beautify the area and I think the more people in there, the better it will get with cameras and things. That will start to dissipate, and it will turn into something better for the community.

Allen Moring – We'll be here so after the public portion, if anyone has any questions, we'll be happy to answer them.

Dave Campbell – They've said they're going to mimic the neighbors to the south. This is a June aerial of the builder's contractor yard is to the south. You can see their fence line there is about 15' inside the property line, and 30' off the road right-of-way. Al and Andrew would just be taking this fence line along the roadside, and this fence along the west, and continuing them both northward for their two lots.

Andrew Heidecker – Yes, that lot is exactly the same size as the next two, so we would be duplicating that.

Chairperson Parel – You mentioned the fencing will continue. Is the proposed landscaping buffer plan similar to the adjacent property?

Dave Campbell – Yes, quite similar.

Chairperson Parel – One of you mentioned security cameras. Will there be any lighting?

Andrew Heidecker – Potentially in the future, yes.

Dave Campbell – I think we pointed out in our letter, we want to be cognizant of lighting. You're not required to light your site, but if you do, then there are requirements for the height, the manner of the lighting, the type of fixtures, we want lights that shine straight downward and not outward, and certainly not into the back windows of any of the residential. If you get to the point that you're looking to do exterior lighting, make sure you check in with us.

Andrew Heidecker – Absolutely, of course.

Chairperson Parel – I just wanted to get that on the record. I know, Dave, last time we had this conversation and we had members of the adjacent community come in, drainage was a big topic. Jay was helpful and paraphrasing what he said, I think we recognize that there are some drainage issues here. By requiring these folks to put in the proper drainage as they develop, it should only help the folks in the subdivision.

Jay James – Correct. It should all be accounted for in the overall subdivision master plan.

Dave Campbell – The Township Engineer looked at this on a preliminary level. If this were to get approved, they will look at it more closely to make sure all the elevations, inverts and everything are at the right depths and inclines.

Chairperson Parel – The height of your storage, in comparison to your neighbor's, do you know?

Andrew Heidecker discussed details of the 8' fencing.

Chairperson Parel – How does that compare to the items you are storing?

Andrew Heidecker – Most boats are typically below that, even on a trailer. We do have wakeboard boats and things with towers that may go a little bit beyond. On the RV side, they can be upwards of 10 or 11', so they may go beyond it.

Chairperson Parel opened the Public Hearing.

No comments.

Chairperson Parel closed the Public Hearing.

Commission Comments:

Loskill –

- You noted on your proforma that the site will be well lit, but you're not providing any lights at the moment. We need to make sure that gets fixed.
- We should probably make consideration for putting the address on the fence.
- How are people going to access this? You're not planning on electricity right now. How will you open up the gates?

Andrew Heidecker – Currently, there's solar-powered or self-sustaining battery powered gate options available. That was one thought. We've contacted the people to the

southwest, PCI, and we're working very well with them so far. I think they've been waiting until more people join Claranton Drive so we can split the cost of running power to the sites. Potentially, we will probably hook into power at some point and then have an electrified gate.

Dave Campbell – So, folks are going to bring in their boat on their own and take it away on their own, or do they schedule an appointment?

Andrew Heidecker – Not necessarily. There could be different levels of it, where if you were to pay for 8am-5pm access, maybe we'd have a keypad, and they could have their own code. Seasonal storage would purely be that we would allow someone in and out.

Dave Campbell – If I have a boat in there, is it always accessible? Do you pack them in there where they have to then get moved around?

Andrew Heidecker – If it is seasonal, yes, it would be that way. If it is a different situation where they want to pay extra to access it throughout the year periodically, then it would be in a more accessible location and have the potential to offer them a personalized code so they could access the site on their own.

Dave Campbell – Otherwise, they would need assistance from you to move the equipment that's packed around theirs so they can get theirs out?

Andrew Heidecker – Correct.

Chairperson Parel – Dave, do we have concerns about the hours of operation in a scenario like that where anybody could come with a monster truck at 2:00am?

Loskill – They would have to have security. If there's unfettered access to the site, what's going to keep somebody from just hopping the fence and getting in there, causing mayhem and mischief? You may want to consider getting some cameras to monitor the situation.

Andrew Heidecker – Of course, and we are.

Dave Campbell – The question of restricting hours of operation hasn't come up until just now. I could argue it a few different ways. This is the Industrial zoning district. If someone wanted to construct a facility here where they were open 24 hours a day with three 8-hour shifts, I don't know that the Township would restrict them from doing so. Now, this being a Special Land Use, it would be the Planning Commission's discretion with regard to conditioning approval upon restricting hours of operation or hours of access.

Andrew Heidecker – I was just saying it's an option. Currently, the focus is just seasonal storage.

Chairperson Parel – It may not be the proper thing to restrict it.

Andrew Heidecker – At PCI, they can come in and out of their facility anytime and move around construction equipment.

Allen Moring – With the smart gate system, we can control and monitor that.

Chairperson Parel – You probably don't want people in there at 3:00am.

Andrew Heidecker – Exactly.

Loskill – The last comment I had; you're talking about doing unirrigated, seeded lawn in front. I'm not sure it will grow. Normally, you've got to provide some sort of irrigation to get seed to grow, or water it on a daily basis. If you look at the PCI picture from June, their grass is not growing.

Discussion took place regarding PCI landscaping and the potential need for irrigation at the subject storage site. Dave Campbell noted that the landscape architect doesn't look at irrigation as much as they look at quantities, species and materials. However, with any site plan, the developer has to put up a landscaping bond to ensure that their landscaping survives two growing seasons. Chairperson Parel suggested considering alternatives to the traditional lawn. Loskill felt that alternative landscaping that doesn't require watering, in lieu of grass, made a lot of sense. Dave Campbell thought this was a location where that would make sense. He suggested any approval might be conditional upon the petitioners working with the landscape architect to find alternatives. The surface would still need to be permeable to avoid creating more storm runoff.

Chairperson Parel – If we were to add an item in there, it would be a condition of site plan?

Dave Campbell – I agree.

Allen Moring – We would have no issues with that.

McKeever – No comments.

Vice Chairperson Winkler – No comments.

Chairperson Parel – Dave, the next step would be a vote regarding the Special Land Use.

Dave Campbell – Yes. As I mentioned, they are seeking two approvals tonight. One for the Special Land Use, and assuming that gets approved, then correspondingly, site plan approval.

Chairperson Parel – I will ask for a motion in a moment, but I thought it would be relevant to mention this. The gentleman here asked earlier about the traffic in the community. When petitioners come in looking for Special Land Use, we are required to make the determination as to whether the eight standards are met. Of the standards that need to be met, #6 is *Traffic Impacts; the Special Land Use is designed and located in a manner that minimizes any adverse traffic impacts caused or exacerbated by the use*. So, we do take that into consideration each time we review a Special Land Use.

MOTION by Loskill, supported by McKeever, that the Planning Commission **approves, with deviations and a condition.** Item PSU23-02, the request by A & A Solution, LLC of Royal Oak, MI, for approval for a Special Land Use for an outdoor storage facility for rental space of boats & trailers, RV's, etc. in the Industrial zoning district, located at 1409 & 1429 Claranton Drive in the Claran Industrial Sub (Lots 12 & 13).

PIN#'s: 17-27-352-006 & 17-27-352-007

Move to approve PSU #23-02, a special land use for A & A Solution, LLC, to allow an outdoor storage yard for rental space of boats, RV's, etc. on two undeveloped lots at 1409 & 1429 Claranton Drive, Lots 12 & 13 of the Claran Industrial subdivision.

Special land use approval is based on a finding that the applicant has demonstrated to the satisfaction of the Planning Commission that the proposed use complies with the special land use criteria of Section 34.08 of the Zoning Ordinance, as well as the use standards of Sections 23.01 and 23.02.

Special land use approval is based on the following deviations:

1. The 8-foot chain-link fabric-screened fence along the north side of Lot 13 is acceptable relative to the requirement for an 8-foot screen wall or fence;
2. The 8-foot solid decorative fence along the east & west sides of 1409 & 1429 Claranton Drive is acceptable relative to the requirement for an 8-foot screen wall or fence.

Special land use approval is based on the following condition:

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

J. NEW BUSINESS

ITEM J1. PSP23-11– A & A SOLUTION, LLC - SITE PLAN

A & A Solution, LLC of Royal Oak, MI is requesting site plan approval for an outdoor storage facility (boats & trailers, RV's, etc.) in the Industrial zoning district, located at 1409 & 1429 Claranton Drive. PIN#'s: 17-27-352-006 & 17-27-352-007

MOTION by Loskill, supported by McKeever, that the Planning Commission **approves, with conditions.** Item PSP23-11, the request by A & A Solution, LLC of Royal Oak, MI, for site plan approval for an outdoor storage facility (boats & trailers, RV's, etc.) in the Industrial zoning district, located at 1409 & 1429 Claranton Drive.

PIN#'s: 17-27-352-006 & 17-27-352-007

Move to approve PSP #23-11, a site plan from A & A Solution LLC for an outdoor storage yard for rental space of boats, RV's, etc. at 1409 & 1429 Claranton Drive, Lots 12 & 13 of the Claran Industrial subdivision. Approval is based on a finding that the site plan satisfies the applicable review standards of the Township's Zoning Ordinance.

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, and by applicable agencies of Oakland County and the State of Michigan as required;
2. Review and approval of the proposed driveway approach along Claranton Drive by the Road Commission for Oakland County (RCOC);
3. Any installation of a dumpster/enclosure to be administratively approved by the Planning Department;
4. No temporary/portable buildings including porta-potties allowed to be placed on either 1409 or 1429 Claranton Drive;
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. The applicant will install the address on the property per the Zoning Ordinance requirements;
8. The applicant will work with the Planning Department and the Landscape Architect to determine an acceptable landscape plan, which may include alternative, non-traditional landscaping in the front setback area, subject to administrative approval.

Discussion –

Parel – Were you gentlemen planning on putting in a dumpster?

Allen Moring – I don't think it will be necessary.

MOTION CARRIED UNANIMOUSLY

ITEM J2. UPDATE TO THE MASTER PLAN

Review of working draft of the updated Master Plan, and consideration of submittal to Township Board of the working draft for the Board's approval to distribute to adjacent communities for their 63-day review as required by the Michigan Planning Enabling Act.

Dave Campbell – We think the draft Master Plan is ready for distribution to our neighboring communities, to Oakland County, to the utility companies and so forth for the 63-day review. Procedurally, you as a Planning Commission need to submit the draft to the Township Board. If you do so, hopefully at their meeting tomorrow night, the Township Board will approve distribution of the draft. After the 63 days, we would receive commentary and take it into account in anticipation of a public hearing for the Master Plan, hopefully in November or December, with the goal of adoption before the end of the calendar year.

The draft you had in your agenda packet took into account all of the comments that the Planning Commission and the Planning Department provided over the last couple weeks of August and into September. We hope is something close to the final Master Plan. With that, I will turn it over to Jill, Julia and Rose.

Jill Bahm – We've been talking about this for a while, but for the resident who came tonight, I was thinking how great it is that somebody had questions about traffic, how the community works, questions about FEMA and floodplains, and he just came to the meeting to find out more. I would love to see more people do that because it's something we don't always see in the communities where we're working. Thank you for coming and thank you for staying.

The Planning Commission has been working on the Master Plan for a year. We've talked about a lot of things, and as you said, Mr. Chair, we've talked about traffic. It's one of the big things that people in the community are concerned about. Hand in hand with that, we've talked about nonmotorized transportation and making the community more walkable. I don't think people necessarily have appreciated the fact that those two things are very much tied together. That's the big thrust our Master Plan has been trying to tackle in terms of traffic. Not necessarily shutting the door on development. We recognize a couple of things; even if we do that, the communities around us are not doing that, and so Commerce Township will still have a number of vehicles coming through, going to someplace else. There is a certain amount of that which we can't stop.

We also recognize that we have private property owners who have a reasonable expectation of development. We also understand that the Township does not have a lot of control over our roadways. We have roads that are maintained and operated by the RCOC, as well as MDOT for M-5, and noting that things end up happening like the freeway coming to a dead-end here. The Township doesn't have the ability to go out tomorrow and make its own road improvements.

A lot of what we talk about in the Master Plan are the continuing relationships and the demonstration of the community's plan to those agencies. Also, trying to create more land uses in a development pattern that supports and encourages more walkability. If we can get folks able to walk or ride their bike a mile or two, they could probably do a lot of their daily chores that way versus getting in their car to drive someplace. That would dramatically improve our traffic situation. So, we haven't done radical changes in this Master Plan, but we've done some things that could really move the needle in terms of walkability.

Hopefully that's enough background and we can talk more about what's in the Plan specifically that is available at a link on the Township website. We appreciated all of the Commissioners taking the time to go through this draft and give us the final comments. In your packet is a summary of everybody's comments, along with responses back from the team and how those issues were addressed. There were a few questions still left outstanding, but not really anything tremendously significant.

Again, to frame where we are in this process, if you feel comfortable with the draft as it is now, you can ask the Township Board by motion to authorize staff to distribute it to the reviewing agencies. The reason for that is to let those agencies take a look and see where they're probably most concerned which would be along the shared borders. A lot of communities receive that plan and they may not even give you a response. Oakland County will give a response and good feedback because they like to look more comprehensively at what's happening in the region. West Bloomfield may send you a note and we can talk about that when we have our public hearing. They have 63 days to reply. Assuming that you take action tonight, and that the Township Board agrees tomorrow night, it can be released and we can come back in November or December for the public hearing.

Dave Campbell – It seems more likely that will be in December.

Jill Bahm – Then at that time, the Planning Commission can adopt it and we can get going on implementation and more Zoning Ordinance amendments. So, that's an overview of the process, and we can talk more about implementation. It would be a really good thing to have another joint meeting with the Township Board and the Planning Commission to talk about priorities.

If you look at that spreadsheet, I just wanted to point out a couple things. There was a comment noted as #15 on Page 15; it was about housing in terms of the aging community. I think it was, *Do we need a metric for gauging how much housing we have, and how much we need?* That can be done in terms of a housing market analysis. You might want to do that every 5-10 years to gauge what the market demand is and what you are currently able to provide.

There was another comment about the single purpose senior housing and recognizing that while that's valuable and used that way today, what happens to those facilities when maybe they're no longer needed to be that capacity. That is going to be a ways down the road, but it's good to be keeping that in the back of your mind. I don't know

that there's any change necessarily, unless the Planning Commissioners had any more thoughts about that and ways to address that further. That was specific to the comment about senior housing, and whether there needs to be any direction at this time for what those are.

Chairperson Parel – I think the concern is that they turn into apartments. To your point, the demand for those units is growing at this time. It's my opinion that we will look at this again in 5 years, and in 10 years.

Dave Campbell – There's another one that will probably be in front of us soon enough for the Commerce Drive-in property. It's independent living for 55 and over.

Chairperson Parel – Do we know what other communities are doing in regard to senior living facilities?

Dave Campbell – A few years ago, I know at one point West Bloomfield effectively put a moratorium on age restricted housing because they felt there was an over-proliferation.

Loskill – They still have it because I'm trying to work on a project there.

Jill Bahm – They followed it up with a study, a market demand analysis, and they found that they had quite a few and more weren't really necessary. I read an article recently about how financing for some of these is struggling because a lot of people built them as speculation. The article suggested that while there may be some shake out of those, they are still needed. They didn't anticipate that the demand for those would dwindle, at least into the near future.

Dave Campbell – This might be anecdotal, but one of the challenges that industry is facing, like a lot of industries right now, is keeping the assisted living facilities staffed. We've heard from Avalon on Martin Parkway, and the facility at Crumb Road and Haggerty, Rolling Hills of Commerce. In both cases, they have the demand to fill their facilities, but they don't have the staff to accommodate them.

Jill Bahm – And that's a problem for housing of our older population into the future. It is something that needs to be addressed. I think something like a walkable area there at the Commerce Drive-In; that's an interesting area because if the facilities there and it was safe to cross the street with better crossings, people could get a lot of things within that immediate area. Those are the kinds of things that I think people would be looking for, as well as making it easier for people to age in their own homes. Also, looking at accessory dwellings; perhaps allowing your parent to stay in a small unit in your backyard might also be ways that we can accommodate the older community residents without necessarily building special purpose housing for them. I think the Plan does include some of those ideas to be explored later.

Chairperson Parel – I agree with that, however, to Dave's point, we may have another large complex of these age-restricted units coming soon potentially. Maybe it's not a topic for tonight, but I think we have to talk about that. And that will require our Trustees to sign off, correct?

Dave Campbell – Correct, at least on that particular project on the Commerce Drive-in site, they would do it as a PUD.

Chairperson Parel – So I think we need to make sure they understand.

Dave Campbell – It is interesting, tying two talking points together from tonight, and going back to traffic. One of the things that we look at with senior living facilities is whether it's independent or assisted. The Commerce Drive-in site specifically, that's zoned for commercial use so it could, in theory, have 100,000 square feet plus of retail, but instead, it could be mostly occupied by independent living if the project moves forward. Part of the nature of an independent living facility is that it doesn't generate the traffic that a retail user would. You have older folks living there who aren't driving the way they used to. When they do drive, most of them are not working anymore so they drive during off-peak hours. Taking it back to traffic, that's another consideration.

Chairperson Parel – I agree, but I'm saying the risk is, 10-15 years from now, if the demand is not there, do the developers have the right to convert it to multi-family? If we approve it, they won't have that.

Dave Campbell – Not to get too far on that project, but I think it would be written into the PUD agreement that it's a 55 and older facility.

Chairperson Parel – But then the problem becomes, we could have a vacant building in our community and it's an eyesore. Then they may come to us to convert it and we could be stuck with potentially 150 additional apartment units that we didn't sign up for.

Dave Campbell – Jill, when we talk about the implementation plan, was one of the strategies a housing market analysis to help determine the demand, and will the demand be there 30 years in the future?

Jill Bahm – Yes, I think so. I think looking at not only senior housing, but housing in general. Also, as a companion strategy to that, making sure that the older residents you have today are able to live where they choose. The ability for folks to get around independently is critically important. So, thinking about where those folks are in the community and what they might be close to; can they get to the library? Can they get to this facility, or a park, or the Richardson Senior Center? Those are some of the great places that are active and engaging for those older folks who are a really valued part of the community. Interestingly, if the senior facilities converted, those would also be good places for other folks to be near too, within walking distance. It's going to be some time; we have older people in the community for decades. It's part of a larger, continuing effort of study.

Chairperson Parel – That study is not something that would be coming any time soon?

Jill Bahm – It could be one of your priority items. It would take a few months.

Discussion continued regarding apartments in the community and issues with vacancies of any buildings.

Chairperson Parel discussed Jill's point about increasing nonmotorized pathways in the community to reduce traffic on the roads. Jill Bahm encouraged walking or bike riding for errands, and discussed dangerous areas, or locations where sidewalks are lacking. Chairperson Parel talked about accessibility and how he would love to walk to businesses in the Village or to Long's Farm, but he can't safely walk with his kids on a road where cars travel at 50-55mph and there are no sidewalks. Discussion continued regarding improving infrastructure, land use decisions and walkability.

Jill Bahm – We also talked about assigning densities to the single-family future land use categories. We had suggested taking out the number itself, and talking more about the character that we would anticipate for the future land use categories. Is a number necessary, such as this designation would have 3-5 units per acre? That aligns with what the Zoning Ordinance says. If you wanted to change that, your Master Plan is putting up guardrails. We suggested removing the numbers to give more flexibility in terms of projects that might meet your overall goals that could potentially exceed the density designation, but they may be giving you a lot of other things in return, such as increasing tree canopy cover, and not cutting down as many trees, along with other community benefits you might find useful that might be associated with a PUD. If you'd prefer to have guardrails, we can put those back in.

Dave Campbell – Jill is right, that was my question, whether we want to have those densities in the Master Plan. I've found them to be useful in conversations with folks when they ask what their chances are for getting a property rezoned. The first thing we look at is the Master Plan, and the guardrails are helpful to have within the Future Land Use designations, relative to the densities we envision.

Chairperson Parel – I think I support that. We have the right to modify if a plan comes in, whether it's a PUD or a Special Land Use, and we see a benefit for the community that outweighs density.

Jill Bahm – So you'd like us to put them back in?

Dave Campbell – Is that okay?

Jill Bahm – Yes, no problem. So, on Page 85, there were comments about Rock Road and the corporate campus versus the TLM designation.

Dave Campbell pulled up the map.

Chairperson Parel – I don't see corporate campus. I thought we discussed that for either the Beaumont property or Williams.

Jill Bahm – We did. Then we thought about a big picture, long-term vision and we thought, it's right there near Five & Main; could it someday be a corporate campus. Maybe it's not now, so you leave it as TLM, but then put a pin in it for the next 5-year plan.

Chairperson Parel – How many separate properties do we have there.

Julia Upfal – (Approached the overhead and identified Rock Road and Homedics). We wondered if the Homedics property and the self-storage site should be corporate campus. Then we talked about Rock Road also. I think we want to talk about all three of those.

Discussion took place regarding the three properties, the Future Land Use Map, and how the Rock Road properties are primarily owned by one owner. The area is zoned TLM.

Loskill – I don't know how you'd get a corporate campus on a site of those configurations.

Jill Bahm – It would be overly ambitious.

Chairperson Parel – You'd have to combine all of those properties, and it's one landowner?

Dave Campbell – Along Rock Road is one landowner. Corporate campus is kind of an extension of what we already have with Homedics. That's the foothold of the vision.

Chairperson Parel – Do we see that in the next 5 years? Every single one of those tenants, their leases would have to roll, and they would have to tear down multiple buildings.

Dave Campbell – If Five & Main comes to fruition within 5 years, then in my opinion, that land becomes too valuable for it to continue to be storage yards.

Chairperson Parel – But do you see corporate campus headquarters there?

Dave Campbell – I think the dimensions make it challenging for anything sizeable.

Chairperson Parel – And we have to keep in mind what's going on with the office market and people working from home. It's still hurting, even though people are coming back. The financial model has to work for the gentleman that owns all of the properties.

Jill Bahm – I would suspect that if someone came to you and said they'd really like to develop a corporate campus in this location, you would say it's fine, and what can we do to help you.

Chairperson Parel – Didn't we have some renderings in our Master Plan conversation for this property that would include outdoor dining?

Jill Bahm – Yes, trail and trailhead, food trucks and other businesses that could support things going on at Five & Main. It sounds like we should return that back to the TLM designation?

Dave Campbell – I don't know that it's a huge shift from TLM to corporate campus, so I'm comfortable with leaving it as is.

Discussion continued for the potential future development of Rock Road. For now, it would be kept as TLM.

Chairperson Parel and Dave Campbell discussed the property at the northeast corner of Oakley Park and Newton. The representative of the owner asked the Planning Commission to take a look at the site as part of the Master Plan review. It is currently zoned and master planned single-family. The broker has said that it is not a spot where single-family residential is desirable on such a busy corner. It's adjacent to a busy high school, the Richardson Center, and a nonconforming septic company right next door. The request was for the Planning Commission to look at this for something more, such as office or low-intensity retail. Dave also cautioned certain uses that would not be appropriate near the high school.

Chairperson Parel – Dave, the nearby 7-Eleven has a vacancy in their shopping center. You pointed out that you believe that is due to certain restrictions by the landlord.

Dave Campbell – Randy Thomas is listing those vacancies, and apparently 7-Eleven has some sort of deed restriction on who can go in the building. They are overly particular about who it could be. It has been vacant for a while.

Chairperson Parel – Dave, we talked about something a little less intensive for the site at Oakley and Newton, such as a food use, or a multi-tenant retail building, but I would be comfortable supporting office, such as a small dentist office. I know we have a lot of them, but something nice.

Dave Campbell – We consolidated the office land use designation, correct?

Jill Bahm – Right.

Dave Campbell – So the closest land use designation would be neighborhood commercial, which is what is being proposed, and that encompasses an office use.

Chairperson Parel – But it would also encompass other uses like multi-tenant retail.

Dave Campbell – There's limits on the types of uses. For example, B-1 zoning, which might be closest to the neighborhood commercial land use designation, B-1 only allows carryout restaurants. Again, trying to minimize the intensity. As you're aware, you're not rezoning it as part of this decision. You're adjusting the vision on the Future Land Use Map.

Jill Bahm – That might be one of your implementation items to look at those zoning categories and look at the uses to see if there's anything you want to change.

Chairperson Parel – In regard to this corner, I'm just not in favor of multi-tenant retail here, especially when it's already designated for residential. I'm one of four people this evening. Bill, do you have any thoughts on this corner?

McKeever – I'm fine with what Dave proposed.

Chairperson Parel – Neighborhood business, but maybe we lean if anybody comes in that we would really like to see a sharp looking office.

Dave Campbell – You would get a bite at that apple when someone comes in to rezone it.

Jill Bahm – The next comment we wanted to talk about was the neighborhood residential future land use description. There was a comment from a Commissioner that the language we have says, *Other housing types including accessory dwellings, townhouses, duplexes, triplexes, and quadplex homes could be developed as part of a single-family neighborhood to provide additional housing options for younger and older residents when located within walking distance to schools, parks and commercial areas.* That's what it says. The intent is that those alternatives would be mixed in with the single-family residential and the density of that area would not change. The question was, should we further enhance that description so that's clear. The idea is not that all of the land would then be duplexes or triplexes; it's mostly single-family, but maybe up near the road, you might allow duplex or triplex units to be mixed in. Or, maybe you've got single-family, but you have a place in there where you would allow accessory dwellings.

McKeever was not in favor.

Jill Bahm – That's why I think we need to clarify that a bit more. So, I think those were the main questions that we had.

Julia Upfal – I had one question about the trailheads. On the Beaumont site, where did the Planning Commission want to propose a potential trailhead? There were different locations; one was where it was both groundwater impacted and soil impacted, along the M-5 Trail, and along the Airline Trail. I think we had discussed both locations and we mapped both locations.

Dave pulled up the aerial.

Dave Campbell – In my opinion, the logic is for it to be where the existing pad still sits, which I think most recently was a furniture refinishing facility, which is where some of the contamination came from. In my mind, we cap that with trailhead parking.

Julia Upfal – That makes sense. There was also a part that was contaminated along the M-5 trail, which probably wouldn't work for parking along M-5, but for a resting area.

Dave Campbell – If it's either/or, we thought this would make sense because you've already got access and part of it would be capping the contamination that we know to be there. It's directly adjacent to the trail. It was never assumed that it would just be parking. I think we could have a restroom facility there, a bike repair station, drinking fountains, et cetera. If in addition, there was a smaller wayside over here, I don't think there would be any opposition to that.

Julia Upfal – Okay, we can keep both in there.

Jill Bahm – Those were all the questions that we had. Were there any other questions or comments that you had that we haven't discussed yet?

Chairperson Parel – If you could help us find money to pay for nonmotorized trails, that would be great. With that, Jill, do you recommend we take a motion?

Jill Bahm – Yes.

MOTION by Loskill, supported by McKeever; move to submit the draft of the Commerce Township Master Plan to the Commerce Township Board of Trustees for their consideration to approve the distribution of the Master Plan in a manner consistent with the procedures of Section 41 of the Michigan Planning Enabling Act, based upon the comments and discussions this evening.

MOTION CARRIED UNANIMOUSLY

Dave Campbell – From a timing standpoint, if the Board were to approve distribution tomorrow, would they approve it conditional upon you having a chance to make some of these adjustments we talked about tonight?

Jill Bahm – Yes. We will try to summarize those adjustments for you for tomorrow.

Chairperson Parel – Thank you. This was a lot of work and I think it came out great. We got a lot of participation and Giffels had great plans throughout this process.

>>Item 12. was moved down on the agenda.

ITEM 12. PZ23-05 – COMMERCE TOWNSHIP – TEXT AMENDMENT – PUBLIC HEARING

Township-initiated "housekeeping" text amendment to Articles 6 (Dimensional Standards) and 39 (Nonconformities) of the Commerce Township Zoning Ordinance.

Dave Campbell – This really is housekeeping. We're not changing the intent or our procedures, nor are we changing the requirements or standards. It's really meant to clarify what we're already requiring within the Zoning Ordinance. It's meant to make Jay's job easier when he explains this to folks and make it easier for them to understand what's being required. It makes it easier for Mr. McKeever and the Zoning Board of Appeals members. In fact, we have a case that's kind of pending with the ZBA on this change. We have a gentleman who wants to put an addition onto his nonconforming detached garage; an addition that would not make it any more nonconforming. But because of this discrepancy within Article 39 that we're trying to clean up, he's in no man's land at the moment.

It really is housekeeping, and it's really meant to make the Zoning Ordinance easier to understand, interpret and apply. Because we are amending the Zoning Ordinance, we do have to open and close the public hearing. The hope is that the Planning Commission recommends approval this evening and it can go in front of the Township Board tomorrow night for adoption. I made Jay come tonight for this specific purpose because he is the one that actually has to put this into practice.

Chairperson Parel opened the public hearing.

No comments.

Chairperson Parel closed the public hearing.

MOTION by Loskill, seconded by McKeever, that the Planning Commission recommends approval, to the Commerce Township Board of Trustees of Item PZ23-05. Move to recommend the Commerce Township Board approve PZ#23-05, amendments to Sections 6.02.B (Footnotes to the Dimensional Standards) & 39.03.E (Nonconforming Structures) of the Commerce Township Zoning Ordinance, to clarify the methodology for determining waterfront setbacks, and to clarify the allowance for expansions to lawful nonconforming structures including accessory structures. The Planning Commission's recommendation is based on a finding that the proposed amendments would clarify the existing language of Articles 6 & 39 without altering their intent.

MOTION CARRIED UNANIMOUSLY

K: OTHER MATTERS TO COME BEFORE THE COMMISSION:

None.

L: PLANNING DIRECTOR'S REPORT

- **NEXT REGULAR MEETING DATE: MONDAY, OCTOBER 2, 2023, AT 7:00pm.**
- Home Depot is anticipated to be on the October agenda with changes to their outdoor storage plan.
- Continental Properties is expected to be in front of the Planning Commission with their 300 residential units within the Five & Main development, seeking site plan approval.
- Obviously we talked a lot about traffic this evening, and we talked about the Commerce Drive-in site and the Bay Pointe site specifically. We are trying to get a meeting scheduled with the RCOC on those two projects, and looking at the intersection of Richardson and Union Lake Road to make a determination of how these two big projects are going to fit together with the traffic concerns that we all know exist along that stretch of road. The church has been in here with a concept for how they want to lay out their building at the northeast corner of Richardson and Union Lake Road. Getting the church built is their first priority. They also want to keep 9 of the 18 holes of the golf course open, and they want to keep the clubhouse and banquet center open. But, by eliminating those 9 holes, it creates room for the church, and also for something else sometime in the future. That may be some form of residential. They've also talked about a K-8 school.

Discussion continued regarding feedback given at the conceptual review meeting for the Commerce Drive-in site. Chairperson Parel noted that there's not much you can do on the site that won't impact traffic. Dave Campbell noted that the property is zoned B-2.

M: ADJOURNMENT

MOTION by Loskill, supported by McKeever, to adjourn the meeting at 8:51pm.

MOTION CARRIED UNANIMOUSLY