

Monday, March 2, 2009
2840 Fisher Avenue
Commerce Township, Michigan 48390

Tom Jones, Vice Chairperson, sitting in as Chairperson for Larry Haber, called the meeting to order at 7:00pm.

Present: Tom Jones, Vice Chairperson
Brian Winkler, Secretary
Debra Kirkwood
Randy Thomas
Dave Spencer

Also Present: Kathleen Cassidy, Planning Director
Jeffrey Bowdell, Building-Zoning Director
Jay James, Giffels-Webster Engineers
High School Students

Absent: Larry Haber, Chairperson (excused)
Bill McKeever (excused)

Kirkwood, supported by Thomas, to approve the Planning Commission Meeting Minutes of February 2, 2009, as written.

Debra Kirkwood – Township Board of Trustees

- There was a special meeting. Approvals were made for equipment for the new Township Hall, which is progressing well. Occupancy is still projected for April.

Randy Thomas – Downtown Development Authority

- I was not at last the meeting; however, I know that we are very busy with the stimulus funding. Defer to Kirkwood.

Kirkwood – Yes, the stimulus funding was the key focus of the DDA last month.

Kathleen Cassidy – Zoning Board of Appeals

- No meeting since the last meeting of the Planning Commission.

Kathleen Cassidy – Planning Department

- The public hearing is set for March 16th for the Zoning Ordinance in its entirety. The Zoning Map is also included in this review, so public interest is expected.
- Commissioners should bring their Zoning Ordinance books.

None

Paul Kashat of Bloomfield Hills MI is requesting the rezoning of a parcel of land that consists of 7 acres from R-1C (Single Family Residential) to B-3 (General Business) located on the south west corner of Carroll Lake and Wise Roads.
Sidwell No.: 17-10-227-041

Mike Powell of Powell Engineering representing Basil Bacall is requesting an informal review for property located on the west side of Loop Road just north of the Hampton Inn. Sidwell No.: 17-36-200-024

Kathleen Cassidy, Planning Director gave a review of the Planner's Report. She indicated that she had spoken with Bill McKeever of the Zoning Board of Appeals. He expressed major concern with the request for 4 stories and what hardships the petitioner may present to the ZBA in this regard. The building would be 53' overall.

Jones – Maintenance staff is not mentioned in the report. Some hotels have full-time maintenance staff on site. I know that sharing of staff may occur with the facility next door, but this should be addressed.

Spencer –

- Questioned the height and need for variance
- Are they required to have more acreage for this type of zoning?
- Can they go with a 3-story?

Kathleen Cassidy – State statute requires that they meet specific requirements to qualify for a variance, and one of the requirements is that they show a hardship. The Zoning Board of Appeals is precluded from considering any type of economic hardships. The zoning in this district only allows for a 2-story building.

Discussion continued with regard to parking and changes to the Ordinance that now allow the Planning Commission to waive some requirements based upon certain rationale. This prevents the need to go before the Zoning Board of Appeals for parking variances.

Mike Powell, Powell Engineering & Associates, LLC, 4700 Cornerstone Dr., White Lake, MI, was present along with Basil Bacall, Walled Lake Investment LLC, 169 Loop Road, Commerce Township, MI, Valerie Wiese, General Manager of the Hampton Inn Commerce, and Wanda Spencer, Hotel Expert, Spencer Group, 48165 Hill Top Dr. E, Plymouth, MI.

Mr. Bacall provided a review for the Commission of the proposed extended stay facility. There is a need in Commerce Township for this type of facility because currently people go to Novi or other areas to find an extended stay hotel.

Ms. Spencer, a hotel expert, conducted a study to see if such a market exists in the Township for this hotel. Her research confirmed that there is a demand here.

Ms. Wiese delivered a PowerPoint presentation and discussed the amenities of the hotel.

Mr. Bacall added that the Hampton Inn scores high in quality assurance with 99.75% satisfaction ratings. And, to answer the earlier question, a maintenance technician would either be on staff or immediately on-call.

Mr. Powell proceeded with his review and presentation for the Commission. He wanted to present the building uses and amenities to give a better understanding of the integral use of the site plan with the surrounding area.

He briefly explained the recent history of the zoning for this site, and their proposals that had previously been presented. Based upon feedback received at a prior Planning Commission review, they thought it prudent to withdraw their first proposal and proceed with a conditional rezoning request. There would be a symbiotic relationship between the two hotels and it is logical from a business standpoint, and for the convenience of guests.

He stated that there has not been a 2-story hotel built in the U.S. in the last 20 years. He offered building height comparisons for the adjacent businesses to demonstrate that the new hotel would be quite similar in comparison. He added that the owner is prepared to deal with the height issue before the Zoning Board of Appeals.

Mr. Powell explained that a traffic study had been performed for this location, which showed that it was designed to handle this type of traffic.

Ms. Spencer provided an overview of her background along with the data collected from her research. The feasibility study has shown that there is demand for an extended stay hotel. It would be market justified. She explained her comparisons between two sites: 14 Mile Road and M-5 vs. the Town Center district. She feels that this proposed location at 14 and M-5 is crucial in satisfying the existing demand.

She concluded by stating that in seven to ten years, the Town Center could also support an additional extended stay facility.

Kirkwood

- Concerned with the parking requirements in relation to staffing. Given the amenities, I don't believe you will be able to do this with only four employees.
- During the presentations, sharing of the parking and other items between the hotels has been discussed. If there were an early demise to the hotel, that may not be the case in the future. Would the next owner share?
- The height of 4 stories is not permitted in that area. The Hampton was created at this height due to a previous mistake. This will be up to the Zoning Board of Appeals to decide.

Thomas

- Thank you for the presentations. There was a lot of information and many of my questions were answered.

- We do need you to demonstrate a bit more with regard to the function of the employees in relation to parking and occupancy levels. We have codes for a purpose.
- There is an issue with the height and a related hardship. You will have your work cut out for you in that regard.
- Kathleen, for the benefit of the other board members, can you provide the background of the Hampton Inn – how and why they were granted 4-stories.

Kathleen Cassidy – The existing Hampton Inn was reviewed at a time when the schedule of regulations listed every zone district. The footnotes on one of them, letter P, was only for the Special Purpose District, for golf courses and gun clubs. In the Special Purpose District, buildings were permitted to be up to 6 stories in height. This was misread by a previous planner. The fact that this was not part of the Special Purpose District, and there actually were no provisions for additional stories beyond two in this area, went unnoticed until after the hotel was built.

Thomas –

- My recommendation is to consider allowing this to go thru the Zoning Board of Appeals first as the height is a huge issue.
- I like the concept and feel that the market needs this type of facility, but justifying 4-stories to the ZBA will be a lot of work.
- The rest could be handled at the site plan review.

Spencer –

- I was confused earlier as to why 4-stories was an issue, considering the fact that the Hampton Inn is an existing 4-story building. Now, with the new insight that has been provided, I understand.
- I think the proposal is great overall, 4-stories or not.
- Commerce Township could absolutely use this facility and it would allow guests to stay here as opposed to staying in other communities.

Jones –

- I've stayed in similar facilities and they are nice. I do like the concept.
- I am still concerned that the number of employees may be more than anticipated.

Mr. Bacall replied to the issues with employees in relation to parking. He clarified that the Hampton actually has an additional 7 spaces to begin with, and cross-access would be granted for Townplace Suites. He added that in 15 years, even when the hotel is sold out, the parking lot is only about 70% full.

As for the height, they appreciate the concern, but hotels are not typically built as only 2-story buildings.

Winkler –

- I find this project appealing.
- At the same time, the hardship will be challenging to prove to the Zoning Board of Appeals for the height variance.

Kathleen Cassidy explained that a request could be made to permit the petitioner to go before the Zoning Board of Appeals prior to presenting the conditional rezoning. She would discuss the process and options in further detail with the petitioner to help them determine their best route.

Discussion and review of a propane enclosure located at 1443 Haggerty Road.
Sidwell No.: 17-25-426-011

Kathleen Cassidy, Planning Director gave a review.

Jones – It is a good idea for this to be locked at night. (Yes.)

Open discussion took place regarding other facilities that had previously stored propane in violation of the Ordinance. These had since been corrected when addressed by Jeffrey Bowdell, Building-Zoning Director.

Kathleen Cassidy reassured the Commission that the Fire Department would sign-off on the proposed prior to any permits being issued.

The consensus of the Commission was in favor of allowing Administrative approval for the request.

Kathleen Cassidy gave a review of the current Ordinance in relation to residential daycare facilities, which only permits up to six children. Ms. Greaves would like to propose having more than six children in her home. The Zoning Ordinance states that anything from six to twelve is subject to stipulations such as licensing by the state, requirements for the outdoor play area, off street parking, buffer yard, etc. And, one of these stipulations is that they can only be located on public roads with a right-of-way of 86' or greater. Ms. Greaves has attended discussions on this subject, and she has conducted research. She is seeking preliminary input from the Planning Commission for her proposal.

Jamie Greaves, 3782 Cheryl Dr, Commerce Township, MI, was present along with her husband to discuss her proposed amendment to the daycare text.

Kathleen Cassidy – What Jamie is proposing essentially is to have the last requirement eliminated from the text. This would permit the facility to be located on a street other than a public road with a right-of-way of 86'.

Jones – There was a request by a facility on Welch, but employee parking was insufficient and therefore the request was denied, but other townships do make provisions for this.

Kirkwood – Is the driveway circular?

Mrs. Greaves – It is not circular, but it is very wide. We can get 10-12 cars in the driveway – it is 35' wide and 60' long.

Thomas – The text in the Ordinance applies to more than just your facility, but we encourage you to work with Kathleen Cassidy in this regard.

Mr. Greaves – It could be revised to permit 12 children as long as parking is sufficient. Some could accommodate this in a neighborhood, and some that are on a public road could not.

Kirkwood, supported by Thomas, to adjourn the meeting at 8:21pm.

Brian Winkler, Secretary