

**To:** Commerce Township Board of Trustees

**From:** Commerce Township Planning Department  
David Campbell, AICP – Planning Director

**Date:** December 28, 2017

**RE:** January 2018 Monthly Planning Department Report  
(covering Dec. 5, 2017 through Dec. 28, 2017)



---

*(Please note - The following report is being submitted a week early on Dec. 28, 2017 because the Planning Director will be out the week of January 1, 2018)*

### **Development Proposals**

- **5 & Main (Aikens mixed-use development)** – The Planning Department, the Township Attorney, the DDA, and representatives for Robert B. Aikens & Assoc. continue to hold regular meetings and conference calls for Bruce Aikens’ proposed mixed-use commercial development at the northeast corner of Martin Parkway and Pontiac Trail. The development, which will include approximately 350,000 sq ft of new commercial space in Phase 1, will be applied for as a PUD (Planned Unit Development) which provides flexibility for both the developer and the Township from a strict application of the standards of the Zoning Ordinance. The Township Attorney has drafted a template for the PUD agreement between the developer and the Township, and the traffic engineer is creating a scope of the intersections to be evaluated for a traffic impact study. Traffic counts will hopefully be taken around the second week of January. The Township has a meeting scheduled with Mr. Aikens’ development team on January 9 in an effort to ensure that everyone is on track to present the Planning Commission with a complete PUD application at a public hearing tentatively scheduled for the PC’s regular meeting on March 5, 2018.
- **Comfort Care of Commerce (NE corner of 14M & Decker)** – 91-unit senior assisted living / memory care facility. On December 12, the Township Board approved the rezoning for the 4.2-acre site from R-1B (Single Family) to RM (Multiple Family), conditional upon the developer constructing the specific site plan included as an exhibit to the conditional rezoning agreement. Under RM zoning, a senior assisted living facility is a special land use, so on January 8, 2018 the Planning Commission will hold a public hearing for the special land use. At that meeting, the Planning Commission will have the option to approve the special land use along with the site plan. The Planning Commission already approved the site plan in August 2017, when the project was proposed as an amendment to a 1996 consent judgment. The efforts to approve the Comfort Care project as a consent judgment amendment were derailed when Singh Development (owner/manager of the adjacent Briarcliff Apartments and signatory to the 1996 consent judgment) would not agree to the amendment to allow Comfort Care.

- **Wow! gas station conditional rezoning (southwest corner of E. Commerce and Newton Roads)** – At their regular meeting on December 12, 2017, the Township Board by a unanimous vote denied the conditional rezoning petition of Commerce Land Development LLC to rezone a property at the SW corner of Commerce and Newton to B-3 (General Business) to construct a gas station with 3,800 sq ft retail building. The Board agreed with the Planning Commission’s recommendation of February 2017, based on a finding that the proposed zoning and land use were inconsistent with the Township’s Master Plan.
- **Land Division Ordinance amendment** – The Planning Department is working with the Twp Attorney on a proposed amendment to the Township’s Code of Ordinances (Chapter 22 – Land Divisions, Subdivisions, and Development). The State of Michigan’s Land Division Act of 1967 allows land divisions that create new parcels that are no more than 4 times deep as they are wide. We call this the “4-to-1 ratio”. The State Act allows local municipalities to approve land divisions greater than 4-to-1, but only when there is a local ordinance in place to do so. The Planning Department proposes to amend Chapter 22 of the Township’s Code of Ordinances to allow new parcels in excess of 4-to-1 in instances where the resulting parcel exhibits exceptional topographic and/or physical conditions, and is otherwise compatible with the development pattern of surrounding lands. The intent is to have the proposed amendment introduced to the Township Board during their Jan. 9 meeting.

#### **Zoning Board of Appeals (ZBA)**

- **Regular meeting of January 25, 2018** – At their regular meeting scheduled for Jan. 25, the following is anticipated to be on the ZBA’s agenda:
  - Remove Wilson Marine’s sign exception application from the table
  - Possible variance application for a home on Lake Sherwood for an accessory building that would encroach on the waterfront setback
  - Sign exception for a wall sign at 8551 Boulder Ct on the side of the building where wall signs are required on the front of the building
  - Election of officers for 2018, and review of ZBA Bylaws
  - Possible education / training session

#### **Planning Commission**

- **Regular meeting of January 8, 2018** – At their regular meeting on Jan. 8, the Planning Commission is scheduled to:
  - Hold a public hearing for the Comfort Care special land use (senior assisted living in the RM zoning district), and consider approving the special land use and the corresponding site plan for the 91-unit facility
  - Possibly consider a condominium site plan for Windwheel Estates, consisting of 23 proposed new single-family homes at the SW corner of Loon Lake and Benstein Roads. As of the date of this report, the Township Engineer and Landscape Architect are both seeking significant revisions to the proposed site plan before they can issue a recommendation of approval to the Planning Commission. The development would extend Drakeshire Road from where it is currently stubbed in the Foxcroft neighborhood northward to Loon Lake Road.

**M-5 non-motorized bridge** – The MDOT held a pre-construction meeting with Davis Construction at MDOT’s Oakland Transportation Service Center in Pontiac on Dec. 21, 2017. The pre-con meeting was attended by representatives from Davis Construction, Commerce Township, the Michigan Airlines Trail, DTE, and pretty much everyone from MDOT. Davis intends to start clearing for the bridge as early as mid-January. The bridge’s abutments and the approaches thereto are to be completed by June 2018, in hopes that the Trailway Council will have funding to construct an improved trail surface right up to the bridge ramps by mid-summer. The entire bridge project is to be completed by August 2018. The bridge’s construction is not anticipated to cause significant traffic interruptions along M-5; there will be temporary lane closures, and there is expected to be at least one weekend closure of the highway around May. Both the MDOT and the Township will provide updates on closures once the project is underway. The Adams Outdoor Advertising billboard on the west side of the highway was removed around Dec. 20, and will be re-installed at a location further west (outside of the bridge’s footprint) once bridge construction is complete. The annual lease revenue for the billboard will go to the Trailway Council for trail maintenance.