

FINAL
CHARTER TOWNSHIP OF COMMERCE
PLANNING COMMISSION MEETING
Monday, September 8, 2025
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
Joe Loskill, Secretary
Caitlin Bearer
Mickey McCanham

Absent: Brian Winkler, Vice Chairperson (excused)
Brady Phillips (excused)
George Weber (excused)

Also Present: Dave Campbell, Township Planning Director
Paula Lankford, Senior Planner
Nicolas PreFontaine, Associate Planner
Debbie Watson, DDA Director

B. APPROVAL OF AGENDA

MOTION by Loskill, supported by McCanham, to approve the Planning Commission Regular Meeting Agenda of September 8, 2025, as written.

MOTION CARRIED UNANIMOUSLY

C. APPROVAL OF MINUTES

MOTION by Loskill, supported by McCanham, to approve the Planning Commission Regular Meeting Minutes of August 11, 2025, as written.

MOTION CARRIED UNANIMOUSLY

D. UPDATE OF ACTIVITIES

Debbie Watson – Downtown Development Authority

- At our August 19th DDA meeting, Randy Thomas of Insite Commercial reported active negotiations for all components of Five & Main, with a focus on parcels fronting along Pontiac Trail and Martin Parkway. Bruce Aikens is expected to provide an update at our September 16th DDA meeting next week.
- Randy also reported that we received a Letter of Intent for Parcel J, which is located at Oakley Park and Haggerty. The Purchase Agreement is being negotiated.
- Attorney Martella discussed potential updates to the Open Meetings Act, which are modifications proposed by a committee that our Township Attorney, Hans Rentrop, is a part of. I'm sure there's more to come on that.
- Treasurer Phillips reviewed reductions in property tax assessments granted by the Michigan Tax Tribunal (MTT), and the significant impacts on DDA capture as a result.
- And finally, the DDA Board also reviewed and approved a cash advance request, along with the 2025 amended budget, and the 2026 proposed budget. Those items will be taken to the Township Board for final approvals.

Chairperson Parel – Thanks, Deb. Just for clarification, they're saying that multiple parcels potentially in the 5 & Main shopping center are currently under negotiation for new leases?

Debbie Watson – Yes.

Chairperson Parel – Sounds positive. We'll see some results. Dave is smiling – put that on the record. Does anybody have any updates from the Board of Trustees?

Township Board of Trustees

Dave Campbell –

- They have a meeting tomorrow night.
- Amongst many other agenda items, one is something that the Planning Commission saw, which is the Enclave at Stillwater. That is the middle of the three Sleeth Road gravel pits. This Planning Commission saw it at your meeting last month and made a recommendation of approval, albeit not a unanimous one. So now it proceeds to the Township Board for consideration of approving the PUD. If the Board does approve the PUD, they would still have to come back to the Planning Commission at least one more time with a fully detailed PUD site plan for the project.
- That is one item I know to be on the Township Board agenda. There are plenty of others, but that is one I worked on directly. Can you think of any others, Paula?

Paula Lankford – No.

Dave Campbell – The agenda is on the Township's website. If Mr. Weber were here, I'm sure he would go into more detail.

Chairperson Parel – Okay, thank you. Caitlin, I think you're the appropriate person for ZBA updates.

Caitlin Bearer – Zoning Board of Appeals

- We have not had a meeting since I was appointed.

Dave Campbell – Their next meeting is September 25th. We know we will have one petitioner for a deck in the Country Hills neighborhood, which is on the north side of Wixom Road, just west of the Wixom and Glengary intersection. That deck would encroach into the minimum rear yard setback. The homeowner is hoping to get a variance from the ZBA to build that deck.

E. DISCUSSION

ITEM E.1. PUBLIC DISCUSSION ON MATTERS FOR WHICH THERE IS NO PUBLIC HEARING SCHEDULED

Chairperson Parel opened to Public Discussion on matters for which there is no public hearing scheduled.

No comments.

Chairperson Parel closed Public Discussion on matters for which there is no public hearing scheduled.

ITEM E.2. PRESENTATION BY THE HURON RIVER WATERSHED COUNCIL

Chairperson Parel invited the representatives of the Huron River Watershed Council (HRWC) to speak. He asked Dave Campbell to provide a quick introduction.

Dave Campbell – So we have David and Andrea from the Huron River Watershed Council. Township Supervisor Gray and I met with them a couple months ago for them to explain to us what they do and what they strive to work with communities to achieve. Larry and I thought it would be a good idea for them to come and make a presentation to this Planning Commission, because some of what they do is encourage and guide communities with potential changes to their ordinances and their development standards. I think that's what they want to do tonight, is to introduce themselves and introduce what they can help guide the community with. With that, I will turn it over to David and Andrea.

David Lossing and Andrea Paine of HRWC were present to deliver the presentation.

David Lossing – Thank you, Mr. Chair, and members of the Planning Commission staff and residents. Thank you very much for the opportunity to talk this evening about the Huron River Watershed Council, who we are, what we do and why it's important that we work with local governments throughout the watershed itself.

So just to kind of set the table for you, this is the watershed for the Huron River. It's 980 square miles. It starts in western Oakland County. It flows west towards Livingston and turns towards Ann Arbor, hits Ypsilanti, Flat Rock, Belleville, all the way down to Lake Erie.

The population of our watershed is about 640,000 residents, and we are the oldest watershed in the State of Michigan. This is actually our 60th anniversary, because we were founded in 1965 because of flooding issues in the Ann Arbor area. So, it started with one part-time staff. We've now grown to 17 individuals, and all of our work is science based. Andrea and I work together on the land protection ordinances, helping communities update their master plan, then back stop that with updated zoning ordinances so we can protect the watershed, not only for this current generation, but for future generations to come.

So, what do we do and how do we do that? We study the watershed. Andrea leads a part of our team dealing with stormwater permits. The rest of my colleagues get into the MS-4 permits. We do bio monitoring and so forth. We protect the river through advocacy. And that's part of the work that we do in presentation to you tonight. We restore the river itself. We connect to the Community and children as well.

So, when we say study the river, we do stone fly search, we do river roundups, chemistry and flow monitoring. I was out in the field a couple of times this summer with my colleagues and our interns doing that work. And then the last is natural area assessments. That's work that Kate Laramie and our staff, who's our ecologist, goes out and takes a look at individual parcels for conservation purposes. She uses that data with land conservancies to say, yes, it's good enough to preserve and let's figure out a way to do that.

In terms of protect, we do policy and advocacy. So, in the upper right hand corner is Rebecca Esselman. She's our executive director. She was testifying last summer in favor of a bill that dealt with inland lake levels because it dealt with a Court of Appeals

hearing in a ruling that said lake levels have to be static. And for those of you who live on lakes and the rivers, you know that's not true. The lakes are never static. So, the legislation kind of overturned the ruling itself, so it would allow dam managers to protect the levels of the lake and keep them adjusted.

We do fly-ins with Healing our Waters, it's a Great Lakes coalition, and we go into D.C. twice a year to talk to members of Congress. We have a conservation millage toolkit for those communities that want to raise extra local funds to protect parcels in their backyard from being overdeveloped. And then we help work together on the watershed management plans.

In terms of restoration, this is a view of Dexter MI from 2008, when a dam came out and we worked with a number of organizations throughout the region to, one, remove that dam, and then restore the river itself. If you get a chance, drive over to Dexter, take a look at the Mill Creek itself, it's gorgeous. We're working actually now with the City of Ypsilanti on Pen Dam for that dam to come out. It's now scheduled about 2027 for that to happen, and Dan Brown and our staff have raised through grant writing about \$14 million towards this project. It has only taken 8 years. It takes a while to remove a dam. And then we connect. We do a lot of outreach into the community, Fall River days, you can see some bug sampling. We let folks know please, if you have dogs, and I've got three of them, pick up after them because that actually eventually makes its way into the river itself. We want to protect the river by scooping up the poop. And I'm going to turn it over to Andrea. Andrea is our program manager. She is smarter than me on this stuff, trust me, but she's going to talk about the threats to the Huron River, and then some things that we found in your zoning ordinances where you have some strengths, some opportunities and some recommendations of how you can improve what you already have in the books.

Andrea Paine – Thanks, David. So, as David mentioned, the Huron River is a huge asset to Southeast Michigan. It spans over 900 square miles and given it makes up such a large part of your Township, I'm sure you already know how great an asset it is, but being in an urbanized area, there's a lot of threats to the watershed. We say non-point source pollution is actually our biggest threat and think of nutrients like phosphorus that run off of paved areas, into storm drains and cause things like harmful algal blooms that can threaten both recreation and drinking water quality.

On the right hand side, you'll see sediments, which are another big impact on our water quality. In addition, bacteria which David mentioned, pet waste being one of the main sources, but in addition to that, septic systems being another potential source of bacteria getting into our water quality, which threatens both human health and recreational capacity of our waterways.

So, looking at the Upper Huron, which is the area of our watershed that runs through Commerce Township, it's slightly impacted. When you're thinking about 100, this is a pristine, untouched watershed. So, 61% is definitely much better than some other areas of our watershed that are even more urbanized.

Thinking about areas that are doing well, the macroinvertebrates or the benthic aquatic bugs that are the sort of canaries in the coal mine for telling us about water quality, are actually very well and doing great. We have a lot of diversity of species in the creeks and streams that we monitor in this area. We've been monitoring for these benthic macroinvertebrates for over 30 years.

Some of the big impairments that we see here is there's a lot of dams in this area, which obviously provide great recreational amenities, but also impair the river flow as well as the movement of the river. And then additionally, we're seeing some high phosphorus in

this area, which is indicated by a total maximum daily load, or a pollution diet of sorts for Kent Lake.

And then really, what impacts you all as planning commissioners is the way that land use really impacts our water quality. You can see here this is a land cover map from 1800s. You can see what this area used to look like, and then fast forwarding to 2010, you can see how development has really changed this area, and in turn changes our water quality.

Threats to development, you can see on the left hand side, sort of an untouched, natural area and a lot of those ecosystem services that our natural areas provide to us; things like cooling the rainwater, infiltrating that rainwater, mitigating flooding, cleaning air, and a lot of really amazing benefits that our natural areas provide. Then, a more highly developed area has a lot of impacts on both our ecology as well as quality of life; everything from pollution, warming water and flooding. And then with climate change, a lot of these things are exacerbated by our increased precipitation and stronger storms that we're experiencing here in Southeast Michigan.

But there are things that you all can do as a Planning Commission, and this is what we call sort of the pyramid of local policy solutions. With the base, you can see protecting areas being, as we say, #1. This is the priority that we really encourage local governments to take on is looking at where first you can protect those natural areas that already exist. And make sure that those good ecosystem services are also being protected.

You're unable to protect natural areas, which you understand, development needs to happen for a growing and vibrant community. Trying to reduce the amount of impervious surfaces or paved areas in that development through things like cluster development and minimizing lot sizes. And then again, if that isn't necessarily something feasible for a specific development, looking at the top, which is implementing human made green stormwater infrastructure to infiltrate and slow the runoff from those impervious surfaces.

We have, as David alluded to, a natural areas program that helps with protecting natural areas, at the bottom of the pyramid. We did a lot of work to rank these areas and can provide that data to you so that you can see which areas in the Township are most valuable in terms of their ecosystem services and worth considering additional actions to protect them. As I mentioned, green stormwater infrastructure at the top of that pyramid being another way that we can think about how to do land use and development right.

So, thinking through some of the strengths, some of the things that you all are doing really well here in Commerce Township. It's great to see that you have a turf fertilizer application ordinance. Also, your time of sale septic system ordinance is fantastic as well. I know that you all just adopted that a few years ago and are still ironing out a lot of the kinks, but it's absolutely great to see your leadership on that. And then also, your phragmites control ordinance is wonderful to see as well to mitigate a lot of those aquatic invasive species.

It's great to see in your PUD, an ordinance about incentivizing some of that cluster development, which as we were talking about, minimizes some of the additional impervious surfaces. And then you also have very strong soil erosion and sediment control measures on the books as well.

That being said, there are also some opportunities for not only thinking about improving your ordinances, but also how to potentially integrate the Huron River into other parts of your Township. So, the top one not necessarily being a zoning or planning decision, but we wanted to underscore something that was in your Parks & Rec plan, which is a

desire to extend our Huron River Water Trail, which is 102 miles of [paddleable] waters, officially up to Byers Park. Currently the top of our water trail is at Proud Lake, and by officially extending the trail that allows you to tap into resources, funding and infrastructure to really make yourself branded as part of the water trail. I think that would be a really great asset to your community and something worth considering.

And then I also want to comment on wetlands. Your Township has a pretty high wetlands abundance of 23%, which is higher than a lot of other townships around here. Wetlands are incredibly important for water quality and those ecosystem services that I mentioned, so we also recommend potentially adding a vegetative buffer requirement in the form of a wetlands ordinance.

And then, related to stormwater management, I saw that your stormwater master plan is from 2003. I think that could possibly use some updating. You could potentially expand on your site plan specifications to further emphasize things like green stormwater infrastructure, because a lot of the technology and engineering around green storm water infrastructure is leagues ahead of where it was in 2003.

And then additional recommendations, I touched on this a little bit, but further emphasize potential avenues for generating funds to potentially protect land in your community. Do things like conservation millage, or a purchase of development rights program or commission, potentially establishing some sort of natural features committee that could make decisions on behalf of the Township. David alluded to our Conservation Millage toolkit which is a really great starting point for thinking about potentially adopting something like that in your Township, to really put your money where your values are in protecting land.

I'll pause there if you all have any questions and I have included our emails if you want to follow up with any questions. I just want to further emphasize that we are here as a resource to your Township. Commerce Township pays annual dues to the Huron River Watershed Council, so certainly take advantage of us as both technical experts on water and stormwater issues, anything from grant writing and proposal seeking for water or storm water related projects that might be of interest to the Township, and then also reviewing things like ordinances and master plans that are on the books. Thank you so much for taking the time today to let us come speak to you.

Chairperson Parel – Andrea, thank you so much. Yes, maybe we'll see if anybody has any questions. That was a great presentation. You mentioned potential expansion of the Huron River Trail to Byers Park. When you said trail, I thought you were talking about a nonmotorized walking trail, but you're talking about ...

Andrea Paine – A water trail. It's for kayaking, paddling, yeah.

Chairperson Parel – Because there's water down there and that's where the ducks are, right?

Andrea Paine – Yes, the trail exists and people can paddle it, it's just formally being part of the water trail.

Chairperson Parel – So there wouldn't be any modifications to the existing waters?

Andrea Paine – Correct. Currently, we say that trail starts at Proud Lake. That would be formally opting into the water trail program, not necessarily needing any sort of funding, and then that would allow the Township to access additional resources related to river recreation.

Dave Campbell – What does that process look like, to extend the water trail?

Andrea Paine – I will connect you with my colleague, Dan Brown, who is the lead on the water trail to understand sort of formally what that process looks like, but I assume it would probably be some sort of resolution, and then there are also requirements as part of the Trail Towns program. I'll connect with him and send over some resources.

Chairperson Parel – Who do you typically work with at our Township? I know you mentioned that the Township pays into the fund.

Andrea Paine – Peter Shawbuck, who is here tonight, is the formal liaison between the Township and the HRWC. He sits on our Board of Directors. Every township gets an appointee that represents their municipality to the Watershed Council, so Peter is your guy.

Chairperson Parel – Cool, hi Peter.

Dave Campbell – Andrea, can you go back to the slide showing the natural area and then the heavily developed area. The slide of the developed area is pretty high intensity development. My question is, if there were a slide somewhere in between showing agricultural development, which is what Commerce Township was 75 to 100 years ago, from a stewardship of the Huron River Watershed, I assume there are benefits to having more agricultural land use versus suburban land use. Agricultural comes with fertilizers and pesticides, and suburban comes with parking lots and so forth. Is one more protective of the watershed than the other?

Andrea Paine – Yeah, it's hard to say, one being better or worse, because sometimes urbanized areas can be done right with things like bio soils, green stormwater infrastructure and minimizing the amount of runoff going into our service waters. And then on the flip side, there's agriculture that can be done very poorly, without any sort of vegetative buffer mitigating the runoff into streams. But, from the perspective of conservation easements, which is a great tool for protection, agricultural area in most townships who have these types of programs do qualify for conservation easements because those are considered open space. They're not necessarily natural areas, things like grasslands, wetlands and forests, but they do provide more infiltrative capacity than something like a highly developed impervious surface, which can also provide additional ecosystem services, mitigate things like urban heat islands to provide habitat for some species.

Ray Golota, 1595 Vanstone Dr, Commerce Township – I understand where the Huron River exits into Lake Erie. Where does it really start, and how does it start? Is there a spring up there that just bubbles up?

Andrea Paine – Indian Springs Metropark is our headwater. That's the start of the watershed. At that point, it's essentially a stream. It's a very small creek. It accumulates more runoff as it goes further south and it grows into something as wide as this photo here. Here is the map so you can see the headwater at Indian Springs.

Ray Golota – So it's an underground spring?

Andrea Paine – It's a mix of both surface runoff and then also some of the groundwater that forms the watershed.

Chairperson Parel – So it's not coming from Lake Erie? It's going the opposite direction?

Andrea Paine – It's going the opposite direction and draining into Lake Erie. It's great because you all don't have the impact of downstream communities affecting your water. A community like Ypsilanti or Belleville have six wastewater treatment plants above them and a lot of urbanized areas above them that is making its way toward those communities, whereas up here getting the headwaters, there's less of that runoff and pollutants coming down.

McCanham – Do the storm sewers dump into that?

Andrea Paine – Yes, if the community has a municipal separate storm sewer, or an MS-4 permit, anything that is within that MS-4 system drains into surface waters, whether it be a creek, Wixom area discharges into Norton Creek, which is where you probably heard that Tribar discharged into the river many years ago. For this community, any of those paved areas that go into a storm drain make its way into the Huron River.

McCanham – Are there any CSO's that dump in there?

Andrea Paine – There are no CSO's in the Huron which is great. Detroit area deals with a lot of those combined sewer overflows, but there are none that exist within the Huron. Every community has a separate storm system and sewer system. That is a combined sewer overflow, and that's when communities have aged infrastructure where both their storm water runoff and their sewer goes into one system. So, when it rains, it overwhelms that system causing it to back up and often discharge directly untreated sewage into a water body.

McCanham – The Clinton River is very bad because of CSO's. When there is a lot of stormwater, it mixes underground. That's when you hear of all the raw sewage release. We are lucky.

Andrea Paine – We are, yeah. One issue we do not have to deal with which we're glad about.

Bearer – Do we have any type of buffer requirement now for wetlands?

Dave Campbell – We do have a 25-foot wetland buffer requirement, which is referenced in their presentation.

Bearer – I thought that's what they were recommending.

Andrea Paine – It's a 25-foot setback.

Dave Campbell – Correct, and you're recommending it with additional vegetation.

Andrea Paine – Exactly. So, adding about a 10-foot vegetative buffer in addition to that setback.

Dave Campbell – So, having the vegetation within the 25 feet?

Andrea Paine – Yes, correct, within the 25 feet. You can have the property setback, but if that's mowed turf down to the wetland, that's going to continue to bring pollutants directly into the water.

Dave Campbell – You've seen that successfully implemented in other communities. How is it policed or enforced? If it's on a single-family application, it's in somebody's backyard effectively.

Andrea Paine – This would be for new developments, and likely not for something that is an existing development. But yes, there are communities in our watershed that have done this successfully, with Ann Arbor Township being one of them. There are others beyond that which I can look into and send over example ordinances that could potentially be used.

Bearer – So what is an example of the vegetation that could be planted? I live on the Huron. Our neighborhood is on Fox Lake. My backyard is exactly what you just explained, grass right down to the wetlands. What would that look like if it was a new development?

Andrea Paine – So turf grass has a root system of only about 6 inches. We would be looking at something like a native plan, things like purple cone flower, black eyed susan, and some of those beautiful flowering plants that have root systems of over 15 feet, which have immense capacity to infiltrate these pollutants into the ground, rather than with turf grass that doesn't have that same infiltrative capacity, it runs off into the water body.

McCanham – We also have the Rouge River Watershed locally here. Do you guys interact at all?

Andrea Paine – We do. We are sister watershed councils and as you can see, the Rouge is right in here.

McCanham – It's Walled Lake, right?

Andrea Paine – Just to the north of the watershed and up in this area too. So, yes, we work closely with them and collaborate on many different projects, one of which is called the Rain Catcher's Collective, and that is our Southeast Michigan wide initiative to try to get more residents to adopt residential rain gardens. These are ways that folks at their own home and on their property can mitigate storm water runoff into our storm sewers.

We host collaboratively with other watershed councils, Friends of the Rouge, Clinton River Watershed Council, Friends of the Detroit River in an annual master rain gardener course, where residents can learn how to install, build and design these rain gardens on their own. That's just one of the examples of how we work together.

Dave Campbell – With the rain garden example, that's a form of pre-treatment. Any opinions of comparing a rain garden to a mechanical pre-treatment? Negatives or positives of one versus the other, or are they effectively doing the same thing in a different way?

Andrea Paine – I would say they are different forms of engineering solutions, one being much more sophisticated. Residential rain gardens are definitely one way, on a much smaller scale, to infiltrate and try to treat the water before it hits the system. That mitigates the additional burden on the grades from water infrastructure to things like pre-treatment.

McCanham – Stormwater outfalls into lakes and stuff like that. There's a lot of garbage that comes off the streets. How does that affect ...

Andrea Paine – Yes, non-point source pollution is the biggest threat to the Huron River because that water that comes off of the impervious surface carries pollutants like E.coli, nutrients like phosphorous, sediments, and then also a lot of additional chemical pollutants, things like PAH's which you find in coal tar sealants, microplastics which exist all over the place. A lot of those pollutants that exist on our surfaces make their way into almost like a garbage disposal that is our stormwater drains.

Chairperson Parel – I know you touched on it. As far as our role up here, when we're talking to developers, which is about to happen, what can we be doing? We try to limit the amount of impervious surfaces like parking lot spaces. We may have them bank parking spaces for later. Developers have to come in with a plan that aligns with our ordinance, but maybe we recognize that it's not necessarily aligned with their business to have that many parking spots. That's one thing I think of. I don't think we've really talked about requiring native landscaping. What else?

David Lossing – I think one interesting facet you could do, and it may not apply to the applicant tonight, but future developments, is put in a rain garden in the commercial parking lot. As you get intense storms, it's going to pick up everything in that parking lot, and you make sure it goes to the rain garden before it hits the storm drains. If you visit our office anytime soon in Ann Arbor, you'll see a rain garden built into the street that we face. So, there are sidewalks on both sides, two-lane traffic, there's a bike lane, and there's a rain garden.

Chairperson Parel – Explain a rain garden to me.

Andrea Paine – A bioswale is what that is.

Chairperson Parel – Okay, so it's accumulating water. It's working similar to a rain barrel.

David Lossing – And it holds the water before it has to go to the storm drains.

Chairperson Parel – Do you have any issues with maintaining that?

Andrea Paine – Maintenance is always a challenge with green stormwater infrastructure, but the long-term costs of green stormwater infrastructure maintenance is much less than large capital improvement projects for stormwater systems. I think with green stormwater infrastructure, there's definitely a learning curve because it's a very different type of maintenance than mowing turf grass every two weeks. It requires a big investment twice per season trying to mitigate any invasive species from growing and taking over those native plants.

Chairperson Parel – One of the things we think about a lot is when developers come in and they want to do something outside of the normal day-to-day actions, and we say we're willing to allow you to do that, but there has to be some type of public benefit. Sometimes we're just at a loss where we can't think of what that public benefit could be. We understand the restraints. We learned that you can't take the public benefits and apply them to other parts of the community.

Dave Campbell – They have to be directly correlated to the project itself.

Chairperson Parel – To me, I think something like that is a pretty decent public benefit that we can share. If they're putting in a new 400-car parking lot, in the future, that could be a public benefit.

Dave Campbell – One of the things I thought was interesting, one of the examples they cited was clustering development and smaller lot sizes. As we here are well aware, that sometimes becomes challenging in its own way from a zoning standpoint and from the expectations of the neighbors who live in the area. Now you're proposing lots that are smaller than the lots that surround it and sometimes that can get into political discussions as well as to what is the appropriate lot size. There's always going to be some push/pull with any of these concepts and bringing them to fruition, lot sizes being one of them. We just saw that with the Enclave at Stillwater, the lots being proposed for the old gravel pit. That developer would argue that he wants to do smaller lots in an effort to preserve open space. We did hear from the folks in neighboring subdivisions saying we don't want lots that are dissimilar from what we have. Those are interesting discussions that we have had.

Chairperson Parel – I also wonder when we talk about PUDs, we put them together and we have what we consider to be public benefit, having some open areas and greenspace, and the things you're talking about, but is it also important to focus on where those green areas are on the development itself? Because if they're moving a parking lot closer to the Huron River, that's not good.

Andrea Paine – Absolutely, and that's where that map I mentioned where we have done a prioritized ranking of existing natural areas across our entire watershed I think would be really helpful for that. That's looking at soil composition, elevation, and a lot of different geographic factors that help determine which parcels might be a higher priority for protection than others.

McCanham – Rain gardens vs. retention ponds; is it apples and oranges?

Andrea Paine – Yes, they're just different types of stormwater infrastructure.

McCanham – Does one have benefits over the other?

Andrea Paine – It depends ...

David Lossing – One is prettier.

McCanham – There are a lot of retention ponds.

David Lossing – It's usually very pleasing to look at a rain garden. Most people think, those are pretty flowers, but it's actually doing something behind the scenes that residents aren't aware of.

Chairperson Parel – I'm sure the smart engineers can figure this out. Almost every new development we see requires some kind of retention or detention pond, so it's similar, but that doesn't mean they couldn't still have a rain garden on the other side of the property.

David Lossing – Sure. For instance, we're working with your neighbors in Milford Township on green infrastructure, updating their maps from 2005. They're in the process of updating their master plan so we met with them, and we're working in collaboration with Oakland County Planning & Zoning to update that map for their new master plan. From there, we will backstop that GI plan with ordinances that make sense.

Andrea Paine – Yes, I definitely recommend you look into that. This is something that Oakland County did county-wide around 2003 or 2005 in some of the communities on an as-needed basis, especially in alignment with when you revise your master plan. I think you all are doing that around 2028, or another time. That would be a great time to engage in that activity with us and Oakland County to remap out your natural features. It's also a great exercise because you can compare it to that 2005 map and see which areas of the Township have developed and evolved over that 20-year period.

Chairperson Parel – Milford is going through this right now. Dave, we will see their master plan, and they'll ask our opinion?

Dave Campbell – Yes, they are obligated to do so.

Andrea Paine – Auburn Hills went through it as well with the county.

David Lossing – We did a similar presentation for their planning commission back in May, and their ears perked up. After a couple of months of conversation, we're now doing a GI workshop next month.

McCanham – Do you have resources available for residents to do their own thing at home?

Andrea Paine – Absolutely. One of our strengths of the watershed council is resident education, about best practices you can adopt at home. One really cool thing that we do that the Township is absolutely welcome to participate in, as a fee-per-service basis, is our watershed community calendar. Each month has a different tip that residents can take, and that can qualify under the public education requirement of your MS-4 permit. But definitely head on to hrwc.org/takeaction and that will list out information. We have tip sheets and a bunch of resources available for pointing residents toward great actions they can take at home to protect water quality.

Chairperson Parel – Dave, you had mentioned that the Township is hiring someone to help with social media presence and marketing. If that's the case, maybe these folks would consider giving information to blast out to our residents.

Andrea Paine – Yes. We have a whole board built out of different social media graphics and content to promote.

McCanham – Is that something our liaison would be involved in?

Andrea Paine – Yes, Peter can certainly facilitate. Thank you all so much. We really appreciated your time.

Chairperson Parel – We do appreciate it. I think we learned a lot. Thank you very much.

Andrea Paine – Fantastic.

F. TABLED ITEMS

None.

G. OLD BUSINESS

None.

H. SCHEDULED PUBLIC HEARINGS

None.

I. NEW BUSINESS

ITEM I.1. PSP25-05 – KROGER – PUD SITE PLAN

Steven & Spencer Schafer of Schafer Development, in partnership with The Kroger Company of Michigan, propose a new 102,000 sq. ft. Kroger store with fuel center on a 19.6-acre site within the Midtown on Haggerty PUD, located on the west side of Haggerty Road north of 14 Mile Road. The request is for final PUD site plan approval in accordance with the amended PUD Development Agreement and Development Plan. PIN# 17-36-400-035

Dave Campbell – So, Midtown on Haggerty is the next agenda item, and specifically, a PUD site plan for a recent amendment to the Midtown on Haggerty PUD. The Planning Commission is very familiar with this project. Midtown on Haggerty is on the west side of Haggerty Road, just north of 14 Mile Road. It was originally approved by the Township back in 2021, with three commercial buildings out along the Haggerty Road frontage, and I believe the total was 187 apartments upon the 19-acre portion west of the three

commercial buildings. The apartments never came to fruition. The three retail buildings did, and they exist and are mostly occupied now.

In the last year or so, the developer, which is Schafer Development, and Steve and Spencer Schafer in particular, came to the Township with the proposal to amend the PUD for Midtown on Haggerty to effectively replace the 187 apartments with a 102,000 square foot Kroger store, which would include a fuel center. Doing so required an amendment to the PUD, the PUD agreement and the PUD plan, all of which came to this Planning Commission back in April for a recommendation of approval, which they received. They had to then go to the Township Board for the Board's approval of the PUD amendment. It took a couple meetings to get that squared away, but that did get done in May.

So now, potentially the final step for the Midtown developer and their partners at Kroger is to get PUD site plan approval for the Kroger store. What was approved back in May was effectively a concept plan of where the building would land, where the fuel center would land, how the driveways would line up, and so forth. What you have before you this evening is the more detailed site plan that is intended to be consistent with the amended PUD that the Planning Commission and the Board have already approved. So, when I talk about detail, we get into more of the detail of the landscaping, the building materials and the architecture, things like the lighting, the parking count, the signage, the outdoor storage and outdoor sales and display areas, some of which we want to talk about with the Planning Commission tonight and with the development team tonight.

The Planning Commission may have some guidance for the developer and for the Kroger team if the Planning Commission opts to take action on the PUD site plan. I do want to mention a couple specifics before the developer, Spencer Schafer, comes up to speak on their own behalf. I do want to pull up the building elevations because that's oftentimes what's top priority for the Planning Commission. This is very comparable to the conceptual elevations that were included in the PUD development plan. We talked about how much we do not like the EIFS material here at the Commerce Township Planning Commission, so as was discussed early in the project, the only EIFS that's being proposed is the blue border, or the blue framing around the primary Kroger sign and the primary Kroger entrance. Kroger has made some upgrades to their building material mix based on early conversations with the Planning Commission, adding the stacked limestone elements at either endcap of the building, and in these projections along the way to try to give the building some more variation, both in terms of materials and in terms of the projections of the elevation.

Signage was one of the things I wanted to talk about. Typically, what the Planning Commission would do is they would defer the permitting process for any new signage to the Building Department and task the Building Department with ensuring that the signage as being proposed is consistent with the Township sign ordinance. Kroger and Midtown on Haggerty, being somewhat of a different animal, being a PUD with Kroger toward the back half of the PUD, Kroger is looking for some deviations from what would otherwise be allowable by our sign regulations. Specifically, they're looking to add two new freestanding signs, one along Haggerty Road at the corner of Haggerty and Springvale, so that's indicated at P1 right here. The second new freestanding sign would be on the south side of Springvale, the road that traverses between the Kroger site and Home Depot, Staples and Target. So, there would be a second freestanding sign at this location. And then they would be adding a Kroger panel box on top of the existing freestanding sign for Midtown on Haggerty.

The existing freestanding sign for Midtown looks like this, save for the Kroger panel on top, so the rest of it is what's already there now. Kroger would be adding their sign. What has been revised since we received this, and Spencer Schafer can speak to this in more detail, is taking this top hat, this decorative cornice on top, and putting it on top of the Kroger logo to give it more of a finished appearance.

What's notable about the freestanding signs, though, is that the fuel signs, again one at Haggerty and Springvale, and one at Springvale, and the driveway and the fuel center, the fuel price displays are digital. We had a lot of conversations with this Planning Commission a few years ago about digital signage and the Township. Both the Planning Commission and the Township Board outright prohibited digital signs. Typically, when we talk about digital signs, we talk about the ones that have the capability to scroll, flash and dance around. The Township prohibited those on the basis that it's a potential traffic safety consideration. If every business along a busy road like Haggerty or Union Lake Road had a dancing digital sign out front, there's a valid argument that it distracts the driver from what they should be looking at which is the road ahead of them.

But that prohibition did not carve out any kind of exception for static fuel prices. So, for Kroger to have these digital static fuel price signs, both for their two proposed freestanding signs and also one sign that's proposed on their fuel canopy, that would be a deviation from the Township sign regulations and from the prohibition toward digital signs. Now, all of that is allowable because this is a PUD. But it's something that I want the Planning Commission to discuss.

I think these are the last couple things I want to bring up. Some of these are small details, but I think we've covered a lot of the bigger details as we went through the PUD approval process. One is the outdoor storage plan. So, they did provide a site plan that showed their outdoor storage areas. Our Planning Department review noted the outdoor storage as proposed in front of the primary store. What it missed is the outdoor storage that's proposed around and under the fuel canopy. The Planning Commission is well aware that we've had other conversations with other fuel operators about outdoor storage, outdoor sales areas between the pumps, around the pumps, everyone from the biggest of operators, including Costco, to the smaller operators such as the Mobil store that's being rebuilt at Union Lake and Commerce Road. The Planning Commission has always had concern with having too much, or even any outdoor storage, outdoor sales, between the fuel pumps or around the fuel pumps. So, Kroger is proposing that, in addition to their outdoor sales areas at the front of the store. Right now, we're looking under the canopy, all these cross hatched areas, those are meant to be permitted outdoor sales areas. That same cross hatching is shown along the bulk of the front of the store; this is all meant to be outdoor sales areas here as well.

One of the things that the Planning Department is hoping to see, and maybe review and approve administratively, is more detail on the outdoor sales plan. When I say detail, I mean the types of materials, the duration of materials, potentially the height of the materials. A lot of times what we want to avoid is materials that get stacked too high, materials that are maybe out of season; you'll see pallets of rock salt out there in the middle of July when it's not seasonally appropriate. When we talk about the fuel center, we talk about whether there's materials displayed at a fuel center that are appropriate for a fuel center; things like mulch and topsoil. Do those really need to be under the fuel canopy, or are those more appropriate elsewhere, if at all? So, I do want to talk about the outdoor storage.

Chairperson Parel – My thought is there will potentially be an all encompassing outdoor storage amendment that will be approved administratively by your group. When I say all encompassing, it would be the front of the store, and these areas also around the fuel pumps. It would be similar to what we did for Home Depot.

Dave Campbell – Yes, and for Lowe's and the Kroger up at Union Lake Road. It would be at your discretion, but if you feel it's appropriate as a means to keep the project moving forward, that outdoor storage plan could be something that you leave to the staff to review and approve administratively. But I do want to get some guidance this evening, particularly about the outdoor storage around the fuel pumps and maybe to some extent, out in front of the store. I think there's a pretty wide area in front of the store that's being designated for outdoor storage. Part of what we talk about is duration. Is there stuff out there year round, or is it only seasonal? Is it flowers during certain times of the year, or will there always be stuff out front?

Chairperson Parel – One of the other things in my mind is that we want to assure they are properly sizing their building and they're not utilizing the outdoor storage for regular stock that should be stocked inside the building.

Dave Campbell – And that's a conversation we certainly had with Home Depot and with Lowe's, effectively evading having to find a storage space elsewhere and paying rent by dumping it in the middle of the parking lot.

Chairperson Parel – And taxes.

Dave Campbell – A couple other things I wanted to mention. One is the door operation. This is something that came up mostly with our Township Board and I think it was focused on the Union Lake Road Kroger. The doors get locked at 8:00 or 9:00 at night, a certain bank of doors would get locked, and the concern is if those doors are locked from the inside, the only way to open those doors, as I understand it, is to push them open. The concern has been that, in a panic situation or an emergency, folks might not know to be able to exit through those doors.

Our Township Board has asked for, and what Mr. Weber, who isn't here this evening has asked the Planning Commission to push for, is having some sort of motion detection system, so that even if those doors are locked at night while the store is still open, while they won't open automatically from the outside, they will open automatically from the inside. So, in an emergency situation, when people head for the doors, they will still open automatically.

The last thing I'll mention, and then I'll see if there are questions, is what I'm calling a branding plan. This is another thing that came up with the Township Board. We currently have three Kroger stores in Commerce Township, one of which would be replaced with this store. There were concerns with the Township Board that the way those stores are branded, and particularly the store at Pontiac Trail and Beck, it's branded as Kroger of Walled Lake. It's not in Walled Lake, it's in Commerce Township. The concern there is, again, in an emergency situation if someone calls 911 and says there's an emergency, and they say I'm at the Kroger in Walled Lake, it might take emergency response extra time to figure out where that is. So, part of what the Township Board is looking for, and something that the Planning Commission could include as a condition of site plan approval, is some sort of a branding plan or rebranding plan so that all three Kroger stores that are in Commerce Township are

branded such that there's no ambiguity about the fact that they're in Commerce Township. That could be a condition of site plan approval if the Planning Commission wants to take action this evening.

With that, I'll take a pause and see what sort of questions there are for me. Again, we've been through this plan several times so a lot of the big ticket things have been addressed. I guess the fact that we're talking about outdoor storage and maybe some smallish stuff is a good sign that we're down to that level of oversight.

Chairperson Parel – Okay. We've got a few things to talk about. Does anybody have any questions or comments before we invite Mr. Schafer up? Hearing none, Mr. Schafer, the floor is yours. No need to give your name and address. We've seen you a lot.

Spencer Schafer – You all know my address. Spencer Schafer with Schafer Development. Pleasure being in front of you once more this evening. One thing I do appreciate about your Planning Department is that I get all of this beforehand. It really gives me the opportunity to study it and come in front of you with some thoughtful feedback and insights as we do our presentations.

One of the things with the Huron River watershed, we do a lot of work in Ann Arbor and Pittsfield Township and some of these communities that are a little further down the watershed. We're very familiar with the cluster development and the open space preservation options and the rain gardens, which work on some parcels, particularly when you have very sandy soils. But when we're looking at the opportunity in front of you tonight, actually behind us on the west side of the development, there's a regional stormwater basin and there's actually a conservation easement that was done about 20 to 25 years ago. That was established on the back portion of the property, but we have a 25 foot setback in that area. It's actually shown on our plan, so I wanted to highlight it here briefly before we get into that plan, but right now we're just showing regular landscaping. Potentially, there's an opportunity for us to explore some native landscaping and some alternative sources. Some water will naturally flow off that rear portion of the site. Most of it is going to be captured in our stormwater and by our aqua swirl chamber, which is one of those pretreatment devices. We do have that which filters our water before it inevitably makes its way into that larger regional basin. But we're potentially willing to look at some of those plantings on the backside to see if there's more infrastructure that we can install that will help prevent some of those sources from getting into those bodies of water.

I'm going to start by sharing the original site plan, the site plan that was approved as part of the original PUD in April. Then I'm going to share the new site plan, go through some of the changes and evolutions that have occurred in the past couple of months, some of the things that we look to change to specifically address some Commissioners' feedback at those meetings. We're going to go into the review letter comments. I'm not going to hammer them one by one right now because we'll get to that shortly, most of which David has highlighted, and then we'll finalize with a closing summary.

The site plan; this was the original plan, 103,000 square foot building, the essence and form of it is very similar. The building hasn't changed at all, but what has changed a little bit, you'll see it when I pivot to the next slide, is the orientation of the parking.

Commissioner Winkler, who isn't here today, one of the things that he had suggested was figuring out a way that we could better align Midtown Drive directly into Kroger's parking field. There was a little bit of a hatch here that he felt would potentially make that difficult. So, we did restructure the parking layout. We actually like the parking

layout a lot more on the new plan because it relocates about 25 spaces from the southern portion of the development, closer to the store area, whereas this is more overflow and employee parking. So again, it gets more of that parking closer to the store for patrons to utilize.

I thought I had highlighted this exhibit, but we'll have it later in the presentation. You can see here the alignments a little bit better. Also, what it allows us to do, this is our main pedestrian corridor along Midtown Drive, so we're able to extend that sidewalk directly into the Kroger store. We're going to highlight certain aspects here on the following slides.

This is our landscape plan right here. What I was just talking about was potentially this area right here where we are showing a large number of regular plantings. I'm not sure exactly what those are, but I know Jamie may be aware if you guys have any questions. I'm sure we did a bunch of spruce and evergreen trees, and some other deciduous trees there, so potentially an opportunity for us to look at some alternative landscaping in that area.

Parking near the fuel center, or what we're going to call the canoe island, as David so eloquently told me about this morning. You can see here on the original site plan, this is what we had shown. There was a dedicated drive aisle right here. I guess we are open to a couple of different options, but I'd like to hear what the feedback is in general from the Planning Commissioners before we go into those options in depth, just to make sure what we're proposing and what we're talking about is tailor made and in line with what you guys would like to see.

Dave Campbell – If I could jump in. The Genesis in this conversation ... Keep in mind now that everything is kind of pivoted or rotated clockwise. So, here's the fuel center on the original development plan, with the canoe landscape island through here, which we felt provided some physical separation between what we can all expect is going to be a very busy gas station fuel center, and the folks who are parking for the grocery store on this side. The revised plan takes away that landscape island, and so the concern is that folks that are now parking in these parking spaces are backing into this aisle. In the meantime, folks are churning through this fuel center, and we just see an opportunity for conflict in through this area here. It was something that's noted in our review letter and something that we thought we would bring up with the Planning Commission this evening.

Spencer Schafer – I also want to mention that Kroger is now branding this store as a marketplace store. Originally, it was going to be a grocery store, but marketplace obviously comes with a heck of a lot more amenities. You know, everything from children's clothes to baby toys, smaller appliances, think microwaves, microwave ovens, toasters and things of that nature. I think I stated that there's a clothing selection, a larger selection of international foods, et cetera. So, with the marketplace comes a little bit of a heavier need for parking. I think we added about 10 to 15 spots in this newest layout, and I know Kroger is going to kill me, but I have had a lot of conversations with Dave, and we have talked about it a little bit earlier today. One of the things that we would consider doing, if the Planning Commission is open to it; right now, your ordinance requires parking spaces to be 10 feet wide. In certain locations, we would like to ask, and I believe this would have to be approved as a condition of approval as part of the PUD, is waiving some of the parking spots to be 9.5 feet. What that would allow us to do is potentially eliminate some or all of these 18 parking spaces right here. This drive aisle actually grew. The original plan was about 35 feet. Here on the new plan, it's

about 45 feet. So, if we were able to eliminate parking spaces and have that additional 10 foot area, you may potentially get a 20 to 30 foot landscape island. And again, by just changing the dimensions of maybe some of the perimeter parking spaces, some of the parking spaces that are a little bit further from the store meant for overflow parking, turning that to 9.5, we think we can move those spots elsewhere.

Chairperson Parel – To me that makes sense. I really dislike the idea of what David just described, because I see it at the Kroger Union Lake. The layout is different, but it's just chaos around that fuel center. I think by providing that island or canoe island, I think that's going to help out a lot. I guess I would throw it to the experts, maybe whether it's our architects or our planning folks, and you touched on it. The thing that comes to my mind is, if we are going to do that, if the parking requirement is there, let's focus the space reduction in size to the employee parking areas because they're going to come in and out a lot less frequently, if we're going to shrink a spot.

Dave Campbell – Spencer, you're saying not all of the spaces would go to 9.5 feet, but only certain ones?

Spencer Schafer – I would defer to Garrett or Jamie. Are you able to better state which spots? My assumption would be maybe some of the perimeter spots, and some of the spots here on the south end of the store.

Jamie Antoniewicz – I'm with Atwell, the civil engineer for Kroger. I guess I would say that generally I agree. That's the location we would be looking at. I would want some flexibility at this point depending on where we go and how we approach this as we balance parking, and where we could gain additional parking if we need it, if we're implementing the canoe landscape island back into the site plan.

Dave Campbell – So, I guess if the Planning Commission is agreeable to it, if you're ready to take action tonight, you could include as one of your conditions of approval, a revised site plan to address this parking reconfiguration and the narrowing of certain parking spaces.

Chairperson Parel – And when would that be approved?

Spencer Schafer – It would be a condition of approval.

Dave Campbell – If you choose to do so, it could be a condition of your approval tonight, and then they would resubmit to staff. We would look at how they're reconfiguring.

Spencer Schafer – There's a number of things-

Chairperson Parel – But we wouldn't see it again. Dave, you'd see it.

Dave Campbell – It's up to you, but yes, if we did it that way.

Chairperson Parel – Alternatively, if we wanted, we could force another meeting.

Dave Campbell – Yes. Now, it's a good thing you're doing this tonight because Mr. Weber is the one that drives a monster truck, so you don't want to have a conversation about 9.5 foot parking spaces.

Chairperson Parel – I understand.

Spencer Schafer – There are a number of things that we're going to have to review administratively with Dave. One of them being outdoor storage and outdoor displays which we talked about. We're going to get into a little bit of depth here tonight, but I think that's something we're open to. We're talking about 18 spots. If your spots are at 10 feet wide and we're going down to 9.5, we're picking up half a foot per spot. For 18 spots, multiply that by two, you're talking about 36 spots, or 40 spots plus or minus if you want to round up, where we would potentially want to do 9.5 feet. Jamie gave a very diplomatic response; we want to strategically locate where we are placing those. Obviously we don't want to put them in front of the store where patrons are most likely to use them. So, we would like some flexibility to work through that administratively with Dave, Paula and Nicolas.

Bearer – Where is the pickup area?

Spencer Schafer – You can see it here on the landscape plan. This is the pickup area right here.

Bearer – Okay.

Chairperson Parel – That's pretty cool, it's at the back of the building.

Spencer Schafer – Yes, I think it's easy for people to get in and out. It's growing in popularity. I know my older brother, he has two young children, he likes it. Me, I have to go to the store to pick out my strawberries.

Chairperson Parel – And the difference in the number of parking spaces ... Is it the same number of spots?

Spencer Schafer – I think it differed very slightly, potentially 10-12 spots.

Chairperson Parel – Okay.

Spencer Schafer – So, Dave spoke about it, so I'm just going to highlight this briefly. This was the original elevation. Really, the two main changes occurred on the ends of the building where we have some of these columns through the center, and then this was originally like a blue painted steel. I know there were some comments, but we didn't address it too much with Planning Commission; a little bit more with the Board of Trustees. I have highlighted all of those areas in the boxes here. Actually, in red there was a sign that said, *wine and spirits*. We got rid of that sign. You can see here that stacked limestone. I think it just adds some further allure to the elevation. Previously, we had five different types of stone masonry products on the building, and with the addition of that limestone element, it's now six. I think we've made good strides to increasing the architectural appeal of the building.

As Dave stated, we did talk about this extensively; this element that's around the Kroger marketplace is a blue EIFS. If you want to see it, I have built versions of what the EIFS looks like versus what the Hardi looks like. We had come to an agreement at an earlier Planning Commission that we felt the EIFS looked better, but we are more than happy to share that and engage in conversation on that item once more. This talks again about the five materials we had, and now we have six. Otherwise, some of the colors changed a little bit, but for the most part it's just adding more detail into the elevation.

Now outdoor storage displays and sales at the fuel center. So, I highlighted all the areas in green that would be dedicated for this use. We've had extensive conversations about this with Dave over the past two weeks. One of the things I think Kroger does well is when they do sales, when they do storage, it's in a very organized fashion. Everything is within a specific container, it's labeled, it's organized. There are some smaller food and beverage options that are placed in between the pumps. Nothing is going to be stacked in an unordered environment. If you have more questions, I'm going to defer it over to Jamie and Garrett as they are the experts on this matter, but these are actually images from newer marketplace Krogers throughout the Midwest. This will give you an idea for what it is Kroger is looking to propose.

Another item that was mentioned in Dave's review letter was the offsite sidewalk extensions and easements. All of this information, all of this detail has been specifically encapsulated within the PUD agreement, but I wanted to showcase these exhibits. What we ultimately agreed to were two different forms of sidewalk extensions. One extending from Haggerty and 14 Mile Road going west, and terminating where the existing Kroger store is, which will be redeveloped for future retail use. What we were going to do was to provide the Township with an easement in this area. Our desire would be, once we get into the detailed engineering, we'd like to draft up those easements and we can provide those easements to the Township, as part of engineering plan review.

The second offsite sidewalk extension went from M-5 to 14 Mile, almost to Loop Road and 14 Mile. The reason why we terminated the sidewalk here is because there's an existing crossing element. There isn't an existing crossing element in this area. So, we felt this was the logical place to end this terminus. It's not shown here on this plan, but we are going to be providing an easement to the Township for all of the Kroger's frontage along Haggerty Road, and then we're already working with the credit union to secure an easement to construct the sidewalk. We're going to be securing another easement, so that allows for a future sidewalk extension from our terminus on the south end at Midtown, all the way down to the intersection.

Chairperson Parel – Dave, could you go back to sidewalks? The reason that we didn't request ...

Dave Campbell – We're not about to relitigate the sidewalks, promise?

Chairperson Parel – I do promise. My question is, where the existing Kroger is, to the south of that, where there is a chunk of sidewalk not shown by the developer, the reason we chose not have them do that is because our thought was that, when someone comes in and they want to redevelop that former Kroger, we can then require them to put a sidewalk in there? Correct me if I'm wrong.

Dave Campbell – That was one of the potentials. The other thing we discussed when trying to decide whether a new sidewalk was of more value along the north side of 14 Mile versus the west side of Haggerty Road was that our neighbors in West Bloomfield already have a sidewalk along the east side of Haggerty Road. So, we thought the sidewalk availability is already there, so there was more value on the north side.

Chairperson Parel – I'm referring to just south of the existing Kroger.

Dave Campbell – The south side of 14 Mile, now you're talking about the City of Novi.
Chairperson Parel – So on the north side of 14 Mile Road, but on the south side of that building. There is a gap there that Mr. Schafer is not filling in.

Dave Campbell – Okay, so we purposefully did not fill the gap from the front door of the existing Kroger store westward because there are some very significant challenges of getting across that pond. There are some very steep drop-offs, there are guardrails. That's going to be an engineering feat to get through there. We did try to see if the developer wanted to volunteer that. Spencer, you guys came up with a number.

Chairperson Parel – We talked about that, and we've been down that road. What I'm talking about is from the back of Kroger to the front of Kroger, along 14 Mile Road.

Spencer Schafer – That's where the topography starts to get more challenging.

Dave Campbell – This new sidewalk would at least get you to the front door of what is the existing Kroger store and will be a repurposed building.

Chairperson Parel – Is it feasible to assume that once a new tenant comes in there, they're going to require approvals from the Township, and it may be ...

Dave Campbell – I don't want to promise that might be something that would happen for a new tenant. It would be more if someone wanted to do a very significant change to that shopping center.

Chairperson Parel – Okay. I'm not looking to relitigate the sidewalk conversation. I just wanted to close that loop.

Dave Campbell – We had plenty of conversations about recognizable public benefits and the focus was on sidewalks. This is where we landed and this is what the Township approved.

Discussion continued regarding the sidewalks.

Spencer Schafer – Regarding the top cap sign, Dave talked about that. We did produce a revised elevation that will show what that looks like. It is a removable top cap. Obviously we are doing a retrofit to what is essentially a brand new sign. We want to do our best to make sure it looks brand new and stays that way for 20 to 25 years. There's a lot of public benefits. We've talked about this at length, but there are things we didn't really address as part of the April meeting. There will be a requirement for us to install a right-hand turn lane on Springvale. I think that will help out a lot. Springvale is now going to be more heavily traversed with the addition of the Kroger, but we do have

a traffic signal at Midtown and Haggerty. Midtown is that main driveway that enters in through the retail. We think this is going to do leaps and bounds to help retailers in the area break up traffic. I live right on 14 and Haggerty, on the Farmington Hills side, so I do go through this intersection on a daily basis and it does need some help. I think with some of the improvements that we're going to do as part of this development, it will benefit not only the patrons of this project, but for the community at large.

I have some ancillary slides if we want to talk about any more elements of the site plan. There are three items outside that I didn't address as part of the presentation. Those are the last items that Dave brought up in his Planner's report. Number one is a branding plan for all three Commerce Township stores We talked about this at length with the Commission and with the Township Board. There is not going to be any nomenclature referring to another city, and the naming of stores ... What Kroger wants to do, upon approval of the site plan, I believe this new store will likely be referred to as Haggerty Road. The existing Union Lake store is called Union Lake, and that will remain. The last store, which is at the Commerce, Wixom and Walled Lake border, rather than that being referred to as the Walled Lake store, it would be referred to now as the Pontiac Trail store. We will work with Dave, his team and anybody else at the Township. We want to make sure that nomenclature works for the Township and also is not confusing for existing patrons. I think the biggest point of confusion is the online systems and the app. Kroger will just want some time to roll that out and make that change.

Number two, a system that allows the doors that are locked from the outside during business hours to open automatically from the inside. We've talked about this extensively. It's a system that the likes of Home Depot and Lowes are known well for. I know Garrett and his team have been looking into that further and we are going to reach a resolution on this matter. Just understand that it is going to take a little bit of time. Kroger may need to reprogram some existing software, or it may be something new they'll have to implement.

The last item was the digital gas price signs. This gives you an idea on the right hand side of what that digital sign looks like, but there are three locations where that would exist. Dave stated it, but we're going to have one sign being proposed on Haggerty and Springvale. If you see where Allen Design is, that's roughly where that would be. That second curb cut that you see on Springvale, that would be the other location where we would have a monument sign. It's actually on the north side of that curb cut where that sidewalk is. That's where the monument sign is located.

The third location is the canopy. So, what we would like to understand, if it's an ordinance that prohibits it, we'd like to defer and see if there's any opportunity for a waiver on that as part of the PUD. But we understand Haggerty Road; obviously, more visible eyes there than there are on Springvale. If we potentially had to look at an alternative solution at Haggerty Road and Springvale, I think we're open to that. For the two signs that are more internal to the development, the one side is actually just viewing in towards the Kroger parking lot, the one that's off the canopy. The other one that's going to be off the Springvale, people who are entering Kroger off of Springvale are either coming there to shop or to get gas, so if in those two locations we could do digital signs. With that, I'll open the floor to questions.

Chairperson Parel – Appreciate it. Maybe it's a good time to bring back the sign conversation. Dave, can you go back to the overall layout?

Dave Campbell – Yes, if we're going to start with signage, I'll get back to the signage plan. Spencer, say it again. This would be a new sign with fuel prices. This would be a new sign with fuel prices, and then there would be one on ...

Spencer Schafer – I believe it is where "K" or "O" is.

Dave Campbell – On the canopy?

Spencer Schafer – It would be viewing the parking lot.

Dave Campbell – Okay, I think that's "O", which is a digital sign that's on the fuel canopy.

Chairperson Parel – And where are the other two?

Dave Campbell – One is out at Springvale and Haggerty, so that would be the most prominent one. And then this would be more internal to the site on the south side of Springvale. This would be between the proposed Kroger store and Home Depot. In addition to the very valid concerns about avoiding new digital signs for traffic safety concerns, part of what I think we have to think about is setting a precedent. If Kroger were permitted to have digital fuel price signs at a prominent location such as Haggerty Road, it might make it challenging when the next operator comes along. I hope we can at least be mindful of that facet as well. Back when we made this change to our Zoning Ordinance and effectively prohibited digital signs, we talked about gas stations in particular. We talked about that they don't usually go out there and change the fuel prices by hand anymore. That's part of the reason they want the digital signs, so they can change them from a remote location, either back at the fuel center itself, or from headquarters a hundred miles away.

There are signs that are called scrolling signs that have the look of the old hand change signs, but they can be changed remotely. So, that's something of the hybrid option. We looked at those a little bit when we talked about the digital signs. We did specifically talk about whether or not we were prohibiting digital signs for fuel prices. Where the Planning Commission and the Township Board landed is, yes, we are prohibiting them even in that application.

Chairperson Parel – Yes, I think we should talk about that. It's a concern of mine. I know I'm one vote up here. As long as we're speaking of signage, I think it's a dangerous precedent to set. I would be very opposed to the one on Haggerty. But again, if we allow any of them, we set precedent. Did this come up with the new Costco fuel center?

Dave Campbell – I don't think Costco typically advertises their fuel prices. So no, it did not come up. With the Mobil station, and really even the Marathon station before that, they purposely kept their existing signs because they knew if they got rid of them, they would be subject to this.

Chairperson Parel – I would be opposed to it. I'm one vote. I don't know if anybody else has an opinion.

Loskill – I'm just concerned, as Dave mentioned, about setting a precedent for the future.

Spencer Schafer – I think we hear the feedback from the Planning Department and the Planning Commission. We're willing to modify that to a scroll sign. We can work with Dave administratively. Some language was in the motion draft by the Planning Department, so we would be agreeable to that modification.

Bearer – Is that for all three, or just the Haggerty?

Spencer Schafer – From what I'm hearing, at least from two Commissioners, the precedent is the concern. So, likely for all three.

Bearer – Do you like that?

Chairperson Parel – Yes, I appreciate that. Dave, is it an appropriate time to go down the aisle?

Spencer Schafer – I don't know if there's much more on signage that we need to discuss.

Dave Campbell – I hope not either. What I'm trying to avoid, and Spencer I hope you will second this, based on the experience with the three Midtown buildings is, even after the buildings were approved, the Building Department, Spencer and I went around and around trying to figure out how to apply our sign regulations. So, my hope is with this one, the signs get approved as part of the site plan so effectively, when they come to pull permits from the Building Department for signage, there is no ambiguity. That's why we're getting more into the nitty gritty of signage on this one than you as a Planning Commission usually do. To answer the question, are digital signs the only thing I wanted to bring up? The answer is yes.

Bearer – Wasn't there something about the cap of the sign?

Spencer Schafer – We're going to modify that, yes.

Bearer – Okay.

Spencer Schafer – That was one of the recommended items in Dave's letter. We're going to make that change.

Chairperson Parel – So we're good on signage?

Dave Campbell – We say in the recommended motion language, *administrative approval of following*, and letter b. is *a signage plan revised to address the comments of the Planning Commission*.

Loskill – I understand you're going to put signs on the two long ends of the fuel canopy. I'm not sure that putting the cart on the short ends does anything except to add another sign. I was a little confused on sign "N", which is a kiosk cart sign, you're showing two on the same side of the canopy. I don't see those on the plan. Were those on a different...

Spencer Schafer – The "N" is shown on the gas canopy.

Loskill – I see the “N” but where is the signage?

Jamie Antoniewicz – It’s on the little kiosk.

Loskill – Oh, it’s not on the canopy, it’s on the kiosk. I’m not a big fan of the ... When you have all this sales stuff in the middle of the aisles, how is that paid for?

Garret Foley – I’m construction manager for Kroger. You just grab that out of the cooler or off the merchandising device and take it up to the kiosk window. They scan it and you pay for it right there.

McCanham – They have that at White Lake.

Chairperson Parel – I guess you could argue that it’s similar at most other fueling stations.

Loskill – I don’t know, most places you walk into the building to buy stuff. How do you keep this stuff from being smashed and grabbed in the middle of the night?

Garett Foley – It’s locked up.

Loskill – I understand that, but if I walk up there with a hammer and hit the glass ...

Garett Foley – Well, I’m hoping that you don’t do that. That is just something that comes with the cost of doing business. Usually, we don’t run into those types of situations, but yes, stuff like that can always happen.

Spencer Schafer – You have a similar setup at the White Lake store?

McCanham – You have the three window cooler. I believe at White Lake, they might have roll downs in front of those, if I remember correctly.

Garett Foley – Yes, it probably is that style. It gets secured at night.

Loskill – I’m just not a big fan of those. I think they look junky sitting out there. That’s just my opinion.

Dave Campbell – I don’t want to disregard what we’re talking about with outdoor storage, but where we started was signage. Can we close the loop on the signage, and then we’ll talk about outdoor storage? Is there anything else about the signage plan? Mr. McCanham, I know you haven’t had a chance to weigh in on signage yet.

McCanham – No. I know there are options, so I would not vote for any kind of digital.

Dave Campbell – They’ve agreed to it.

Chairperson Parel – Let’s move on.

Dave Campbell – Okay, with that, I’m happy to move to outdoor storage, sales and display areas, both for the gas station and the front of the store.

Spencer Schafer – I have some stuff to add about the front of the store. If you want to talk about the gas a little bit, let's address that first.

Chairperson Parel – Sure. Is there anything specific you'd like to address as it relates to some of these display sales?

Spencer Schafer – Is it exclusive? I'm sure you do some windshield wiper fluid ...

Garett Foley – Yes, and if we need to, we can supply a list of stuff that we sell.

Chairperson Parel – I think I'm looking at the one in White Lake right now. To me, it looks organized and similar to the photos you're showing.

McCanham – They sell oil also.

Debbie Watson – Brian, I could honestly attest to that. I was just at the White Lake Kroger gas station a few days ago. Although I was surprised to see it, because I don't remember it being there last time, it was very clean and organized. It didn't feel obstructive.

Spencer Schafer – And that's the goal and intention. It's not a random pile of topsoil, salt or something of that nature where if it gets ripped, it creates a mess.

Chairperson Parel – To counter to that, and maybe agree with the developer, which I don't find myself doing very often, if this stuff here was located in front of the store, that would require people to park their cars, walk through the parking field, go into the store and take their time. I mean if this is neat and organized, I think it solves some issues. It frees up the parking lot a little bit. We live in a time where everybody wants things quickly.

Dave Campbell – Two thoughts. One is somewhat redundant in that I want to think about the precedent that could be set. I mean I see bundles of firewood. There's an example; if Kroger is allowed to have bundles of firewood, it's hard for me to tell any other fuel operator in Commerce Township that they're not allowed to do it. So, I want to think about that.

Chairperson Parel – Can we talk about that?

Dave Campbell – Well, yes, but ... I spend as much money at Kroger as anybody else, way too much. I know I have been at Kroger fuel centers, and I won't name names, where they have topsoil, mulch, and water softener salt, piled up around the fuel pumps. Now, I think there's a valid argument to having things that are directly correlated to automotive, such as windshield washer fluid. When you get into mulch, topsoil, water softener salt, I'm not sure that needs to be right next to the fuel pumps.

Chairperson Parel – I would agree with that. I think we should limit that. I think that could be handled administratively. To your first point, in regard to the precedent we set, it's a different animal. There are plenty of fuel stations in the community, there's not plenty of supermarkets that also have a fuel station. I think we have to pause and think about that. What are our current solo fuel stations currently doing, and if we allow this

for Kroger, does that actually set a precedent for them, or is there an argument to be made that Kroger is a different animal? Kroger has a lot of storage already allowed outside their facility. We're allowing them to move some of that to the fuel station for ease.

Dave Campbell – Nicolas and Paula will attest, we hear from the other operators all the time, wanting to push the envelope with what they're able to do, with outdoor sales, with alcohol sales, and so forth. So, is Kroger a different animal? Yes, it is. Will they see it as a different animal? Absolutely not. It's just like my kids; you let him do it, now I want to do it. I want this Planning Commission to be mindful because that's the argument we're going to hear.

Chairperson Parel – For me, I see it differently. When I see Kroger and I see how they're approved, and how other big boxes are approved in our community, they're approved, but it's at the onset, or later in the timeline, but they're approved with outdoor storage around their frontage. I see it differently, and this is kind of an offshoot. If we said firewood sales have to be in front of the building.

Loskill – If you limit it to snacks and auto goods. That way you're not getting firewood or water softener salt.

Spencer Schafer – I just want to put something out there, and we're going to get into what we put in front of the store. Water softener salt, obviously on occasion during the winter months makes sense. It would be ideal if it was in an organized fashion, similar to the firewood, but we're more than willing to agree to certain restrictions. Maybe what would be helpful is if we put a list together of what is typically done, talk about it with the Planning Department, and maybe they solicit feedback from the Commissioners, and let's see if we can come to an agreement on what is acceptable and what is not. I think it's hard doing it right now without being able to fully elaborate on everything Kroger would want to do there. That way, we will have a specific set of standards set in stone. If somebody is violating it 20 years in the future, it's on paper as part of the PUD and that was the agreement.

Dave Campbell – I agree with all of that logic, and in our recommended motion language, one of the conditions of approval was, *a detailed outdoor storage plan to include seasonal duration, types of materials, and address any comments of the Planning Commission*. If there is anything specific ...

Chairperson Parel – It's two different things. Spencer is saying let's get some lists together and let's talk about it outside of this forum.

Dave Campbell – The question is, does it need to come back to this Planning Commission, or can it be handled administratively? I'm fine with it, I just might want a little bit more specificity.

Chairperson Parel – I would say I'm for that. I think it's good to move this on, but I would like to have some involvement. You can handle it administratively. I think we should be involved in that decision, but I don't want to force another meeting.

Spencer Schafer – Dave, we did that similarly for Townes at 42 North, where Joseph and Brian had some questions about architectural. If we want to give them a week or so to opine some additional thoughts, that's something we would be agreeable to.

Discussion continued regarding issues with outdoor storage, sales and displays at fuel centers.

Dave Campbell – So there will be an outdoor storage plan with input from some contingent of the Planning Commission before it gets administratively approved.

Chairperson Parel – If we were to make a motion today, is the language appropriate?

Dave Campbell – I think it's already covered under item 6.a.

Spencer Schafer – We are okay with 6.a., *A detailed outdoor storage/display/sales area plan to include seasonal duration, types of materials, and to address any comments from the Planning Commission.* That's agreeable.

Chairperson Parel – Yes, and those comments will be supplied at a further date, alongside the administrative help of the Planning Department.

Spencer Schafer – Dave, I know there is a diagram that shows storage areas in front of the store.

Dave Campbell – We have mostly focused on the fuel center. Spencer, you want to pivot to the front of the store?

Spencer Schafer – Yes, I'll just talk generally. The front of the store, seasonal offerings, like in the summer months, grills, patio equipment, and during holidays, such as Halloween, I'm sure you're familiar with other Kroger stores, there's an assortment of pumpkins and other Halloween décor. It will be similar. Everything is going to be organized. So, if we have to put more language in there, I think we're happy to do so, it's standard with what Kroger does at their other stores. If you have any further comments, we'd like to know that so we can finalize it.

Chairperson Parel – Any further comments?

Loskill – As long as it's in front of the store, I'm fine with it. I just don't want to see it move out into the parking areas and other places like that.

Chairperson Parel – We've had that issue, and we don't want to see overstock.

Spencer Schafer – That's why we have this plan which specifically cross hatches where that activity will occur.

Dave Campbell – I know Kroger is obviously very different from Home Depot and Lowes, but if it helps, we went through this whole thing with both of them. Part of what they provided was a plan that included more detail about duration, and commitments to only put certain things in certain areas.

Spencer Schafer – If you could supply us with an example of that, it would give us a basis.

Dave Campbell – Obviously it's a different animal, but yes.

Chairperson Parel – What would be the next item? Any other comments?

Loskill – My only comment would be the EIFS. I really don't want to see EIFS on the front of the building. They've got all sorts of hard durable materials now, and then there's one big hunk of EIFS in the middle of it. I would rather see something like Alucobond, or some other type of painted metal, or something more hard surface and durable, rather than EIFS, especially for such a prominent piece of the building.

Chairperson Parel – Spencer, did you mention that ...

Spencer Schafer – Dave is pulling it up right now. I have actual renderings. Can we zoom into each one of those? The one on the left showcases the EIFS. Then the one on the right showcases the Hardi. What I like about it is that it's a continuous look. You have some breaks to make it look like squares. I think it's very attractive. It's not like the EIFS that you see on Walgreen's or CVS. My dad built a bunch of those. The EIFS on those looks like crap after 20 to 50 years. It's a white or yellow EIFS and they don't clean it. Kroger, obviously this is the center, this is the color, and this is the brand of the Kroger platform. They want it to stick out and they want to make sure it looks nice. Now, pivot to the right. This is an option and it's what Kroger has done elsewhere. It's Hardi, and to me, it kind of looks like metal when you've got all of these huge, long vertical stripes and breaks.

Loskill – I agree with you, I like the first look, but you can do the exact same thing with Alucobond as opposed to EIFS. It wouldn't change the look at all.

Spencer Schafer – Okay, Garrett, are you prepared to address that at all or would we have to study that further? This is what Kroger typically does.

Garrett Foley – I'm not familiar with that so I can't speak to it.

Loskill – You're using something similar. You've got painted metal all over the building.

Spencer Schafer – There's no painted metal anymore. The painted metal is gone with the newest building. We did the stacked limestone. I think there may be painted metal on one side elevation of the building, but we got rid of it on the front elevations. I think it's on the northeast corner of the building. It delineates the pharmacy I believe.

Chairperson Parel – I'm very opposed to the EIFS, but I do see architecture of what you're describing in whatever metal product this is ... Oh, it's Hardiboard.

Spencer Schafer – It's Hardi. To me, Hardi looks great in a residential application. In a commercial application, I'm not as big of a fan.

Chairperson Parel – I think this is a prominent piece of not only their branding, but of the building itself and I think we should put some focus on it.

Loskill – You've got a metal panel, MP-1, that's a metal panel smooth. You've got PM-1 which is pre-finished metal, PM-2, PM-3. You've got a number of prefinished metals in your description here. BT-6 is painted metal.

Spencer Schafer – The metal, for the most part, is like a smaller accent material to separate the materials, like here on the top cap, or here on the side of the building. Where the pickup is, this is the largest stretch of the building where we have a metal.

Chairperson Parel – Maybe I could ask Garrett, is it correct to assume that you've done this before and it's always EIFS?

Garrett Foley – We've done EIFS and we've done Hardi. We've done both options.

Chairperson Parel – And your preference is the look of the EIFS?

Garrett Foley – Yes, but if you guys are that opposed to it, we can look at other options too.

Chairperson Parel – I just don't like the product. Spencer has some really good points that it's darker, it can be repainted, and we'd see less of the stains as opposed to a lot of EIFS we see in the community which is a light tan. And it's not 20 years, it's just a few years, especially when you have signage affixed.

Loskill – It's a lot of maintenance upkeep. You've got to maintain the joints or else the water gets behind it and it all starts to deteriorate.

Chairperson Parel – It's not a good product for Michigan winters.

Loskill – It's not. Alucobond or a painted metal would be much preferable in my mind.

Chairperson Parel – Is this something we can look at and handle in a similar fashion in order to move this forward? I hate to put another one on you, Dave?

Dave Campbell – It's fine by me. I mean is it required that it needs to be something other than EIFS?

Chairperson Parel – My preference is something other than EIFS.

Loskill – I'm the same way.

Chairperson Parel – My architectural expert is telling me there are other options that resolve the issue without it looking like that.

Dave Campbell – Okay, so something other than EIFS and other than this.

Chairperson Parel – Yes, and I don't know if anybody else has any comments.

Dave Campbell – And if they can't find that something else, then they come back here?

Loskill – I would be happy to give them options. There's a dozen different companies that make a pre-finished metal panel that will look exactly like what they want to do with the EIFS, with Alucobond being the most famous, but there's half a dozen different companies we use for providing metal panels on buildings.

Dave Campbell – Is Alucobond a metal?

Loskill – Yes, it's a sandwich panel; it's two thin sheets of aluminum with a plastic core. If you look at a Honda dealership, the blue on their building is all Alucobond. It's a metal, it can be formed, it can be bent, and it's used quite frequently for exterior applications.

Chairperson Parel – I'm trying to picture it. The band that wraps the new Hyundai/Genesis dealership, I don't know what kind of material that is.

Loskill – It's all Alucobond.

Chairperson Parel – I know it's not EIFS. To me, that's a sharp option. Personally, I don't think we should kick back anything to another meeting. I would like to be able to resolve this.

Spencer Schafer – Again, if we're doing something similar, let us do some research and find a material. We will talk about it with Dave, and if Joe or somebody wants to opine...

Dave Campbell – That sounds like a new item, 6.d., *consideration of an alternate material for the blue frame element*.

Chairperson Parel – Are you okay with that, Dave? You seem hesitant.

Dave Campbell – It feels like an unknown to some degree, in that we are proposing they use a material that they haven't used before that they're not familiar with.

Chairperson Parel – I agree, and we may end up somewhere back to this, but I think it's worth investigating, and I appreciate that you're willing to do it. Joseph, anything else from you?

Loskill – Nothing.

Chairperson Parel – Caitlin?

Bearer – Nothing.

Chairperson Parel – Okay. Dave, it sounds like we resolved the branding and identification.

Dave Campbell – Yes, that sounds like a new #8.

Spencer Schafer – If you want to call it the branding plan for three existing Krogers.

Dave Campbell – Door operation sounds like a new #9.

Spencer Schafer – I think that is something we will deal with at the building plan review, unless you think otherwise.

Dave Campbell – I know it's important enough that we should include it as a condition of approval.

Spencer Schafer – Okay. To be dealt with before certificate of occupancy?

Dave Campbell – Sure.

Spencer Schafer – Similarly, that way it ties into the traffic signal.

Dave Campbell – Is somebody writing all of these down for me?

Paula Lankford – I have it.

Dave Campbell – What am I up to under #6? Is it letter e.?

Chairperson Parel – Well, you said the other was #9.

Paula Lankford – #9 is for branding.

Chairperson Parel – You said #8 and #9.

Dave Campbell – #8 is branding and #9 is door operation. And then I was at 6.e. to be the parking spaces. So, in addition to the parking spaces, to reduce the width to create a physical separation between the fuel center and the store parking spaces.

Chairperson Parel – Was 6.d. consideration of the new material?

Dave Campbell – Yes.

Spencer Schafer – I know it's in here; the traffic signal is a condition of certificate of occupancy, and that's fine.

Dave Campbell – It's in here, #5, *the new traffic signal to be installed and operational*.

Chairperson Parel – I have one question for you, Mr. Schafer. My assumption is that there is no Starbucks here, because you have a Starbucks in the outlot currently.

Spencer Schafer – You ask a very loaded question. So, 99% of the Kroger marketplaces have a Starbucks. We're working at it on our end, and Kroger is working on it. Starbucks is the franchisee. I think there are two different divisions of Starbucks that need to get together on that. We're unsure of what it is going to be at this stage, but there are other Krogers where you have a Starbucks in an outlot, and then you also have a Starbucks in the Kroger. There would not be a Caribou Coffee or a Tim Horton's.

Dave Campbell – Starbucks isn't going to give up what they have on Haggerty Road, because they have a drive-through, right? If anything, it would be a Starbucks next door to a Starbucks.

Chairperson Parel – Undecided and not something you can answer tonight, I understand.

Spencer Schafer – They're having conversations right now with their higher ups.

Dave Campbell – Are they going to want a sign?

Spencer Schafer – Well, it's not part of the existing signage plan, so. We're leaving the signage as per administrative approval. That is something we'd have to talk about.

Chairperson Parel – I'm really a fan of it. I think it's cool they have Starbucks in there. I don't know if it's part of the marketplace feel. Dave, is there anything else we need to talk about?

Dave Campbell – I don't think so, and Paula doesn't think so either. Within 6.b., if you want to be more specific about the scrolling gas price signs. I say, *a site plan revised to address the comments of the Planning Commission*. Now that we know what those are, you might want to provide more specificity in there.

Paula Lankford – It would be the top hat moved to the top of the sign and the bottom scrolling.

Chairperson Parel – Dave, I'm missing what you're looking to put in there.

Dave Campbell – So, 6.b. says, *an updated signage plan ... further direction of the Planning Commission*. I would recommend that it now say, *an updated signage plan to reflect scrolling gas price signs, and the updated freestanding sign*.

Chairperson Parel – *Updated freestanding sign with cap*. Spencer, you're familiar with the package. If everybody is okay with it, and Spencer is okay with the language, would someone care to make a motion, and Dave, are you okay with them only mentioning the changes that we discussed? Any opposition to that?

Dave Campbell – Deb, do you feel that you've heard everything you need to hear?

Debbie Watson – Sure, yes.

Dave Campbell – Then I'm okay with that.

Spencer Schafer – So, can we do a quick summary from the top? I think #1, #2 and #3 are unchanged. I think it starts with #6.

Chairperson Parel – I agree with #6. I think #6.d., we talked about consideration of the new material for the Kroger blue "frame". #6.e., we discussed the potential to reduce the width of certain parking spaces, most likely ...

Dave Campbell – To reinstate a physical landscape island separating the fuel center from the parking.

Chairperson Parel – And it would be our preference that the spaces that are affected and shrunk are the spaces that most likely would be utilized by employees. Then, we had an addition, #8 regarding an acceptable branding plan for the three existing Krogers. Dave, my opinion is that we should focus on this Kroger.

Dave Campbell – The genesis of this is the Pontiac Trail and Beck store. So yes, I would say for the three existing Krogers in Commerce Township.

Chairperson Parel – The note is that the developer is kindly offering this to us, as opposed to a requirement.

Dave Campbell – Yes.

Chairperson Parel – Are you okay with that? Kroger is offering to clean these up?

Spencer Schafer – I'll defer to your attorney, but if he wants to put that into the PUD agreement, we will figure it out.

Dave Campbell – Everybody's hearts are in the right place. It all comes down to emergency response to make sure we don't have ambulances and fire trucks going to the wrong store.

Chairperson Parel – Then #9 would be an acceptable door operation plan, administratively approved by the Planning Department, in conjunction with the Fire Marshal, which will allow for acceptable emergency egress during hours in which certain doors may be ...

Loskill – I'm a little confused because that should be a simple operation. All you have to do is have a sensor on the inside of the door that would unlock the door if somebody approached from the inside.

Dave Campbell – I want to agree with you, yes. That is how it should work, but how simple it is ...

Loskill – It's very simple. It's a matter of if you've got an electronic lock on the door, you have a sensor on the inside that reads when someone is approaching that door and will open it so people cannot get locked in.

Chairperson Parel – It's a one-way sensor.

Dave Campbell – Again, it's a public safety concern. They are designed to be able to push open, but not everybody recognizes that, certainly not in a panic. The idea is that they would still open automatically, based on motion, from the inside.

Chairperson Parel – Dave, I know we talked about this earlier. You mentioned about the fire code earlier. I know the fire code is updated, but it's a statewide fire code?

Dave Campbell – It's the International Fire Code (IFC) which we as a Township adopt whatever the most recent one is.

Chairperson Parel – Does our Fire Marshal have the ability to say I want this to go above and beyond?

Dave Campbell – I honestly don't know the answer. That feels like a legal question.

Loskill – Does our Fire Marshal use the IFC by ICC, or is he using FPA?

Dave Campbell – FPA I believe.

Chairperson Parel – This makes sense. It's a safety issue and we're going to work together to resolve it.

Spencer Schafer – We understand what the intention is.

Chairperson Parel – And for Kroger, we understand their intentions. They're closing a door, and they don't want to man or staff the door. But I've heard they will stack shopping carts in front of the door. That's a problem because then people really can't exit.

Dave Campbell – We've heard urban legends of that. Whether it happened at a Commerce store or not, I don't know, but that absolutely is a fire code violation. That's egregious.

Chairperson Parel – We're not saying they're doing that, but I think this will resolve that. Is there anything else that you want added to this?

Spencer Schafer – No, but I will say #6.b. about the gas signage.

Chairperson Parel – Two things are in #6.b., updated freestanding signage with new cap at the top, and the second piece is we will have some type of scrolling, non-digital gas price signage.

McCanham – Can't you just say non-digital?

Chairperson Parel – That's an easier way to say it. With that, Dave, any opposition if somebody would care to make a motion?

Dave Campbell – Not from me.

MOTION by Loskill, supported by McCanham, to approve Item PSP25-05, the proposal by Steven & Spencer Schafer of Schafer Development, in partnership with The Kroger Company of Michigan, for a new 102,000 square foot Kroger store with fuel center on a 19.6-acre site within the Midtown on Haggerty PUD, located on the west side of Haggerty Road north of 14 Mile Road. The request is for final PUD site plan approval in accordance with the amended PUD Development Agreement and Development Plan.

PIN#17-36-400-035

Move to approve PSP#25-05, a PUD site plan application by The Kroger Co. of Michigan in partnership with Schafer Development for a new 102,293 square foot Kroger store with fuel center on a 19.6-acre site within the Midtown on Haggerty PUD on the west side of Haggerty Road north of 14 Mile Road.

The Planning Commission's PUD site plan approval for the Kroger facility is based upon the following findings:

1. The PUD site plan is consistent with the amended PUD for Midtown on Haggerty including the PUD agreement the PUD development plan, approved by the Commerce Township Board of Trustees on May 13, 2025, subsequent to a recommendation of approval by the Planning Commission on April 7, 2025;
2. The PUD site plan complies with the applicable requirements of Article 35 (Site Plan Review) of the Zoning Ordinance, and incorporates the comments received from the Planning Commission as part of their review of the PUD concept plan during the April 7, 2025, meeting;
3. The PUD site plan for Kroger includes improvements consistent with the recognizable public benefits of Midtown's amended PUD, specifically off-site sidewalks along the north side of 14 Mile Road;
4. The PUD site plan's signage plan shall be the basis for the review by the Building Department of all Sign Permits for Kroger, including wall signs, freestanding signs, and directional signs.

PUD site plan approval is conditional upon the discussions herein, and as follows:

1. Confirmation by the Township Attorney that the amended PUD agreement for Midtown on Haggerty is complete and in a recordable form;
2. Review and approval of engineered construction plans by the Township Engineer, Fire Marshal, Building Department, and the applicable departments of Oakland County and the State of Michigan;
3. All required reviews and approvals obtained through the Road Commission for Oakland County for any work in the right-of-way, including but not limited to the new traffic signal and proposed sidewalks both discussed above;
4. Signs to be reviewed and approved under a separate Sign Permit by the Building Department subject to the requirements of the PUD Development Agreement and the PUD site plan's signage plan;
5. The new traffic signal at Haggerty Road and Midtown's primary driveway to be installed & operational, along with all other required road improvements at both the main entrance and Springvale Road, prior to the issuance of a certificate of occupancy for Kroger;
6. Administrative approval of the following revisions to the PUD site plan:
 - a. A detailed outdoor storage/display/sales area plan, for the front of the store and for the fuel center, to include seasonal duration, types of materials, and to address any comments from the Planning Commission as discussed herein;
 - b. An updated signage plan to reflect scrolling, non-digital gas price signage, and the updated freestanding sign with cap;
 - c. Revisions as directed herein by the Planning Commission to create safer physical separation between the traffic entering & exiting Kroger's fuel center and the parking lot of the Kroger store;
 - d. Consideration of new materials for the Kroger blue band or "frame"; looking at an alternate material to EIFS;
 - e. Allowing them to decrease the width of a certain number of parking spaces to accommodate reinstating the physical landscape island to provide separation between the fuel center and store parking spaces, and with smaller spaces to primarily be utilized for employee parking;

7. Recording of all necessary easements for the future construction of sidewalks along Kroger-owned property fronting upon 14 Mile and Haggerty Roads per the PUD agreement;
8. An acceptable branding plan for the three Commerce Township Kroger stores to improve identification for emergency responders;
9. An acceptable door operation plan, to be approved administratively and in conjunction with the Fire Marshal, to ensure that the doors are in compliance with the fire code at all times; allowing for a sensor that permits emergency egress.

MOTION CARRIED UNANIMOUSLY

Spencer Schafer – Thank you, everybody. We've made some long strides. Look forward to resolving this in short order and hopefully getting started.

Dave Campbell – So when is that? Is that a Garret question?

Spencer Schafer – I think the goal is as soon as possible, and it depends heavily on engineering, permitting and such. There's probably some work that can begin onsite sooner rather than later, but I think Kroger will be careful until we get through permitting items with the County. Dave, probably a conversation for after this meeting is are you guys now reviewing water and sanitary in-house, or is that still at the County level?

Dave Campbell – We are making that transition. It's going to take a little while.

Spencer Schafer – Okay, so it's likely still going to be the County.

Dave Campbell – I don't know. We're still working on the transition plan.

Spencer Schafer – That's fair. We'll talk about it offline.

Dave Campbell – Garrett, one last question for you. Is this something where Kroger gets 10 of these approved, but only builds 5 of them, or is this one really going to get built?

Garrett Foley – It's going to get built.

Dave Campbell – We didn't go through all of this ...

Garrett Foley – Our intention is to build it as fast as we can. Ideally, we want this open in 2026.

Discussion continued regarding the construction timeline and potential opening for the new Kroger.

J: OTHER MATTERS TO COME BEFORE THE COMMISSION:

None.

K: PLANNING DIRECTOR'S REPORT

NEXT REGULAR MEETING DATE: MONDAY, OCTOBER 6, 2025, AT 7:00PM.

Dave Campbell – Potentially at our next meeting; 1200 Benstein is an existing light industrial building on the east side of Benstein Road. Proscape, who is a landscaping company that has been around the Township for quite a while, they bought that building

and they want that to be their new center of operations. Because they are a landscape company, they're going to want to do a lot of outdoor storage, primarily of living material, and also equipment. But, because it's outdoor storage, they need Special Land Use approval. The site is directly south of the Benstein Crossing residential development. Those folks will certainly come to the meeting and make their opinions known about outdoor storage. Noticing requirements have to be met per State law for a Special Land Use request. They indicated they want the site to be a showcase with a cool pond and examples of their work.

Dave Campbell (to members in the audience) – I think you folks are probably here for Commerce and Carey? Okay, so nothing formal on that. We are hearing from the developer, and they are saying it is something they want to move forward with. We don't know what they're proposing yet. It will certainly be some form of single-family residential, but how many units it is and where they would take access is still to be determined. They want to get a meeting scheduled with Township staff sometime soon and I'm assuming they will come in with a concept of what they have in mind.

Chairperson Parel – And if these folks wanted to find out next steps in regard to that, it would be when that petitioner ...

Dave Campbell – If they've got a concept plan ready, I'm assuming we would pull a meeting together about coming to the Planning Commission with a concept for your October 6th meeting.

Chairperson Parel – That would be a conceptual where they can come in and it will be an informal conversation.

Dave Campbell – Yes, it would be non-binding. They're not promising anything. You're not promising anything. It's an opportunity to get familiar with the project. Again, I'm speculating. They might not be ready to do that yet.

Now Paula mentioned the Enclave. That's the gravel pit. They would have to get through the Township Board tomorrow night, but I have a hard time believing they would be back in front of you with their PUD site plan in October.

Chairperson Parel – And at the PUD site plan is when we would address the potential for the nonmotorized trail?

Dave Campbell – The connection to Lake Sherwood? Yes, that would be an opportunity to do so.

McCanham – And their new rain garden.

Discussion took place regarding property sales and potential developments in the Commerce Village. Chairperson Parel inquired with Dave Campbell regarding the Village Overlay, architectural requirements, incentives and any necessary potential updates to the Overlay. McCanham asked if the Village should be a historical district, and discussion continued regarding designation qualifications and issues that arise. The historical markers for Byers Farm and Mill Race Park were also discussed.

L: ADJOURNMENT

MOTION by Loskill, supported by Bearer, to adjourn the meeting at 9:17pm.

MOTION CARRIED UNANIMOUSLY

Joe Loskill, Secretary