

March 2017\*

# Planning Department Monthly Report

CHARTER TOWNSHIP OF COMMERCE



\* The following report summarizes the activity in the Planning Department from February 8, 2017 through March 7, 2017. Submitted March 8, 2017.

## Development Proposals

**Island Club #2** (NE corner of Benstein & Oakley Park) – Developer Jeff Trauben of The QMI Group proposes to revive a single-family site condominium comprised of 11 units on the west half of the Island Club peninsula. The condominium site plan received final approval from the Township Board in 2013, but that approval has since expired. However, the MDEQ approved a wastewater permit for the municipal sewer to serve those 11 units in 2015, and that permit expires in July 2017. Mr. Trauben would like to commence work under that active sewer permit. The Planning Commission recommended condominium site plan approval at their meeting on March 6, 2017, subject to some revisions to the draft master deed. If the Township Attorney finds the revised master deed to be satisfactory, the Township Board would have the option to approved the condominium site plan at their April 11 meeting.

**Conditional rezonings** – The Township Board could potentially hear two similar conditional rezoning petitions during their April 11 meeting. One may be for the rezoning of six parcels at the northeast corner of Commerce and Carroll Lake for a new gas station w/ convenience store, and the other may be for a conditional rezoning of one property at the southwest corner of Commerce and Newton for a new gas station w/ convenience store. Both proposals have been before the Planning Commission, where both received a recommendation to deny.

**Comfort Care of Commerce** (NE corner o 14 Mile & Decker) – The potential developers approached the Township Board during the February 14 meeting to gauge the Board’s interest in amending the 1996 consent judgment controlling the undeveloped portion of the northeast corner of 14M and Decker to allow for an 80-bed assisted living / memory care facility. The Board was agreeable to the concept, and directed the applicant to work with the Planning Department and Planning Commission to develop a site plan that would be an exhibit to an amendment to the consent judgment. The Township Board would ultimately have the authority to approve the amendment to the consent judgment.

## Zoning Amendments

**Article 41, Zoning Board of Appeals** – The Township Board approved some “housekeeping” amendments to Article 41 of the Zoning Ordinance at their Feb. 14 meeting. The amendment became effective on March 1, 2017.

**Adult-oriented businesses (AOB's)** – The Township Attorney has drafted (and subsequently revised) an amendment to address AOB's within the Zoning Ordinance. It will limit AOB's to the Township's I-Industrial zoning district, and require minimum spacing from residential zoning districts and from other AOB's. The Planning Department reviewed the proposed standards to determine how many properties would be allowable locations for an AOB; we want to confer with the Attorney to ensure that locations are sufficient to protect the Township against any claims that the standards are exclusionary.

**Off-premises liquor licenses** – The Township Attorney has drafted a Zoning Ordinance amendment to address off-premises liquor licenses, and is having his liquor license attorneys review it before presenting it to the Planning Commission.

## Zoning Board of Appeals (ZBA)

**Special meeting February 16, 2017** - The ZBA held a special meeting on Feb. 16 to hear a petition for a lakeside setback variance for a proposed new house at 1265 Vollmers. The ZBA denied the variance. The ZBA also removed from the table a petition for a sign exception for a new monument sign for Tutor Time at 8011 Commerce. Proposed new sign would not have met the front setback requirement. The ZBA denied the sign exception.

**Regular meeting March 23, 2017** – Four petitions are scheduled for the March 23 ZBA meeting:

- Haggerty Road Meijer store – Sign exception petition to allow two additional wall signs as part of the renovation of the store that is currently ongoing.
- 8068 Farrant – Variance petition for a proposed addition to an attached garage that exceeds the maximum height requirement.
- 1420 Vanstone – Variance petition for a proposed new home on a corner lot that does not meet the minimum front setback requirement relative to either road.
- 1376 Ladd – Variance petition to allow an ornamental fence that does not meet the minimum front setback requirement.

## Meetings and Events of Note

**M-5 non-motorized bridge** – The Planning Director and the Township's bridge architect (Bradley Touchstone) participated in a Plan Review Meeting with MDOT at their Pontiac service center on March 2, 2017. Effectively all of MDOT was there; bridge engineers, field supervisors, right-of-way acquisition, planning, permitting, maintenance, etc. It appears that the project is on-schedule for an August 2017 bid letting. Touchstone continues to finalize the details of the Township's bridge enhancements to meet MDOT's specifications. The Township and the Trailway Council continue to work with Adams Outdoor Advertising on the reconfiguration of the M-5 billboard. A few new monkey wrenches:

- The City of Walled Lake may withdraw from the Trailway Council; they are holding a public hearing on March 15 after which they may vote on a resolution to withdraw.

- The Township has always understood that we will be responsible for maintaining our enhancements to MDOT's bridge, and that we would enter into a maintenance agreement with MDOT to do so. MDOT recently discovered that the Township is not eligible to enter into a maintenance agreement with MDOT because the Township is not an agency that receives Act 51 funding from the Federal Highway Administration. Since we do not receive Act 51 funding, MDOT does not have "leverage" to ensure we honor our maintenance obligations.

**Oakland County PACE program** – The Planning Director attended a presentation of the County's Economic Development division on March 6, where they provided an overview of the County's participation in the PACE program. The program would effectively be a fixed-rate loan for "green" upgrades to large commercial / industrial / institutional buildings (LED lighting, energy-efficient HVAC, solar, etc). The contractors doing the upgrades would financially guarantee a utility cost saving resulting in a positive cash flow for the life of the loan. The loan would be assessed as a tax lien, rather than a loan from a commercial lender. It sure sounds like a win-win-win for everyone; the building owner is guaranteed an energy savings greater than the expenditure for the upgrades (without the need to pay for the upgrades up front and then wait 10 years for the payoff), the tenants of the building get a cleaner / healthier workspace, the contractor gets paid market prices for the work (hopefully creating new jobs in the process), the Township / County get upgraded buildings with a higher taxable value, and everyone gets the prestige of partnering to save Mother Earth. The program has proven highly successful across the country.