

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

Monday, July 6, 2026
2009 Township Drive
Commerce Township, Michigan 48390

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

ROLL CALL: Present:

Brian Parel, Chairperson
Brian Winkler, Vice Chairperson
Joe Loskill, Secretary
George Weber
Brady Phillips
Caitlin Bearer
Mickey McCanham

Also Present:

Dave Campbell, Township Planning Director
Paula Lankford, Senior Planner
Bethany Miller, Associate Planner

B. APPROVAL OF AGENDA

MOTION by Loskill, supported by Phillips, to approve the Planning Commission Regular Meeting Agenda of July 6, 2026.

MOTION CARRIED UNANIMOUSLY

C. APPROVAL OF MINUTES

MOTION by Winkler, supported by Loskill, to approve the Planning Commission Regular Meeting Minutes of June 1, 2026, as written.

MOTION CARRIED UNANIMOUSLY

D. UPDATE OF ACTIVITIES

Caitlin Bearer – Zoning Board of Appeals

- No updates.
- We have not had a meeting, and our July meeting has not happened yet.

Dave Campbell – The ZBA meeting is on July 23rd and it's for a fence along the lakeside of a property.

Brian Winkler – Downtown Development Authority

- I have a summary from the June 16th DDA meeting.
- Insite Commercial Report: Regarding 5 & Main;
 - A meeting with the potential gourmet market entity that took place at the ICSC convention in May reportedly went very well. This is anticipated to be a lease tenant.
 - Engineering plans for the shopette have been submitted to the Township for review, and the project is currently out for construction bids.
- Finance Committee; Treasurer Phillips noted that Walmart is appealing their taxable values for 2024, 2025 and 2026. The Township is challenging the claims. This could be a substantial hit to the DDA's projected tax capture if Walmart is successful.
- Public Relations; Jose Mirkin reported that 4,139 people visited the Commerce Township Library during the K-12 Student Art Show last month, with 1,206 attending on the day of the reception for the Art Show. Great job by Jose.

- A resolution was presented to retiring Treasurer, Molly Phillips, thanking her for 11 years of service to the Township.

Chairperson Parel – Dave, typically we go to Jay for Building updates. Any report?

Dave Campbell – He asked if we needed him at tonight's meeting. I gave him the night off. He did not mention anything beyond what's in your standard report.

Chairperson Parel – Thank you. And last but not least, George.

George Weber – Township Board of Trustees

- We've had two Township Board meetings since our last Planning Commission meeting, on June 9th and June 17th.
- At the meeting on June 9th, we had a presentation and review and discussion with Plante Moran.
 - The Township hires Plante Moran to do an independent financial audit. This is not just related to the finances of the Township, but also internal controls and overall fund management.
 - By far, a great credit to Treasurer Phillips and to the Finance staff within the Township; it's by far the best audit, at least in my tenure here, that we've had. No comments at all on any control deficiencies, and all of our fund balances are well within standards.
 - The bottom line is that the Township is being fiscally conservative. We have funds in place, and our debt is on track to be repaid accordingly. So, a great audit.
- We approved a roll resolution for Island Club Paving; it's an SAD for Island Club, which is located at Oakley Park and Benstein. They've had a lot of challenges in the last several years and had to have their sewer system repaired so that it could be decommissioned and basically turned over to the Township. The Township said we would be happy to take over the system, but only once it was repaired and in proper working condition. And on top of that, they needed to have their roads repaired. We've approved that and are moving forward.
- For the August 4th election, there will be a temporary polling location. If you're affected, you'll receive a notice that you will be moving to the Library. I think it's Oakley Park school that is having repairs done, and so that will not be a voting station for the August 4th primary.
- I think the only other item of note was that the Hayes Creek Pump Station is being retrofitted. It's the pump station near Byers Farm. People that have lived there for years stated that we have been periodically getting backup sewer smells from that pump station. We've been progressing through the repair cycle, trying to do the least costly to the most costly repairs. We have now moved into the most costly phase. We will be putting in a filter and fan system to create a negative pressure to keep the sulfur smells from permeating up in that area.
- Finally, and maybe most importantly, we held an interview process to replace Treasurer Phillips. Molly gave us her intention to retire many months ago, and on June 17th, we conducted interviews. It turned out to be one interview because the other two candidates withdrew. We selected Katelyn Massey as the appointed Treasurer to fulfill the rest of Molly's term, which will end in approximately 2½ years.

E. 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.

Chairperson Parel – This evening, we do not have a public hearing scheduled. This would be an opportunity for anyone in the audience to come up and speak, if there's anything on the docket, or outside of the docket, that you would like to speak to, we would welcome you up. A couple ground rules; first, make sure the microphone is on. State your name and address if you could. The theme here is, let's be respectful and let's try to keep it to two minutes for everybody.

Dave Campbell – If I may, Mr. Chair, I would like to remind all of you, and everybody in the audience. We do not have a Recording Secretary this evening as she is not feeling well. So, it is especially important that everybody speak loudly and clearly into the microphones, and to avoid anyone talking over each other, or catcalling from the audience, whatever it might be, for the sake of the Recording Secretary, and for the sake of making sure that we get good minutes transcribed for this meeting.

Chairperson Parel – I would also add that we hear all the comments. There's no need to repeat them. We may not respond, or we may not have time to respond. We hear you and we take your comments into account.

Victoria Loemker, 1941 Four Oaks, Commerce Township – Just commenting on Wingate Preserve. I've had a chance to look at the revised plan. I believe the developer has done his due diligence. He has reduced the amount of lots. A couple of comments I just wanted to add. At the Carey Road entrance; if there was a possibility to either put a permanent speed bump in there, or a wildlife culvert to allow that continuum, that wildlife connection to the wetlands that are just to the south of that proposed drive. And my second item, this is maybe a little premature, is in the covenants and restrictions; if dark sky friendly exterior lighting, both on the fronts and backs of the houses, could be incorporated into that as a requirement so there's no glaring lights or floodlights. That's it. I support the development and the rezoning. Thank you.

Chairperson Parel – Thank you very much. Dave, there were a couple emails. Do we want to read those into the public record?

Dave Campbell – No one who sent those emails specifically requested that. They just wanted to let their thoughts be heard by the Planning Commission, so we forwarded them onto you.

Ray Golota, 1595 Vanstone Drive, Commerce Township – This is just a public service announcement. About two months ago, George Weber made reference to a couple House bills that could affect the zoning of Commerce Township. Currently, there is a House bill that has already been passed in the House. It's House Bills 5872 to 5880. This affects all of us here. What it would do is to remove the increase in property taxes when a house transfers to the new owner. Just to give you an idea of why I think it's so important; my neighbor who is across from me, his house was a taxable value in 2026

of say \$150,000. His summer taxes were \$2900. He sold that house. The new owner is assessed at \$360,000 and their summer tax is close to \$7000. It's almost a \$4000 increase just by selling the house. I really believe, if this passes through, it would open up a lot of people selling their house. I'll give you a prime example. If I sold my house and downsized, I would pay more taxes on the downsized house than my current house. I just wanted everybody to call your State Senator and push like hell to get this passed. Thank you.

Chairperson Parel – Thank you, sir.

Steve Hartwig, 5261 Bridge Trail West, Commerce Township – I live in Bridge Pointe. I have not had a chance to see the revisions since the last meeting, so maybe this has been addressed, but I wanted to strongly ask that the connection road into Bridge Pointe not be completed and be kept as pedestrian only. That was the one thing, because I think we're just creating another cut-through. We had a lot of people from Juniper, Cooley and Turnberry at the last meeting. I hope that had been addressed. I hope to see the new map tonight. I don't know if we will return to comments after that.

Chairperson Parel – I don't know about comments, but we will take a look at it for sure.

Steve Hartwig – Okay, thank you.

Dave Campbell – Just as a reminder, this potentially is the one and only opportunity for public comment. In other words, there is not going to be another public hearing this evening. We did that back in June. So, this is your public comment opportunity right now.

Chairperson Parel – Thank you, Dave. Is there anyone else in the audience that would like an opportunity to come up and speak on any matter? Hearing none, we will close that discussion.

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

F. TABLED ITEMS

ITEM F.1. PCZ#26-02 – WINGATE PRESERVE – CONDITIONAL REZONING

Conditional Rezoning Petition for two parcels totaling approx. 75-acres. Proposed to be conditionally rezoned from R-1A (Large Lot One Family Residential) to R-1D (One Family Residential) on the north side of Commerce Road, east side of Carey Road. PIN#'s: 17-04-300-066 and 17-04-300-068

MOTION by Loskill, supported by Phillips, to remove Item PCZ#26-02 from the table.

MOTION CARRIED UNANIMOUSLY

Dave Campbell – At our June 1st meeting, it was the Planning Commission's first opportunity to formally consider the project upon the 75 currently undeveloped acres at the northeast corner of Commerce and Carey Roads. What's being proposed is a Conditional Rezoning. Both of the properties involved are currently zoned R-1A and the

prospective developer proposes to conditionally rezone the properties to R-1D in order to develop the properties with single-family homes.

What the Planning Commission saw at the June 1st meeting, when we did have a very well-attended, and very well-participated in public hearing, was a proposal for 168 single-family dwelling units upon the 75 combined acres of the two properties involved in the project. There was a lot of discussion at that meeting. With the number of units being proposed, the size of the units being proposed, the traffic that would be generated by the development, and the impacts to existing environmental features and impacts to neighboring properties and so forth. The developer, to their credit, took all of those comments, concerns and questions into account and revised their plan with what is before you this evening, which is a project that's comparable in its layout, but with some very significant changes.

As summarized in the Planning Department's review letter that the Planning Commission received in your packet, the number of dwelling units proposed has been reduced from 168 to 148. So that's a 12% reduction in the number of new homes that are being proposed. That reduces the density across those 75 acres from 2.24 units per acre to a little bit less than two, or 1.97 units per gross acre. That's a significant number because within the Township Master Plan, the property is designated rural residential with an envisioned density of 2 or less units per acre. So, they're just under that 2 with 1.97 units per gross acre.

They've reduced the number of lots that are 60-feet wide and increased the number of lots that are 70-feet wide. The 60-foot lots went from 101 on the plan that we saw back in June to now down to 34, and the number 70-foot lots went from 67 up to 114, for a new grand total of 148. What was also achieved by reducing the number of units is an increase in the amount of preserved green space, which went from a little under 23 acres to about 25½ acres. So that's an increase from 31 to 34% of the combined 75 acres.

The other change that was made, and I know the gentleman asked this question specifically, so if we look at the northeast corner of the development, what they're showing on their Conditional Rezoning plan is a nonmotorized pedestrian connection between the Bridge Pointe neighborhood and the proposed new neighborhood, named Wingate Preserve. This was never specifically addressed with the Planning Commission at our meeting back in June, so this might still be open for discussion of whether this should be a full-access vehicular connection, or whether it should be a nonmotorized connection. Hopefully that's something that could be discussed this evening if this project is to move forward.

Other than those changes in the proposed number of units, the size of the lots and the increase in the amount of greenspace and open space, the project is relatively unchanged relative to the access points; one on the east side of Carey Road, one on the north side of Commerce Road. The general internal street layout is very comparable to what we saw back in June, but again the number of units has been reduced and the size of most of the units has been increased.

So procedurally, because this is a Conditional Rezoning, the Planning Commission is required to hold a public hearing, which we did at the June 1st meeting. The Planning Commission, if you are prepared to do so, offers a formal recommendation to the Township Board, and then the Township Board has the authority to approve or deny the Conditional Rezoning, based in large part on the recommendation that they received from the Planning Commission. From a timeline perspective, if the Planning Commission were prepared to make a formal recommendation this evening, whether it

be a recommendation to approve or deny, if the Planning Commission is prepared to do that, then from a timeline perspective, this could go in front of the Township Board a week from tomorrow, for the Township Board meeting on July 14th, along with this Conditional Rezoning plan, which is what we have up on the big screen.

There is also a Conditional Rezoning Agreement that has been drafted by the Township Attorney and has been vetted by the petitioner's legal team. That agreement is mostly unchanged from what we saw back in June, other than making changes within that agreement to reduce the number of units and increase the amount of greenspace. Otherwise, the conditions being offered and the legalese within the Conditional Rezoning Agreement is unchanged.

I know the petitioner's team, led by Mr. Kassab is here to reintroduce himself, or introduce his team and the project, and go over some of the changes and updates since what you saw in June. So, I'll turn it over to Mr. Kassab, unless the Planning Commission has any questions for me before we do that.

Mr. Kassab – Good evening. Mark Kassab on behalf of Commerce Carey LLC and Commerce Carey East LLC, 31550 Northwestern Hwy, Ste 220, Farmington Hills, MI 48334. This is a very similar slide show to what the Planning Commission has already seen, and I recognize there are some new residents here, so if I may, I'll just go quickly through the slideshow and cover some of the changes that have been made to it.

A little bit of background on us and our partner, MJC Homes; both organizations have been in this Township for close to 35 years, and the companies have been around for well over 50 years based in southeastern Michigan.

Property details; As Dave pointed out, the property is approximately 77 gross acres with the right-of-way and so forth. The current zoning is R-1A, 20,000 square foot lots. The Master Plan that was adopted by the Township in 2023 calls for the vast majority of the parcels to be single-family, with the corner recognized as neighborhood commercial, which we will get into. There's a clip out of the Township's Master Plan as you can see right about here. There's the corner right here on the commercial and everything else is zoned residential.

So again, the Master Plan designation, by right, allows 122 lots. That's the parallel plan for the current land use. If the property were to get rezoned on the hard corner, it would accommodate approximately 75,000 square feet. If there were a combination plan, which is probably most likely, it would have approximately 75,000 square feet of retail and approximately 100 single-family lots.

This is a parallel plan showing the single-family and the multi-family again, with 100 foot lots in the back, and approximately 75,000 conceptual retail. We have not discussed this with any retail users. This is just from a conceptual standpoint, if the property were to get rezoned consistent with the Master Plan, and what the property could achieve based on the hard corner, and leaving the back as the current zoning of R-1A.

This is what is called a parallel plan; this is zoning by right. Certainly the Planning Commission recognizes, if the developer so chose, we can come to the Township, apply for permits and achieve 122 single-family lots.

As you can see, pay attention to the north boundary right here, there's approximately 26 lots, a small retention pond to the east, a connection road into Bridge Pointe. The entrances don't change much coming in. There are some impacts to the wetlands that would be mitigated through EGLE.

As stated last time, we had a couple neighborhood meetings, which I think were very beneficial, not only to us, but to the residents. I met with them in February and in March.

Further, those meetings had a number of discussions with some of the residents and we've quite frankly received some valuable input that was incorporated within the plans that we believe have made this plan what it is today.

This was the original plan that was presented. And just to recap on why some of the changes were made, the connection to Bridge Pointe, the vehicular connection, had about a dozen or so lots backing up. One of the residents called and said, Mark, I have three lots in my backyard and it doesn't sound right. We took that into consideration and made some changes. This particular plan had 168 single-family lots consisting of 60 and 70-foot lots.

We went to another plan. This was presented at the last Planning Commission hearing. We kind of left this open for discussion, whether it be vehicular or pedestrian, and as you'll see on the next plan, that was changed to pedestrian. This can go either way based on fire requirements from a distance standpoint. So, if the Township wanted to have a vehicular connection, that certainly can be had through Bridge Pointe, however keeping it pedestrian can also be had. Again, this particular plan was 168 lots, consisting of (101) 60-foot lots, and (67) 70-foot lots.

We had some great feedback from the residents and the Township at the last hearing and we came up with this plan. This particular plan consists of 148 lots. The significant changes are as follows. We went from (101) 60-foot lots to (29) 60-foot lots, and we went from (67) 70-foot lots to (93) 70-foot lots. We added (5) 75-foot lots and also added (21) 85 to 90-foot lots. So, there's a variety of homes. Quite frankly, if you also look to the northern perimeter, there's a total of only 7 lots that back up to the neighbors. This particular neighbor literally has nobody behind them.

Dave, can you zoom in on this area? Again, some of the changes that we've accomplished, and some of the setbacks. Now we're up to 85 feet from the property line to the back of the lot line. That dimension is approximately 290 feet from the back of the home to the back of the lot line of the individual's home shown there. That's the closest home to us. If you look out the windows here, that particular home is a little over 200 feet. So, with the existing trees and greenery there, certainly nothing should be seen. I understand during the fall and winter months, you might be able to see through the woods. The entrances stay consistent to where they were, but the increase in setbacks to the north have grown from the last plan as well.

A little summary of the various changes. The initial plan was 164 lots at (98) 60-footers, (66) 70-foot lots. The plan that was presented to the Planning Commission had (101) 60-footers, (67) 70-footers. This is the plan today; 148, which is a reduction of 20 lots. Heavily decreased the 60-foot lots and heavily increased the 70-foot lots, and added about (25) 75 to 90-foot lots total.

What was interesting when I was here last time, we showed this slide showing three homes for sale across the street in the development. This is based off Zillow. When I pulled it up before I went out of town, there was one home for sale. There is a definite need for attainable housing. Certainly at 100-foot lots, these homes would probably be north of a million dollars. We're proposing these homes probably start at \$600,000. Unfortunately, that's attainable today.

Our plan is looking to preserve the wetlands. There's a regular wetland right here. This is an old watering hole for the cattle, so it's not regulated. We're not impacting any of the wetlands and they've been verified by EGLE. The traffic study as presented, as prepared by the Township and reviewed by our engineer calls for some traffic improvements, one being at the hard corner right here, which you'll see with the cut-through that we'll talk about here shortly. Traffic was a big concern, has always been a

concern, and continues to be a big concern, not only at this site but throughout the Township. Commerce Road, as we discussed last time, is an arterial road. So, 70% of the traffic that comes down Commerce Road comes from outside the Township. It's not from the neighboring residents that are driving in and out. The hard corner would be improved as well where that cut-through currently sits, where people see cars and boats for sale.

The left turn lanes would be improved along with signalization on Commerce and Carey. The south side of East Commerce Road, fronting the Preserve subdivision, would be improved. We would be installing a westbound to northbound right-turn lane at the intersection of Commerce and Carey, and acceleration and deceleration lanes at both entrances. The gravel approach at the northeast corner of Commerce and Carey would be removed and improved with lush landscaping. That parcel, quite frankly, has been sitting out of the Township's tax rolls for a long time, so we probably have to file an action for quiet title, or procure some sort of license agreement if we're able to find the owner on this parcel.

The corner, as many of you know that live there, is somewhat unsightly. I didn't bring the aerials, but if you look back, Commerce Road used to cut-through right around here. The reroute of Commerce Road back in the 80s created this little orphan parcel, privately owned, and that's what we're pursuing.

I'll talk about density for a minute. We looked at the three neighboring communities, the Preserve, Bridge Pointe and Huron Hills. The current subject, Wingate, we're proposing roughly 1.9 homes per acre. The Preserve subdivision is currently at 2.75 homes per acre. Bridge Pointe is at 2.23 units per acre, and Huron Hills is a little over 3 units per acre. So, we're well below 3, and as Dave pointed out, we're well below the Master Plan for the Township.

As part of the Conditional Rezoning Agreement, there has to be some sort of public benefit. What are we doing for the Township to try to achieve what we want to achieve within our plan? Let's go through them briefly. The acquisition of the corner, whether it's going to be an outright acquisition of the parcel, or a licensing use of the parcel is yet to be determined, but that has to be pursued and it's probably going to take months to do that.

Interconnectivity of sidewalks, and/or roads; that will be discussed through the site plan process with the Township. Landscaping along Commerce and Carey; many of you know our organization and the type of landscaping that we put in. Approximately 32% of the property is considered open space within the plan. The lots along the north property line have a separation from 40 to 83 feet from the back of the lot line. We have a 290-foot separation from the closest home in the subdivision to the north to our proposed development.

We have 7 lots that we're proposing to back up to the existing development to the north. In our parallel plan, again zoning by right, would accommodate approximately 26 lots, so we're significantly reducing any sort of impact to the north. From the rear of the lot lines to the east of the property, we're about 140 feet away with the separation gap there. We've increased setbacks from Commerce Road. All natural open space to the north and to the east will be preserved, meaning not for future use for development. We're not impacting any wetlands. Also, within the Conditional Rezoning Agreement, we've added in there that the developer, the builder, or any future homeowner can't come in and ask for any sort of variance. I think that's very important for future control. Traffic improvements, signalization as we talked about, and furthermore, through the Conditional Rezoning Agreement, there will be assurance that no commercial or rental

units will ever be built on the parcel, in addition to, there would be no Airbnb's or rentals within this property. I think many of us heard of what happened in Birmingham recently, and we want to avoid that in Commerce Township.

And again, what I thought would be important to say is to look at the side by side. I think it's important to look at a Conditional Rezoning Agreement, where the Township can put some controls in place and certainly get a benefit to the Township with some of the developer contributions that we're making to the various aspects that we've talked about. We'll just go through them one by one and recap.

Again, the density, certainly by right, it's 122 homes, so we're about 26 higher. We're about 1.9 units per acre. At 122 lots, you're at approximately 1.6 units per acre. Open space, we're preserving approximately 1/3 of the property as open space. There is no requirement for open space as it's zoning by right. The natural buffers to the north and the east would be preserved. There is no requirement, it's zoning by right. The northern setbacks have been increased from approximately 40 feet to over 83 feet in key locations. There are no setback requirements from the lot line to the back of the lot. Certainly, there are rear yard setbacks to the home, but we are talking in addition to that from the lot lines.

Separation from homes to the existing homes, we showed approximately 290 feet. That would be significantly reduced if we're abutting the property lines shown on the parallel plan. The seven homes proposed on the plan that we are proposing this evening, compared to 26 homes on the northern lot line. On the east property line, we have 125-to-140-foot separation from Bridge Pointe. There would be no setbacks to Bridge Pointe. The connection to Bridge Pointe, based on feedback, we're proposing no vehicular connection, but it would be a pathway connection. Certainly, through zoning by right, more than likely it would be required based on the linear road pattern that we had shown.

Lot reductions; predominantly 70s, 75s, 85s and 90s. The final plan included 93 lots that were over 70, and certainly zoning by right would be 100 footers. Traffic improvements; the developer would be funding any sort of traffic improvements. If it was zoning by right, we would conduct a new traffic study and we would see if those traffic improvements would still be required based on the traffic. Signalization improvements on Commerce and Carey; the turn lane, acceleration, deceleration lanes, left-turn lanes and everything we discussed would be completed as part of the Conditional Rezoning Agreement. As part of zoning by right, none of that is guaranteed if the traffic study doesn't warrant it.

Hard corner improvements; we don't own that hard corner and we have no rights to it. We are pursuing it. We are going to be looking to make enhancements to the hard corner, making it a gateway feature to that part of the Township. Certainly there would be no requirements as zoning by right.

Wetland preservation; we're not looking to impact any wetlands on the property. As many of you know, through EGLE that governs the wetlands, if there's any mitigation that's required, it can be done through credits that you buy through EGLE, or mitigating it onsite or offsite within the same water pattern.

Rental restrictions; I've been at some of the Township Board meetings and I know there has been some discussion of setting up some rental restrictions. I'm not sure if that's ever passed, so I might be wrong on this one, but in our Conditional Rezoning Agreement, we're proposing that there are no rentals in this development. There would be no Airbnb's in this development. Again, if the Township still allows it, it would be allowed under zoning by right.

Future variances; as we discussed, we won't be seeking any, homeowners won't be seeking any, and the developer won't be seeking any. Future variances with zoning by right, a homeowner could come in and have a basketball court in their backyard, or per their lot line, do whatever they see fit.

The commercial development; again, it's Master Planned commercial. I know that was a concern to some of the residents. This removes that possibility and certainly, as an owner would have, you can attempt to rezone the property to commercial through the Township.

Parks and open space; Preserving 1/3 of it, some of it will be usable, and most of it will be preserved in its natural state. There would be no comparable amenity that's required. I think the important question is whether or not this development can accommodate 122 homes or 148 homes. I think the question is, which plan produces the better neighborhood and the greater public benefit? 148 with Conditional Rezoning preserves significantly more open space, greater setbacks from the neighboring homes, reduces the adjacent property impacts, improves the Commerce and Carey intersection, preserves the natural features, eliminates future commercial development potential, removes any sort of rental potential at this property, and furthermore, permanently binds us to these conditions through a Conditional Rezoning Agreement, all of which 122 built by right of use cannot do. That's all I have, Mr. Chairman. I'm happy to answer any questions.

Commission Comments:

McCanham – I'm pretty good at this point. There were a lot of changes compared to last time.

Weber –

- First, I appreciate what Mr. Kassab has done.
- I still have concerns on the density to a degree. My view is, I'm willing to trade density for eliminating the possibility of commercial on that corner for the better buffer that Mr. Kassab has proposed, for the increased greenspace that will be protected through the bylaw wording which will protect from potential future changes, versus what's described, and for the nonmotorized connection to the east. The number I had in my head was trading off 18 to 20 homes for those commitments, so you're close at the 148, but not quite what I'd prefer.
- Those are my comments.

Loskill – No comments from me.

Phillips – Yes, I actually have a lot of comments.

- In general, I agree that Commerce Carey LLC has made significant efforts to address the concerns expressed by the Commission and by the residents at the public hearing. I wish we could hear from all of those residents again regarding the changes that you've made, because I counted 29 people coming up to the podium to make statements, and 25 of those were negative, 4 were positive. I walked away from that meeting with a fairly negative conception of that.
- I think I tried to look at this from the perspective of all of the rezoning criteria, and then by the Conditional Rezoning.

- With respect to the Master Plan, I don't consider this consistent with the Master Plan R-1A zoning and the future land use for single-family residential on large lots. This is not what I envisioned when we did that Master Plan.
- With respect to environmental features, I do believe there's potential for an impact on wildlife based on the clustering of homes. Even though you could clear cut, you'd still end up with people with very large lots with deer running through them, and not being redirected.
- Most of the residents that spoke previously had great concerns on traffic impacts, the intensity and potential property values. But I think most of these comments really didn't take into consideration that R-1A development will probably cause the same impact.
- With respect to commercial service, Commerce already has existing constraints on its police and fire services. A lot of these are the result of the cost increases from Oakland County. We've had to reduce our level of support. But again, R-1A development would have a similar impact.
- With respect to road system capability, I know the traffic impact study made an assessment that it would be adequate with certain changes. I don't know if the residents would agree with that or not. But again, an R-1A development would have a similar impact.
- Demand for uses; I think there was one comment that talked about Kroger and it's overrun with people. And I think, again, R-1A development would still have that impact on that type of demand. Scale for future development I think is already limited.
- Isolation or incompatibilities. This is an R1-D zone that would be surrounded by R-1A properties, so I do view that as an isolation.
- With respect to Conditional Rezoning, the rezoning is to benefit public interest. I'm not sure if it does or not, again, based on comments received from residents previously.
- And then rezoning has potential impacts on public utilities, traffic and the environment. But again, I think the R-1A development would have a similar impact.
- What I am still concerned about is the future loss of R-1A property development. That every time a new developer comes in, they're going to look at R-1A and say, that doesn't work, this is a better idea. So, I'm concerned a bit about the future. I think this starts Commerce down a path of becoming another West Bloomfield or Farmington Hills, or just another large suburban development, and losing the rural culture that we were seeking.

Winkler – I like the decrease in density and everything else has been said.

Bearer –

- I have similar feelings to George.
- I was hoping for a slightly lower number, to split the difference, if not lower between 168 and 122.
- And with Brady, I struggle with the public benefit of it. I see the benefits that you've outlined being benefits to the people living within the neighborhood, but as far as the public benefit to Commerce as a whole, I'm struggling a bit.

Chairperson Parel – I'm not sure I can really add much to that. I always like to look at the alternative. In this case, the alternative potentially includes some commercial toward the corner, which I'm not a fan of. Kudos to the developer for working with us and taking in the comments from folks in this room, and the folks surrounding in our community. I think you've really knocked it out of the park to make this the best that I think it could be. I'm not sure in your eyes, but maybe it doesn't become economically viable with less homes, which I understand. That said, I'm not sure I have any more comments. This has been a tough one.

Mr. Kassab – Mr. Chair, could I respond to some of the comments?

Chairperson Parel – Yes.

Mr. Kassab – All great feedback and certainly recognizing the economics shouldn't have a play, but as in politics, it all comes down to money, right? So, to be very candid and frank with the Township, and take it for what you would. We acquired these parcels in two separate acquisitions. Everything to the west roughly at this line was acquired approximately 20 years ago, so roughly 2006. Believe it or not, we paid as much for this 20 years ago as we did for this a year and a half ago. Different times, different days, different age. So, there is an economic balance that we have to try to meet as well. But certainly, it shouldn't have any sort of play within the zoning or the use that we're proposing this evening.

To Brady, I'd like to comment on the Master Plan. One of the conditions that we looked at is what the Master Plan would allow, and it would allow 2 units per acre. That's what we really aimed for, roughly 2 units per acre, and being under 2 units per acre was critical for us because it would be consistent with the Master Plan that was adopted 2 or 3 years ago.

I've had a lot of communications with a lot of the residents. One of the residents that's here, she should be in every community and every development that's coming up, because she's a rockstar at communicating with some of her neighbors. So, the day I sent this over to Mr. Campbell, I sent it over to this resident, that may or may not want to be identified in public here, but out of the 25 residents that I believe spoke opposed, I probably spoke to a dozen of them afterwards to address their concerns. Many of them were adjacent to us, some were across the street, and some were just basic questions. One that is here this evening had some great points about the dark sky. I think that's great, but that would come later at site plan meeting. What we'd like to do is maybe move this to the Township Board level through a vote this evening, and work out some of those details. And certainly, at the Township Board, as we all know, this is a recommending body to the Township Board, we can address if there are any additional lots that needed to be removed, but it would be very difficult to bring it down to that 122 level. We did bring it down 20 lots, but it's quite frankly, an economic play while achieving some of the benefits that we're all seeking here this evening from a setback, open space, connectivity or lack of connectivity up in this part of the plan.

Chairperson Parel – I appreciate that. Brady, anything else?

Phillips – No.

Chairperson Parel – Yes, it's a good point that this is a recommending body and there will be an opportunity for you to speak again, potentially in a week.

Dave Campbell – If the Planning Commission is ready to make a recommendation this evening, then yes, this could potentially go to the Township Board as soon as July 14th, which is next week Tuesday.

One of the questions, if this were to advance to the Township Board, any opinions from the Planning Commission regarding the connection to the neighborhood to the east, which is Bridge Pointe? We've talked about whether that should be a full-access vehicular connection, or whether it should be a nonmotorized pathway. One of the options that's not on the table is for it to be a gated emergency-only connection. Our Fire Department no longer wants to be in the business of emergency connections, so it would either be a full-access vehicular public road connection, or it would be a nonmotorized pathway connection. And I'm just curious what the opinions of the Planning Commission members might be. It's one of these that you can argue it either way. There's certainly benefits to looking at it either way, and we can go through those arguments if you want, but I wanted to see if the Planning Commission has any strong opinions.

Weber – Just for clarification, the two entrances they're proposing now, off of Carey and off of Commerce, meet the fire standards.

Dave Campbell – That's correct. The Fire Department and the Fire Marshal looked at this and with the two points of access, they've determined that it meets the International Fire Code, so they are not requiring a third point of access. So, if we were to look at it, it would be more from a good planning perspective and thinking of things like school buses, garbage trucks, snowplows and postal delivery. You know, we'd be looking at it from that perspective.

Weber – I'll start off. My personal view is that I think we can achieve everything you've just described, in terms of garbage trucks and snowplows, with something similar with fewer homes on it than Mr. Kassab has presented. I think that having the road extended into this development is going to invite a lot of cut-through traffic from people heading south on Carey wanting to bypass the traffic signal, and the same thing with rush hour traffic going back, people heading north on Carey. As traffic gets backed up, it's an opportunity to cut-through. So, I think if it meets the safety standards and the Fire Code, my view is the nonmotorized connection, that would be my preference.

Chairperson Parel – Does anyone have a different opinion?

Phillips – No, I'm an advocate for that.

Chairperson Parel – Okay, so we've resolved one thing.

Dave Campbell – That's always a good thing.

Chairperson Parel – If we are ready for a vote, Dave, would you recommend a roll call in this situation?

Dave Campbell – Especially since we don't have a recording secretary here this evening, yes, I would.

Chairperson Parel – Okay. Any other comments before we do so? Would anyone care to make a motion?

MOTION by Winkler, supported by Loskill, that the Planning Commission recommends approval, to the Commerce Township Board of Trustees, of Item PCZ#26-02, a Conditional Rezoning petition by Commerce Carey LLC (Mark Kassab et al) for Wingate Preserve, a single-family residential site condominium of up to 148 dwelling units upon two adjacent parcels totaling approx. 75 acres on the north side of E. Commerce Road, east side of Carey Road. Both properties would be conditionally rezoned from R-1A (One Family Residential) to R-1D (One Family Residential). The Planning Commission's recommendation is based on a finding that the Conditional Rezoning petition meets the applicable criteria within Articles 3 and 36 of the Township's Zoning Ordinance, is consistent with the intent of the Commerce Township Master Plan, and will result in a land use compatible with the single-family residential neighborhoods surrounding it. The Planning Commission offers their recommendation with the expectation that the project will return to the Planning Commission for consideration of approval of a condominium site plan that demonstrates compliance with all applicable standards of the Zoning Ordinance and with the approved Conditional Rezoning plan.

This recommendation of approval is conditional upon the following:

1. The applicant enter into a Conditional Rezoning Agreement with conditions volunteered by the applicant and acceptable to the Planning Commission and Township Board, including any revisions required by the Planning Commission and/or Township Board during their respective reviews, and the executed Conditional Rezoning Agreement be recorded with the Oakland County Register of Deeds prior to any formal consideration by the Planning Commission of the condominium site plan;
2. The applicant shall apply for approval by the Planning Commission and Township Board of a condominium site plan and master deed consistent with the terms of the Conditional Rezoning Agreement and with the standards and procedures of Article 37 (Condominium Regulations) of the Township's Zoning Ordinance;
3. Any public road improvements committed to within the Conditional Rezoning Agreement and/or recommended by the Township's Traffic Engineer in their review of the petitioner's traffic impact study shall be:
 - a. Reviewed and approved by the Road Commission for Oakland County (RCOC)
 - b. Shown on a forthcoming condominium site plan.
4. The project will not connect to the road adjacent to the east, and instead, there will be a nonmotorized pathway connection to the Bridge Pointe subdivision.

ROLL CALL VOTE:

AYES: Winkler, Loskill, Bearer, Parel

NAYS: Phillips, Weber, McCanham

MOTION CARRIED (4-3)

Mr. Kassab – Thank you, Mr. Chairman. As this has been, it will continue to be a work in process. We look forward to taking some of the feedback, speaking with additional neighbors, and maybe some of the Township Board members until we find a plan that everybody is proud of.

Chairperson Parel – We do appreciate it.

Weber – Congratulations on Step #1.

Dave Campbell – So again, especially for the folks in the audience, this has the potential to be at the Township Board next week Tuesday for their consideration of final approval of the Conditional Rezoning. If the Board does approve the Conditional Rezoning, then they move onto the condominium site plan step of the process, which means they would come back with a site plan very comparable to this one, but with a lot more detail with respect to engineering, landscaping and so forth.

Chairperson Parel – We're grateful for everybody that came out and gave their opinion, and worked with the developer. Thank you. Feel free if you want to take off if you don't want to stay for the other two items on the agenda. We appreciate your participation.

G. OLD BUSINESS

None.

H. SCHEDULED PUBLIC HEARINGS

None.

I. NEW BUSINESS

ITEM I.1. PSP26-05 – NORTHERN POINTE (fka Bogie Lake Residential) – CONDOMINIUM SITE PLAN

Bogie Lake Holdings LLC of Walled Lake, MI is requesting Condominium Site Plan approval of a proposed single-family development of 46 new homes to be located on the south side of Bogie Lake Road between Walled Lake Northern High School and the Westlake Health Campus.

PIN#'s: 17-03-100-010, 17-03-100-004, 17-03-100-019, 17-03-100-020, 17-03-100-021, 17-03-100-022, & 17-03-100-024

Dave Campbell – This is a project that the Planning Commission has had multiple meetings on when it went through its own Conditional Rezoning review and approval process. Most recently this project came before the Planning Commission back at our meeting on February 2nd, where it got a recommendation of approval for a Conditional Rezoning for the seven properties that comprise the proposed project site. It took a couple of months because of some scheduling issues to get to the Township Board. The Township Board had some absences at their March and April meetings, and by state law for a rezoning to be approved by the Township Board, it has to be approved by a majority of the full board, not just a majority of the members present. So, when the Board had some meetings in March and April where I think they had 5 or 6 members present, the math was such that it didn't proceed to the Township Board until the May 12th meeting, when all 7 trustees were there, where the Board approved the Conditional Rezoning for the project that has since been named Northern Pointe. Up to that point, we were calling it Bogie Lake Residential. The petitioner is Jim Maher, with assistance from the Umlor Group.

Just to remind everyone, this is on the south side of Bogie Lake Road, the stretch of Bogie Lake Road that runs east to west. It is bookended on its west side by the Walled Lake Northern High School campus, and also bookended on its south side by Walled

Lake Northern, and then to its east side by the Westlake Assisted Living Health Campus.

What was conditionally approved per the Conditional Rezoning Agreement by the Planning Commission and the Township Board was a site condominium of 46 new homes on the south side of Bogie Lake Road. A lot of the discussion focused on the fact that the property would have one point of access along the south side of Bogie Lake Road, and because it would only have one point of access, per International Fire Code, this project will be somewhat unique in that every house within the development will be fire suppressed. That is compliant with the International Fire Code which says that anytime you have a residential neighborhood of 30 or more homes, there would either have to be two points of access, or every house has to be fire suppressed. The way this property is configured, only one point of access could be achieved consistent with the Fire Code, and so all 46 proposed homes would have their own fire suppression system.

As part of the Conditional Rezoning, properties were rezoned from a collection of R-1A zoning, but also R-2 duplex zoning, to one consistent zoning district with all 7 properties combined under one zoning, which would be R-1D, resulting in the 46 lots that are being proposed. The development would have a dedicated dog park here in this panhandle that's kind of jetting out toward Northern High School entrance, with its detention area up in the northeast corner.

There was a Conditional Rezoning Agreement that was approved by the Township Board and recorded with Oakland County. Now that the Conditional Rezoning has been approved, the final two steps for the project would be condominium site plan approval by both the Planning Commission and Township Board. The Planning Commission typically looks at the site plan, the landscaping plan, and confirmation that we have the sidewalks and road improvements that we need, and the Township Board focuses on the content of the proposed master deed and bylaws for the condominium.

So, the site plan is in front of you, and we can go to the landscape plan here in a moment. The site plan lays out exactly as it did when this was at the Conditional Rezoning plan stage of the review process. It has since had its preliminary engineering provided, and the landscape plan that I'm flipping to as we speak. We will look at those here in a moment.

There are some prospective renderings of the homes that would be developed within Northern Pointe. The landscape plan, if I can zoom in a little bit, so significant landscape plantings along the project's frontage along the south side of Bogie Lake Road, around the perimeter of the detention ponds, around the easterly perimeter adjacent to the Westlake campus, along the south adjacent to the one of the two driveways into the high school, and then with the street trees, two street trees per lot within the internal roadway network.

One of the things that I hope the Planning Commission could discuss this evening is there remains an occupied home on this property here, between the proposed development and the westerly of Northern's access points. One of the questions I might ask the Planning Commission to consider is whether it would make sense to, at least where the house is, which is around there, to add some landscape plantings along this perimeter to provide a little bit more of a green buffer from the proposed houses at the end of this cul-de-sac, and the existing house here. Whether that's adding new plantings or whether that's maybe just redistributing some of the plantings along the east side. That's something I hope the Planning Commission could discuss.

The review letter from the Planning Department noted a number of comments from the Township Attorney relative to the Master Deed. The developer has since made the revisions to the Master Deed that the Township Attorney is recommending. Those revisions will go back to the Attorney just to confirm it has everything in it that he needs. A couple key provisions that the Planning Commission typically wants to see, and the Township Board as well, is a prohibition on short-term rentals. The developer has volunteered, including that into the Master Deed, along with a preclusion for anyone seeking any dimensional variances for any of the future homes on these properties. So, this would hopefully prevent a builder from maximizing the building footprint and not leaving any space for an elevated deck, for example, such that someone would have to come to the Zoning Board of Appeals at a later date seeking a variance for a deck that encroaches into the rear yard.

The way that the master deed has been drafted, it kind of puts everyone on notice that everything has to be contained within the allowable building footprint. And the master deed is also to contain references to the Township's anti-monotony standards for single-family developments to try to ensure that we avoid something of a cookie cutter look of the houses within the new neighborhood. And it also includes the prohibition on vinyl siding. The homes within this development would have to have an upgraded siding material, usually the cement composite fiber cement siding material.

I think that covers everything that's relevant to the condominium site plan that the Planning Commission hasn't already looked at in some detail when you looked at this back in February at the Conditional Rezoning stage of the process. I'll take a pause here and see if there's any questions for me. Otherwise, I know Mr. Maher is here to speak on his own behalf, and so too is Steve Allen from Umlor Group.

I will mention quickly, one of the comments from the Township Engineer was that the preliminary engineering plan that I think went into your packet showed an 8-inch water main along the frontage of the project, and also looping through the project and connecting down to Walled Lake Northern High School. The developer has already agreed to, and the developer's engineer has updated the plans to reflect a 12-inch water main, which is what is required and what our Township Engineer was looking for. Between the comments of the Township Attorney and Engineer, a lot of the revisions are already in process or have been made.

Phillips – When we reviewed it early on, we talked about the possibility of a pedestrian connection from that subdivision into the high school. Is that not a possibility or undesirable for some reason?

Dave Campbell – I will let the development team speak to that. I know one of the concerns there is that you can see the slopes through here. There is a pretty decent drop-off. One of the concerns is, would they have to do some switchbacks here to make it ADA accessible. There were also questions of, is it desirable to have kind of a back door connection for high school students? I know what a knucklehead I was in high school and if I had a place where I could cut through a neighborhood, I might have done so and done knucklehead things. That might be something worth discussing, as to whether that connection makes sense. At the same time, students who live in this neighborhood who attend Walled Lake Northern, it would make sense for them to have an easy route to walk to school. You're correct we discussed it. I don't know that we came to a decision.

Phillips – Is there another sidewalk along Bogie Lake Road?

Dave Campbell – Yes, along the frontage. It's pretty clear on the landscape plan, but on some of the other versions of the site plan, it wasn't clear there was an 8-foot sidewalk, connecting to the sidewalk that already exists next door and at the Westlake campus. So, one of the conditions of approval, if the Planning Commission opts to make the motion, is that the site plan clearly shows that 8-foot sidewalk along the project's frontage on Bogie Lake Road. Then there's also 5-foot sidewalks along all of the internal roads.

Chairperson Parel – Excellent. Any other questions or comments before we invite the developer up? Welcome back.

Dave Campbell – Again, just make sure you take advantage of the microphones, please.

Steve Allen – Good evening. I appreciate you all being here tonight, Mr. Chairman and members of the Planning Commission. We're happy to be here tonight. We're very thankful for the support that this body has shown for this project to date. My name is. Steve Allen, I'm Director of Engineering for the Umlor Group. We are the civil engineer and land surveyor for the project. I'm here tonight with Mr. Jimmy Maher from Bogie Lake Holdings, Maher Construction.

Thank you, Mr. Campbell, for the thorough analysis and project introduction. I don't want to take up too much of your time tonight repeating what Dave has already so eloquently stated. I would just like to point out a few things that I'm hoping will get us a positive vote from each of you here tonight.

Foremost, you have seen this plan already. The plans that you see here tonight are in substantial conformance with the plan that this body recommended for approval for Conditional Rezoning to R-1D on February 2nd of this year, and which was subsequently approved by the Township Board of Trustees on May 12th.

The same single-family residential use, the same number of units, 46. The same lot sizes. The same open space. The same road layout. And all in accordance with the requirements of the R-1D zoning district, which is now the underlying zoning district of record.

Just to touch on something that Mr. Phillips stated about his concern about impacts on public safety. As Mr. Campbell stated, the plan before you tonight was approved for Conditional Rezoning, at least in part, with the requirement that all of the units be individually fire suppressed in accordance with the International Fire Code for developments containing more than 30 units on a single point of access. I think Mr. Campbell also pointed out that Fire Marshal Gall does not support the gated emergency access at this time, or any longer.

As already noted, this evening in discussion of the Wingate development, I think we've all seen the recent news regarding a short-term rental gone wrong elsewhere in Oakland County. So, although it hasn't been discussed with you previously, Mr. Maher has volunteered that through a provision being added to the master deed, none of the units will be allowed to be made available for short-term rentals, Airbnb's or the like. In my opinion, some very handsome houses were included with this package you're considering tonight. The master deed will contain the required anti-monotony provisions,

provisions for the exclusion of vinyl siding, and an additional provision that no variances will be allowed to be applied for on any unit.

That's about all I have to say. Again, thank you for being here tonight. We respectfully request your continued support of this project with a recommendation for approval.

Thank you.

Commission Comments:

Chairperson Parel – Thank you. Mickey?

McCanham – I got nothing.

Weber – Just maybe confirming one of Dave's comments on some additional/better screening on the northwest side. Other than that, I think everything is fine. Maybe I do have one question. This relates to Brady's question where we talked about a potential path to the high school through the dog park. What is the opportunity for a path? I don't know if there is a fence to the south of the third cul-de-sac. Is there any opportunity at the end of that cul-de-sac to have a sidewalk or path that would go onto the school property.

Steve Allen – Thank you, Mr. Weber. I think there's opportunity to extend the sidewalk from this development to the school's property; however, there's no sidewalk on the school property there right now. They would have to walk in the street to get to the school. So, that would be a point of concern.

Mr. Maher – Okay, and Mr. Weber, I can also talk on that too. We did meet with the school. They did not have a desire to connect.

Weber – I knew they didn't have a desire to connect to ...

Mr. Maher – To the sidewalk, exactly. We were willing to do that and there have been discussions on that in the past, but because they don't have sidewalks, they didn't want to have a connection with ours.

Weber – Whether you have it or not, if the kids want it, they'll find it.

Dave Campbell – From the school's perspective, this is a pretty busy stretch of road through here, and inviting pedestrians to cross through there, I can see where the school might have some safety concerns.

Weber – I will limit my comments to the screening to the west.

Loskill – Nothing from me.

Phillips – Nothing from me.

Winkler – No comment.

Bearer – Nothing.

Chairperson Parel – No comments from me. If someone would be so kind to make a motion, Dave, do we need to include #10, another condition for the upgraded landscaping buffer?

Dave Campbell – Yes, I'm trying to think if it already fits into any of the ...

Paula Lankford – Yes, it fits in with administrative review and approval of a revised site plan and landscaping, so #4.

Dave Campbell – Yes, I wonder if you could make it fit within the language that is already proposed for Item #4.

Chairperson Parel – Administratively, yes. Unless anyone disagrees, I think Dave's group has an idea of what we're trying to accomplish here.

Steve Allen – And Mr. Maher has agreed that placing some additional screening there will not be an issue.

Mr. Maher – No problem.

MOTION by Phillips, supported by Loskill, to recommend that the Commerce Township Board of Trustees approve PSP#26-05, a condominium site plan by Bogie Lake Holdings LLC (Jim Maher) for Northern Pointe, a 46-unit single-family residential condominium to be developed on approx. 14.9 acres on the south side of Bogie Lake Road. The Planning Commission's recommendation of approval is based upon a finding that the condominium site plan complies with the applicable standards of Articles 35 and 37 of the Commerce Township Zoning Ordinance, as well as the approved Conditional Rezoning agreement and Conditional Rezoning plan for Bogie Lake Residential.

The Planning Commission's recommendation of approval is subject to the following conditions:

1. Final approval of the condominium site plan and master deed and its exhibits by the Commerce Township Board of Trustees based on a recommendation of approval by the Township Attorney, with the master deed to be revised per the comments of the Township Attorney included in his review letter dated June 30, 2026;
2. Final review and approval of the master deed's Exhibit B documents by both the Township Attorney and the Township Engineer;
3. Review and approval of engineered construction plans by the Township Engineer, Fire Marshal, Building Department, and the applicable departments of the State of Michigan;
4. Review and administrative approval of a revised site plan and landscape plan that includes all "as noted" items of the respective engineering and landscape reviews of Giffels Webster, and including the upgraded screening to the west/northwest as discussed herein;
5. The final stamping sets to clearly show an 8-foot concrete frontage sidewalk along the project's Bogie Lake Road frontage;

6. Dedication to the Road Commission for Oakland County (RCOC) of a 60-foot half right-of-way along the site's frontage, consistent with the Conditional Rezoning agreement and the RCOC's Master Right-of-Way Plan;
7. The project's approach to Bogie Lake Road and the design of its acceleration/deceleration taper to be reviewed approved by the RCOC;
8. All roads within the new neighborhood to be reviewed, approved, dedicated to, and accepted by the Road Commission for Oakland County (RCOC);
9. Entrance sign and/or features to be reviewed and approved under a separate Sign Permit by the Building Department subject to the requirements of Article 30 of the Zoning Ordinance;
10. There will be no short-term rentals in the development.

MOTION CARRIED UNANIMOUSLY

Dave Campbell – As far as scheduling, as long as the recent changes to the master deed are satisfactory to the Township Attorney, this could go to the Township Board for final approval next week, Tuesday, July 14th.

Mr. Maher – Thank you, everyone, very much.

ITEM 1.2.

•OAKLEY PARK BUSINESS CAMPUS – CONCEPTUAL REVIEW

Jon Stewart with SPS Investment is requesting a conceptual review for a development of light industrial warehouse suites on two parcels located on the south side of Oakley Park east of Martin Road.

•OAKLEY PARK BUSINESS CAMPUS – USE DETERMINATION

Jon Stewart of SPS Investment is requesting a use determination for “warehouse or wholesale establishment within a wholly enclosed building” as a Special Land Use within the TLM (Technology Light Manufacturing) district.

PIN#’s 17-24-201-009 & -008

Dave Campbell – So, there's two components this evening with this particular concept plan. One is somewhat of a standard conceptual review, where you give the prospective developer your first thoughts and let them know whether this is a project that you think is viable and something they should consider pursuing, or if there are any major hurdles to be cleared, to let them be aware of that now rather than having them find out after they've invested a lot in the project.

In addition to that, we're also looking for a use determination. Both the Planning Department and the petitioner are looking for a use determination to determine if what they're proposing is a use consistent with the existing zoning for the two properties, which is TLM, technology and light manufacturing, or whether it's a use that's not consistent with TLM zoning and therefore might require the property to be rezoned to a zoning district that does allow for the proposed uses.

So, the prospective developer is led by Jon Stewart and what's being proposed is a two-phased development along the south side of Oakley Park Road, between Martin and Haggerty. This is a pair of properties that the Planning Commission has seen before, or at least those of you who were around at the time. Back in, I want to say 2018, we had a prospective developer look at these properties for a potential restaurant/banquet center with an adjacent office building. And because the property is zoned TLM, which is not a

zoning district that would typically allow a restaurant or a banquet center, the petitioner sought rezoning the property, keeping the base zoning TLM but extending the Haggerty Road Corridor overlay over to the site, because the corridor overlay allowed the restaurant and the banquet center. That Conditional Rezoning was approved, both by the Planning Commission and Township Board; however, the developer, for his own reasons, never pursued the project. The property remained vacant and the Conditional Rezoning lapsed because the project never got developed.

Fast forward to today, what Mr. Stewart and his team hope to do is develop a site plan consistent with what you see in front of you. I'll try to zoom in a little bit more. Phase I would be 70 storage units, that's the red units that you see, and those units would be leased to businesses, contractors, plumbers, electricians, folks running an online business who need space for inventory. They would be heated storage units with a large overhead door and then also a man door. They would be marketed as warehouse units of about 1,000 square feet. The sizes vary a little bit, but they average about 1,000 square feet.

The word warehouse is key to the discussion because within the TLM zoning districts, warehouse and wholesale establishments are allowed as a Special Land Use under TLM zoning. However, self-storage units, or what are sometimes called mini warehouses, are only allowed in our industrial zoning districts or allowed in the Haggerty overlay. So, when we talk about self-storage and warehouses, you're talking about the public storages of the world.

This, I think Mr. Stewart could explain, is a different business model in that you're not renting to someone who is just needing a storage unit for a month or a couple of months because they're between houses, or they've just got too much junk in their garage and they need a place to put it all. These would be specifically marketed toward businesses, commercial businesses, that need additional space for warehousing. And so the use determination is the type of warehousing that they're proposing consistent with what the Township envisioned when we listed warehouse and wholesale establishments as a Special Land Use within the TLM zoning district. Is there a consistency there? If there is, then they would not need to rezone half of this property to a zoning district that allows for mini warehouses or self-storage. If the Planning Commission feels that the warehousing that it was intended to be allowed in TLM zoning district was meant to be larger warehouse establishments, single user warehouse establishments, then we might have to talk about rezoning this property, or at least half of this property, to a zoning district that allows for mini warehouse/self-storage.

Phase II to the West would be different in that it would be what they refer to as flex spaces. So, these would be finished units with a bathroom, office space, climate controlled, where you could fit your unit as necessary for your business, and you would operate out of these spaces. So, the red buildings would strictly be storage spaces. The orange buildings would be actual operation spaces, whether you have office, whether you have a showroom, or a shop or warehouse in the back. And, there would be flex spaces because it would be up to the tenants how they outfit their unit.

So long as those spaces are occupied by the types of land uses that are allowed in TLM zoning, then seemingly the orange flex units would be allowed in TLM zoning without the need for a rezoning. But again, the use determination is more specific to the red uses and whether they can be allowed under TLM zoning.

As you see, they're proposing two points of access along the south side of Oakley Park Road, and also connections going through the site to the private road to the south which is Ridgeway Court. That's a private road for the Pinewood industrial park. I know Mr.

Stewart and his team have been looking into the title and I think there's a question of whether or not these properties already have rights to use Ridgeway Court. If they do not, then they would seemingly have to buy into the Ridgeway Court and the Association for Pinewood in order to access Ridgeway Court. That would be something that the development team would have to work out on their end. Having that connection through would be necessary from the Fire Department's perspective. Otherwise, you'd be talking about having to fire suppress some or all of these units.

Within the prospective developer's package material, they did provide some perspective building elevations and renderings. What they're proposing, at least on these nice pictures, is what looks to be an attractive combination of materials. The faux wood siding, some masonry elements, lighting, landscaping and so forth. As we discussed with the team in our preliminary meeting here in-house, there would be an expectation, especially in the TLM zoning district, that these buildings would have a very attractive appearance throughout, but especially where they're most highly visible to Oakley Park. That is, there would be a nice face on these buildings where they would face Oakley Park Road. So, at least from these prospective renderings, it looks like that's what they're hoping to accomplish. They have provided some examples of comparable developments that they've done in Grand Blanc Township, although they acknowledge they would want to upgrade their building materials in order to meet the standards and the expectations of Commerce Township.

I guess in summary, they're looking for the Planning Commission's feedback on the use and whether this seems like an appropriate use for these properties along Oakley Park. I am remembering too that maybe a year or two ago, there was a group that was considering doing senior independent living on these properties and one of the concerns the Planning Commission had then was that right across the street on the north side of Oakley Park is the Detroit Gun Club. We've all heard the Detroit Gun Club when they're having their events, and all the sounds that come from that, and the concern was that the folks across the street would have to listen to that all day. That might be relevant here when you're talking about storage units and flex-based units. Are those more appropriate neighbors to a gun club maybe than an independent living facility would be?

So, some feedback for the developer on the use, but then more specifically, the use determination for the storage units and the warehouses that are proposed within TLM zoning, and whether or not TLM supports that or whether they would have to look to rezone the property in order to do those warehouse storage units. I'll take a pause there and see if there are any questions for me. Otherwise, Mr. Stewart and your team, if you want to introduce yourselves. I know there's some of us up here who are nerds and we want to watch the soccer game. I try to remind everybody this is the United States and we don't watch soccer, but some people don't want to believe me when I say that. So. I know there's a game going on right now, so everybody is going to be expeditious in their presentations.

Mr. Stewart – Thank you for your time this evening, Mr. Chair and Planning Commission. We're really excited about this project. David covered a lot of it. My name is Jon Stewart with Stewart Property Solutions. This is Ben Williams. He's a partner with Stewart Property Solutions. We're a small company. We've got a portfolio of properties, roughly 200,000 square feet of multifamily and industrial properties. We self-manage all of our properties, so we're really hands-on managers. We intend to do that with this development. We really see that as a core advantage for us. We continue to self-

manage and be hands-on owners of real estate. We have ties to Commerce Township. Ben is a resident of Commerce Township in Pine Cove. He's raising his family here. My siblings own Tim Horton's on Haggerty Road in Commerce. They opened that 15 years ago, so we've been in the area a while. We definitely care about the community. We want to succeed for ourselves, but also for the Township in this development. We look forward to your feedback and any questions you have.

I would just kind of point out on the warehousing development, as you can see in the picture here, each suite has a pedestrian door and a 12x14-foot overhead door. These are all heated units. They have two LED lights inside and basic electric, so a couple outlets inside. The ceiling height is 16 feet, so it allows for racking and storage for business inventory. The ceiling height is great for equipment storage as well.

Dave Campbell – Mr. Stewart, would you say that those features are part of what maybe makes it distinctive from your typical self-storage? The taller doors, the taller ceilings, that makes it more commercial oriented as opposed to just somebody who needs a place to store their stuff for a while.

Mr. Stewart – Absolutely. Yes, the physicality of these buildings, and the way we've designed the site for traffic maneuverability of larger trucks is definitely different than what you would see in a mini storage warehouse or typical self-storage. Our drive aisles are 65-feet wide, whereas some you see are 30-feet wide. The buildings themselves have 16-foot ceilings inside and 14-foot-high doors. So, you've got forklifts able to come in and drop pallets and trucks being able to deliver things. So yes, certainly in that aspect, and then also in the leasing aspect. Our lease terms are minimum 6 months to 12 months. It's typical lease terms. So, your self-storage are month to month leases. And then we're strictly leasing to businesses with an application process, so that's something that mini warehouse or self-storage doesn't see as well.

Mr. Williams – I just want to point out too that with our existing policies and what we have on our other sites, for a vetting process through that operational standpoint, everyone that we bring in is fully vetted through us. That's through multiple factors and checks that we do operationally that does differentiate between us and other storage spaces.

Dave Campbell – I think we've got to ask the question, with the warehouse space, how do you enforce or police avoiding someone actually running their operation from the space, as opposed to just using it for storage.

Mr. Stewart – Definitely a concern. Our leases state that a lease violation would be operating a business out of the space. We have to police it. As hands-on managers, we've got a security camera system. We're onsite; Ben is a mile up the road in Pine Cove, so daily sometimes, or at least a few times a week. So, we would be hands-on managers policing ourselves, and the lease would be the contractual agreement that we have.

Mr. Williams – I just want to point out too, how we're policing it is the use of security cameras, the 24/7 operations, save the feedback two months. So not only are we onsite, we're able to go back and look at prior use.

Phillips – Do you have other properties that are similar use?

Mr. Stewart – Yes, we've got a 31,000 square foot development in Grand Blanc that's similar size units, heated, and the typical users are mostly in the trades. We've got an electrician, a plumber, a core driller, a pool guy, a lot of service businesses.

Phillips – Do you have evidence of demand for this in Commerce Township?

Mr. Stewart – Yes, we opened in September of 2025 and we were full two months later. There we had a smaller building, it was 38 units, and here we have planned for 70. That's Grand Blanc Township, and I think Commerce Township would have further demand than there.

Dave Campbell – I mean that is an important question because if warehousing is determined to be what this use is and allowable in TLM, it's still what we call a Special Land Use. With any Special Land Use, you have to show that there's a documented and immediate need for the use. So, if we get to that stage of the process, you would have to answer that question and show us that there is a need for this use at this location. That is often done through market research or comparables in the area and so forth.

Mr. Stewart – Okay.

Mr. Williams – Just to add on to Jon's point, we'll consider anything we need to do and any information we need to provide, we can definitely do so. But for us, this existing development in Grand Blanc is a much more rural space. What we've noticed right now, and what made this site so appealing, is the traffic flow that we've all witnessed at the end of M-5, since prior to the roundabouts being put into place. We have a stalemate in this location that you guys have worked diligently to overcome through the use of roundabouts, that when people want to head north and head home, there is a huge demand of people that live just north of this facility. What we're trying to do is take advantage of that. When we looked back at some of the initial data from the initial search, it shows it as very viable. Right now, in Grand Blanc, we're seeing things where within our software, we have a waiting list of 7 or 8 different people who are ready to come in. When Jon first put this site in place, he was thinking it would be occupied in a matter of four months, and when he did all his proformas, he was done in two. So, I think that's a potential point as well.

McCanham – What about the storage of motor vehicles and hazardous materials?

Mr. Stewart – Yes, definitely. Hazardous materials are strictly prohibited and it's spelled out in the lease.

McCanham – How do you police that with hazmat stuff, like tradesmen with their supplies? You talked about a pool guy. He's got a ton of chlorine and such. How do you police all that stuff? You're not sprinklered, right?

Mr. Stewart – No, we're not sprinklered. We have fire walls when going over certain square footage. Our lease addresses hazardous materials, and we do get in the units once a year for inspection. If something is out of line, that's when we speak to the tenant and investigate further.

Mr. Williams – Through the vetting process we do, we also ask for SDS (safety data sheets) and quantities. So, a lot of that usage that we're actually going to obtain is going to be if it's potentially needed, but we don't typically allow anything like that, or anything that could require any kind of permit. So, anything that's in storage is usually regulated by DOT standards.

McCanham – The EPA has reporting requirements to the county, and we find in the county that there's about 60% compliance for that. So, it's a question. If you have a plumber with gas tanks in there. You've got all sorts of stuff and you don't have adequate ... Look at Clinton Township a couple years ago when the building blew up; a guy was storing all the vape stuff. Nobody knew about that, not even the building owner.

Mr. Williams – Yes, and I think that's part of where our policing and everything else kind of comes into play, right. We're constantly onsite, so we're reviewing it. We're within a half mile, so anything that we're addressing is immediate, and it is grounds for immediate ...

McCanham – You're pretty close to two underground major natural gas lines.

Mr. Williams – Absolutely.

Mr. Stewart – It's a real concern for us. The application does help weed out certain businesses that are heavier users, or more dangerous types of materials coming in. That's something that we can't say we have a perfect plan for, but it's something that's on our mind.

Chairperson Parel – But I guess you could argue other uses that would be allowable, maybe not at same level or number of users, would have the same concerns in this TLM zoning. And you're certain that these would not require fire suppression?

Weber – Not with the two access points coming in and out, they would not be required.

Dave Campbell – That's our understanding in conversations with the Fire Marshal. Granted, he looked at it very preliminarily, but yes, based on the access and size of the units, and so long as there are fire stops between each unit, fire suppression would not be required.

Weber – For me, if your concept was on Maple Road between Benstein and Beck Road, where there's a lot of vacant land but it's zoned industrial, I'd be 100% for this. I do like the Commerce Flex. I think it fits and I think it's perfect. One of the questions and one of the concerns I have on the warehousing is, 10 years from now, you sell it. What happens? Now somebody else comes in. The units are built. I might have concerns because they are glorified self-storage units. You are targeting a business unit, plumbers, electricians, trades, and I get all of that. But if you sell it, somebody else

might not have that same level of control or interest. It might be, whoever I can rent it to I'm going to rent it to.

I think we need to think about what protections might look like for that, because once it's built, it's there. You could be the greatest owners in the world, but the next person might not be. Obviously, the renderings look spectacular for what it is. My concern is more about 10 years from now. What happens with it and what's it look like. I'm not concerned with the Commerce Flex because it's a business unit. You have office space and full-time tenants. It's not somebody dropping off.

The only other comment I had was, in going through the list of restrictions that you have, it didn't just say something kind of point blank, "No Outdoor Storage". It had examples of what would not be allowed, but you didn't say something just as clearly as "Zero Outdoor Storage.", which would cover everything.

Mr. Stewart – Definitely no outside storage, so we will add to it.

Winkler – I think this is a good fit for the site, as well as complementary if not better than some of the other industrial properties adjacent to the east. I have to mention one thing. In the prohibited uses, you prohibit overnight vehicle parking and overnight trailer parking. Is your expectation that the tenants will park their cars inside the units, or just not park them there at all?

Mr. Stewart – Yes, they can certainly park their vehicles inside their unit, or just no overnight parking.

Winkler – The reason I bring that up is, I live in Foxtrot, along Benstein. Across from Foxtrot there is a multitenant industrial building that has dozens of cars that are abandoned sitting there. Some of them haven't been moved in years. I want to make sure that doesn't happen here. A car gets parked, it sits there, the tires get flat and it just sits there. It's not necessarily questioning what you're prohibiting, but how you enforce it. The enforcement also ties into what George mentioned. If you're enforcing it to a T, and a new person walks in and says that's all right, we'll have cars parked all over the place. The key is going to be enforcement.

Dave Campbell – It's interesting you mentioned the Benstein Business Park, because I think when these gentlemen first met with the Planning Department, they used that as a comparison. I said don't even use that as a comparison! Our code enforcement division is actively working on enforcement with the landlord, and I think we've been to court at least once recently with the landlord trying to get the Benstein Business Park cleaned up. So, that's a work in progress. But yes, we've had discussions with these gentlemen that the expectation here would be the opposite of what has been the practice for the Benstein Business Park, including the prohibition of any kind of marijuana grower, cultivator, processor, or anything like that. they volunteered to not even go down that road.

Winkler – As a footnote to what you're saying, Dave, the storage lot behind Benstein recently changed hands, because I store our RV there. And just to let you know, the new owners are cleaning it up substantially.

Dave Campbell – Okay, I'm glad to hear that.

Winkler – We've stored our RV there for 20 years, and finally somebody is doing something about the blight.

Dave Campbell – I will pass that along to our code enforcement folks because they're working on it. That's one of the top priorities, getting that site cleaned up once and for all.

Winkler – Thank you, Dave.

Mr. Williams – And just strictly standing to that enforcement code, the only thing we can speak to is how we manage at this point, and how we're going to manage the property. From an enforcement standpoint, we sticker or remove at any time. If anyone is ever parked overnight, we'll usually give them a few days to remove it or else it's towed at the owner's expense. We understand if something changes hands, given this use, so definitely understand that completely.

Weber – Dave, this is where we're kind of struggling on the zoning and how this fits. If there is an opportunity to move forward with something like that, maybe it is a Conditional Rezoning where we can then write into that agreement everything that we've talked about. Then the Township is protected from future owners of the property, and it maintains the concept that we're talking about today.

Dave Campbell – So a Conditional Rezoning Agreement would be, as we're all aware, a contract between the developer and the Township laying out exactly what is permitted, what's not, and what conditions they want to volunteer. Another way to look at it though is, if it is determined that these are warehouses that are allowed in TLM, they would only be allowed as a Special Land Use. So, you can condition the Special Land Use on certain conditions. And because it's a Special Land Use, there are kind of more teeth to those conditions, and those would run with the project regardless of ownership, turnover and so forth.

Weber – So, neither one of us then would have to pay more fees to the attorneys that way.

Dave Campbell – That is certainly part of a Conditional Rezoning is now you're talking about a contract, and when you're talking about a contract, you're talking about attorneys.

Weber – I think that answers my question with the Special Land Use.

Phillips – I don't have any other questions.

Loskill – My only concern is that when you look at this for heating and cooling, make sure it's not really visible from the road, whether you're using rooftop units or concealed units. The only other comment I had was that the buildings look great. Make sure the sign you put on the front complies with the requirements of the Zoning Ordinance. That's all I've got.

McCanham – The greenspace on the east end of the property; you have a prohibition against anything in that greenspace there, next to the cemetery?

Mr. Stewart – We wanted to supply as much building setback to the cemetery as possible out of respect. There are quite a few mature trees over there, so we would like to save as many as we can to add to that privacy. Right now, we're at about 80 to 85 feet setback from the property line to the buildings.

McCanham – But is there going to be a prohibition about what can go into that grass if somebody rents a unit right next to it?

Mr. Stewart – Yes, nothing would be planned for that space. Are you asking if something could be written in?

McCanham – I know how that works. I'm just saying, I could see that as ... You don't want somebody putting a bunch of pallets outside back there.

Dave Campbell – It might be a temptation to put a trailer back there or whatever.

Chairperson Parel – I'm not sure I have any further comments. It's a non-binding conversation. I think we had a good conversation today. Hopefully we gave you some information and feedback to help you in determining your next steps. Is there anything else that we can answer?

Dave Campbell – If you're prepared to do so, the use determination could come in the form of a motion. That use determination would be whether or not the warehouse uses that they're proposing are consistent with the warehouse uses that are allowed as a Special Land Use in TLM zoning as it stands today.

Chairperson Parel – So, from a conceptual standpoint though, on the warehouse suites, are we good with that? From a conceptual standpoint, are we leading them in the right direction?

Loskill – Right.

Dave Campbell – Yes, but the use determination, I would like to see it be in the form of a motion, if you're prepared to do so. And keep in mind, that use determination would be precedent setting. So, if these guys disappear and the next guys come along and want to do something comparable, that use determination would still apply.

Weber – I think I would like to read more on that before I made a motion tonight on having a conceptual discussion, I think specifically because of that point that it can be precedent setting. So, if we're going to move forward, I just want to make sure we all know what we're signing up for, not just today but 10 years from now.

Dave Campbell – So, fair enough. At least on a conceptual level though, if there's any guidance that they're on the right track, and if this is something that is worthy of them continuing to invest in. Those are the things I assume they would want to hear this evening.

Weber – I think it's worth moving forward with. Do I have some questions? Sure. I think we have some issues to iron out. But my view is that I don't see a showstopper on this.

Chairperson Parel – I think that's a good way to put it from my perspective.

Phillips – It seems like a good use to me.

Mr. Williams – Is there any feedback on the architectural we supplied?

Chairperson Parel – I like it.

Loskill – I like the architecture.

Weber – Can we make it look like that going forward? Obviously, pictures are always ...

Mr. Williams – Everything provided today as far as architectural is spec finish from different products that are already out there. The one thing I wanted to mention too, and it's important to me as a resident of Commerce, especially since we talked about providing statistics for small businesses, one of the things we see in this area that kind of makes the warehousing for us an important and viable solution is, part of our Master Plan states that we're trying to support small businesses. Small businesses need varying levels of space, whether it be 1,000 or 1,600 square feet.

What we're trying to do is possibly be almost like a stepping stone with this warehouse, promoting to the small businesses, and then reaching out and having them hopefully graduate into the flex spaces. With those flex spaces, you might have a little bit bigger business. Maybe the warehouse is a specific electrician who just wants to run one truck because he has decided that's how big his business is going to be. But, if they can step and step, we have warehousing for lease all over that could be potentially for them to graduate to. So to me, it's almost like a three-tiered stepping stone. The one is already developed and it's 4,000 to 5,000 square feet, and this comes in at the middle and it's 1,000 up to 1,700 square feet. Just something I wanted to point out as to why it's important and why we thought it was the right fit for us.

Phillips – Is there any potential to connect units if somebody needs the space?

Mr. Stewart – In the flex space development, yes. In the warehousing development, no.

Weber – I'm curious, why not? If somebody wanted 2,000 square feet ...

Mr. Stewart – Just the structure with the load bearing walls.

Mr. Williams – Yes, the aspect is also obviously anything fire related.

Chairperson Parel – Do you gentlemen have what you need from us tonight?

Mr. Stewart – Yes, absolutely. We appreciate it and all of your time.

Chairperson Parel – Looking forward to this. You have our support, and you've got Dave and his crew if you need anything. Thank you.

ITEM I.3. THE LEARNING EXPERIENCE – CONCEPTUAL REVIEW

Joey Jonna with Jonna Construction is requesting a conceptual review of a proposed 10,000 sq ft daycare center on the south side of W Wise Road just west of Carroll Lake Road PIN# 17-10-227-041

Dave Campbell – The subject corner is the southwest corner of Wise and Carroll Lake Road. It's about 4½ acres. It's this corner here. For those of you who have served on this Planning Commission for a little while, this might be a familiar corner. The prior owners looked at a few different options for what could be developed on this corner, none of which were consistent with what the property is zoned, which is R-1C single-family. This property is somewhat unique in the sense that if you can see this swath that comes across at an angle right here; this is actually dual parallel gas mains that cut across the whole Township and cut across Southeast Michigan. They kind of create this triangle shape to this property.

When the single-family neighborhood just adjacent, Augusta Woods, was developed, there's a reason why there's no houses on this side of the road, and that's because those houses would be sitting on top of a gas main, which is not a good idea for a lot of reasons. So, this property was not included as part of the Augusta Woods development, in part because of being cut off to some degree by the gas main, and therefore has remained vacant all these years.

The prospective buyer/developer of the property, Joey Jonna from the Jonna Group, is looking to acquire the property and develop it with some partners from The Learning Experience, which is a childcare center. It's a 10,000 square foot childcare center. Their concept plan shows it configured like this, with points of access along Wise Road and Carroll Lake Road. I'll talk in a minute about what the Road Commission's thoughts were on the driveway locations. It's a 10,000 square foot building, and then I think a 5,000 square foot outdoor play area to the south side of the building. And then this area here would remain with its current zoning of R-1C and potentially be developed with three single-family lots.

Because it's a daycare center, while family daycares are allowed under R-1C zoning, and while group daycare centers are allowed as a Special Land Use under R-1C zoning, a daycare center of 12 or more students, or 12 or more children is not a permitted use under R-1C zoning, either as a principal permitted use or as a Special Land Use. So, there are essentially 3 tiers to child daycare; family daycare, group daycare and then a daycare center. This is a daycare center and so for a daycare center to be achieved at this corner, the property would need to be rezoned.

There are a couple zoning districts that would be options for a rezoning. The zoning district that is probably the least intense that would allow for a daycare center would be Office zoning, so part of what the prospective developer would want to get some preliminary feedback from the Planning Commission about this evening is the viability of a rezoning or most likely, a Conditional Rezoning to Office in order to develop the daycare center. And then with the land that wouldn't be utilized for the daycare center, keep that under R-1C zoning and then it would potentially be three single-family lots fronting on Carroll Lake Road.

We did talk to the Road Commission very preliminarily about the driveways. Their preliminary response was that this Wise Road entrance would probably need to be limited to right-in/right-out operations only, and so the Carroll Lake Road entrance would be a full-access driveway, but that would require the existing center left-turn lane along

Carroll Lake Road to be extended further southward to create the additional storage and stacking necessary for the left turns into this driveway.

The Planning Department's understanding of the operation, and Mr. Jonna can explain this better than we can, is it's an all-day daycare, but then there is also a nursery school element to it with the scheduled morning and afternoon curriculum. So, seemingly in addition to the parents dropping off and picking up based on their own work schedule, there would also be a set drop off and pick up time for the school component of the facility.

Mr. Jonna's team did provide a narrative about The Learning Experience and their methods for childcare and for education. They provided some preliminary renderings of what the building could look like. I think if you look at the peaked roof element and the horizontal siding element, they were going for something of a residential look that would maybe be more consistent with the residential zoning and the residential land uses in the area.

When this was presented to the Planning Department, what we always think is the best first step is to come to the Planning Commission with the concept plan and get some preliminary feedback. It's certainly a busy corner at Wise and Carroll Lake Road. There are challenges to developing it with single family, which is probably a big reason why it hasn't been developed with single-family. So, anytime we have a conversation with someone who wants to do something on that corner, it's seemingly always something other than single-family homes. We've had folks ask about doing gas stations there, and car washes there, and we say that's not even worth bringing to the Planning Commission. We thought a daycare center might be worth a conversation with the Planning Commission to see if this is something that could be viable.

Another thing I'll mention and then I'll turn it over to questions and to Mr. Jonna's team, is with any daycare center, there is a requirement that, if there is another daycare center within 1,500 linear feet of the proposed location, the Planning Commission would have to make an exception for there to be a new daycare center within that 1,500-foot radius. In this case, there is a daycare center to the east. Is it called Rebecca's Learning Center?

Phillips – There's one to the east on the north side of Wise, and then there's one at the corner of Bogie and Wise.

Dave Campbell – Right, so the closer one is here. This is Rebecca's Learning Center. And then you're correct, Mr. Phillips, down here to the west, there's the Tutor Time at the corner of Bogie Lake and Wise Road. That might be more than 1,500 feet, but I think we measured that this was less than 1,500. So, another thing that would need to happen if this were to move toward approval is, in addition to amending the zoning, approving the use and approving the site plan, the Planning Commission would also have to make a determination that it would be allowable within that 1,500-foot radius. I think what Mr. Jonna and The Learning Experience team might contend is that their way of doing things is different than a lot of the other daycares in the area, and so that makes them unique. That might be what makes them distinct from some of the other centers within that area and within that 1,500-foot radius. So that's it for me unless there are any questions, and otherwise I'll invite Mr. Jonna and his team to make an introduction on their own behalf.

Mr. Jonna – Thank you guys for having us tonight. This process is an excellent one and not one that we see in a lot of municipalities, so we appreciate the opportunity to be here. My name is Joey Jonna from Jonna construction. We're a 60-year-old family business based in Metro Detroit. We've been around a long time and we'll be around a lot longer.

This is Eric Williams from Stonefield who put all of this together. This tenant, The Learning Experience, like they've alluded to, does pride themselves on being a little bit different in this new age. Their technology is what they believe sets them apart. We visited their facility in Florida. We're working on another deal in Auburn Hills currently. They're creeping on almost 200 million YouTube hits with their characters, with Bubbles being the main one. They talk a lot about Bubbles, but each character has a unique thing. One is for manners, one is for athletic activities, and one is for foreign languages. They feel that kids learning this way is a good way to do it, and they're into massive expansion, nationwide and worldwide actually. They're in the UK now. They're all over the place. This group over here did an extensive write-up of the issues that will probably concern you. I'm happy to answer questions about the franchise or us as a company.

Dave Campbell – Do you know, Mr. Jonna, or is it in the materials and I'm just not seeing it; the schedule for the school versus the daycare? Traffic is always going to be one of the first things we talk about. So, do you know those school scheduled drop off and pick up times?

Mr. Jonna – I do. It's in the attachment called the Operations Narrative, and the hours are 6:30am to 6:30pm. They laid it out in here, but 6:30 to 7:30am, there's about 13 kids. Let me back up. Up to 180 kids could attend the school from age 6 weeks to 5 years old. That's the age group. Back to the traffic; from 6:30 to 7, they estimate 13 kids. From 7 to 7:30am they estimate 32 kids, from 7:30 to 8, this kind of gets into prime time, 43 kids. From 8 to 8:30, 45, 8:30 to 9, 32, 9 to 9:30, 18. That's based on a school of 183 which is what they think this demographic supports. On the pickup side, starting again at 3:30 to 4, 13 kids, and 4 to 4:30, 32 kids, 4:30 to 5, 43 kids, 5 to 5:30, 45, 5:30 to 6, 32, and 6 to 6:30, 18 kids.

Dave Campbell – And none of these kids are old enough to go to elementary school yet. There's not like a latchkey component? You don't have school buses coming and going?

Mr. Jonna – No school buses, it's all parents. Drop off is about 5 minutes, and they think pick up is about 8 minutes. So, the evening traffic is going to be a little longer.

Chairperson Parel – Do we have any specific questions?

McCanham – I've got a question. You've got parking all the way around the building, up against the building. You don't have a drop off and pick up lane. So, you have cars pulling into a spot ...

Mr. Jonna – And walking them in, because they're very little. A parent walks them in and holds their hand. It's not a drop off where a teacher comes out and gets them. It's a hold hand and walk in.

Phillips – My concern is the traffic, because especially late in the afternoon, turning left from Carroll Lake Road onto Wise Road, that backs up all the time and it doesn't even have to be late in the afternoon. One of the problems with the left turn onto Wise is that the left turn slip is so short that it backs up. It's another chokepoint.

Mr. Jonna – We haven't done a traffic study yet. We would if a Conditional Rezoning is something you guys are open to, and obviously as part of the overall process.

Dave Campbell – Again, that was one of the comments from the Road Commission. Again, it's very preliminary. No one has done a traffic study yet, but they recognize what you're describing and the center left turn lane, northbound to westbound, would need to be extended.

Chairperson Parel – One of my biggest concerns and something we should consider is whether or not this fall within the Master Plan for this parcel. I guess it's my belief that I don't see it. Maybe I'm missing something, but to me, while its low intensity, we labeled this property as future land use residential.

Dave Campbell – Correct. So, its zoning is consistent with its Master Plan designation currently. So, there would be an argument that if you were to rezone it to Office that that would be inconsistent with the Future Land Use plan.

Chairperson Parel – Correct.

Dave Campbell – Yes, we're agreeing. Now, the counter argument is that we allow daycares in residential zoning, albeit smaller, the family daycares and group daycares.

Chairperson Parel – And schools, right.

Dave Campbell – And schools, that's a very interesting point. I mean if this site were big enough, an elementary school would be a use by right in this building. So, I think that's relevant. But you could also consider it relevant that we do allow daycares in residential zoning districts, just not daycares of 180 students.

Weber – One of the questions I have is on one of the demographic charts. This is really close to dead center of Commerce Township. You show 117,000 people in a 5-mile radius. I'm trying to wrap my head around that. All of Commerce Township has 43,000.

Mr. Williams – I don't know. This is The Learning Experience's demographics so I don't have an answer for that.

Weber – I guess I would have to wrap my head around a potential rezoning. I also probably wouldn't be in favor of split zoning, where you would have part of the property residential and part for this purpose. And there's some heavy lifting on the traffic side. That intersection is a disaster during rush hour, as it is now. So, the right-in/right-out only. I don't know that even extending the center turn lane would be ... You'd almost have to extend it a long way I think for potential stacking, especially based on when you're talking about your folks coming and going. Now, to try to balance that, I would say that the people that would be using this are probably already driving past this going

to work, or wherever they might be going. So, I don't know what the incrementality is of the traffic. But traffic, and I would not be in favor of split zoning, and I would really have to think about is it really the right thing for us to change what we thought about this piece of property in the Master Plan.

Mr. Jonna – One of my questions, since you brought up the split zoning, is would it be more appealing or a better scenario if we didn't do the residential? I need what I need for that use, but the residential is just the use of the balance of the land. It's not a critical part of the deal.

Weber – I think that might be a little bit easier on the traffic if you move the Carroll Lake Road entrance as far south as you can.

Dave Campbell – That seemingly would be one of the benefits of not doing the single-family lots is that you could push that driveway as far south as possible, and get it as far away from the intersection as possible.

Loskill – I think you go so far as ... I could see the one on Wise Road move farther to the west so that you get it further away from the intersection. The only other concern I have would be the detention pond. With 150-some-odd kids, I would rather see underground detention versus a live, wet pond in that area, because kids are going to get out and the last thing you want is a little kid running over there and falling into the detention pond.

Weber – You might be able to move that further south too.

Loskill – You might be able to do that. Well, it should be secured and gated.

Mr. Williams – If we move that driveway further west off Wise Road, the detention pond moves down to the area that is now residential property. I think that would check a few of those boxes.

Dave Campbell – Mr. Williams, to do that, are you going to have to make water run uphill?

Mr. Williams – I don't know that we have that level of detail, but it's definitely something to consider. I think the other important piece is obviously that the play area is gated with a 6-foot fence. So, in terms of kids getting out, I think the only opportunity is at pick up and drop off. At no other point are they out and about.

Loskill – Understood, but I have four kids and I know how kids get out. When you have that many kids, at some point, somebody is going to get away. I think it would be a better idea to have underground detention, or at least have a screen or fencing. There's nothing shown on the plan. If you have a 6-foot fence, I have to assume that kids can't get over that. That would be adequate protection. But something to make sure that kids can't accidentally get into that pond. I know once you fall in, they're tough to get out of. You see what grows up around the detention ponds; it's usually a mix of wildflowers with a soggy bottom. Kids are small, and they don't have the strength or physical abilities of an adult to rescue themselves. I even do that with senior centers and

dementia care centers, so in case somebody does get out, which they're not supposed to, but just in case. We do dry ponds or underground detention so that we don't have the potential for them to wander in.

Winkler – I have a couple items. It is an awkward site for sure. What would go there other than a facility like this is hard to imagine. Density aside, I think the density is ... Having more daycare centers is probably a good idea, compared to retailers and gas stations and things like that. That's the peculiar aspect of this project. I made some suggestions to the site plan. One is, don't have a dumpster along the front elevation of the building. Secondly, use a lot more brick, particularly on the north and east sides of the building where they're facing the roads.

Bearer – I have a question about whether or not you've looked into the documented need portion of that. I know with Childtime and Rebecca's, a few years ago when I was looking for childcare, they were not at capacity and they were not waitlisted. I know Commerce Elementary, right nearby, continues to have declined enrollment. So, my major concern would be, with those two centers so close, what have you looked into?

Mr. Williams – I didn't make the calls myself. According to The Learning Experience, they called in early June when they started vetting the site and there was a demand. So, things were full or at capacity and they were comfortable that there was a demand in the area. Beth and I talked about it a little bit. You recently looked for ...

Beth Miller – It was years ago when my kids were younger.

Mr. Williams – Okay, so a long time ago. The last time they called was in June and they believe there is a need. I could clarify if everything was full or at capacity, or wait listed, but they do believe there is a need.

Dave Campbell – Forgive me if this was already covered. Is it daycare, or is there a curriculum involved? And, does that maybe make it distinct from how Rebecca's operates as an example? When we're comparing what's in the area, is there going to be an argument that this place is distinct from what's in the area, maybe based in part on the curriculum aspect?

Mr. Williams – Potentially. I don't know anything about Rebecca's, but I can tell you between them and Tutor Time or KinderCare, absolutely there's a curriculum in place here. They believe in it very strongly; they invest heavily and they update it regularly. It was part of our tour when we went down there. They actually had that lady speak to us and show us the curriculum for each age, so it's something they've invested in quite a bit. They do believe that sets them apart.

Dave Campbell – Do we know where the nearest one is that is up and running?

Mr. Williams – There's one in Wixom that is the closest to this location.

Dave Campbell – I think we talked about that one and that is not a new build, correct? They occupied an existing space?

Mr. Williams – Correct. They're doing one on 12 Mile and Halsted area that's under construction. It will probably be open in the next couple of months. That's their new prototype, which I haven't shown here. That will be a lot different looking than this. It's yellow and beige metal panels, a lot louder and not conducive to a residential area in my opinion. But that's the newest if you want to go see one that is close.

Maybe one question. If we explore removing the residential lots to the south, in terms of situating the building and the parking, does anybody have a strong opinion on this? Obviously, we have the residential to the south, so we have a pretty good buffer there with the utilities. Obviously, the driveways moving as far from the intersection is one consideration, but the parking location – back of the site versus front of the site? Is there any strong opinion there if we do take another stab at how this is laid out?

Weber – I think keeping ... Even with the [DMZ] right there over the gas pipe, you know, that's a pretty quiet neighborhood right now and it has been for a long time. So, screening and buffering from the kids' play area I think would be an important consideration, because all of the sudden they're going from nothing to potentially having 183 kids screaming at lunchtime. It's something I think we need to be cognizant of as well if we do move forward.

Chairperson Parel – It's a tough one for me. From my opinion, I don't think this mirrors what we had suggested for this site.

Phillips – Maybe they could put it where Sally's Barn is.

Chairperson Parel – That's a great question. Why is there not another parcel in our community?

Weber – There's a great parcel just to the west owned by the school district that they have no use for.

Chairperson Parel – I like the concept. I think it sounds cool. I could even say that I could be convinced of a need for it, but for me, this isn't the right parcel. I'm just one person. And this would require approval from the Board of Trustees?

Dave Campbell – It would because we're talking about a rezoning. Again, this use is not a permitted use, or even a Special Land Use in the current R-1C zoning. They would have to rezone it. We've talked about Office zoning being probably the least intense zoning district where a daycare center is allowed. So yes, anytime you're changing the zoning, you have to get a formal recommendation from the Planning Commission, and then final action from the Township Board. We've talked a lot about Conditional Rezoning this evening, and this might be another good candidate for Conditional Rezoning, to potentially limit the use and what happens if a daycare center isn't viable at this location 10 years from now and someone else wants to do something different in that building. Maybe a Conditional Rezoning puts guardrails on the types of uses that could go into a building development on the site. To answer your question, yes, it would have to go through both the Planning Commission and the Township Board.

Chairperson Parel – I mean we talk about intensity on the site, and I always look at the alternatives. The alternative I see, if we kept it residential, would be, let's call it 6 residential lots.

Dave Campbell – We saw a concept plan years ago where I thought we saw 8 or 9.

Chairperson Parel – Okay, 8 or 9 lots, making a couple trips a day, as opposed to potentially 180 trips times 2, so 360 trips. Again, I'm one person, but this intensity just doesn't seem right.

Dave Campbell – To put you on the spot a little bit; the concerns are regardless of whether they're able to separate the driveways any more, or whether they're able to move detention ponds around and so forth, those concerns remain? Is that fair to say?

Chairperson Parel – Yes, the concerns remain. I think those are items that, if we were to allow this here, we could get around and find a path to solve them. But I drive that intersection a lot and it's already a disaster, and it backs up. You're absolutely right. Carroll Lake backs up significantly, and I'm sure it could help the problem if we had an entrance further south, but adding intensity to that corner when it's not master planned, in my mind, it just doesn't make sense.

Dave Campbell – Maybe a question to Mr. Jonna. Do you know if The Learning Experience, is there any possibility of capping their enrollment somehow, to something less than what they would normally strive for, when we're having these conversations about traffic, intensity and so forth?

Mr. Jonna – Sure, I can ask. I've never had that conversation with them.

Weber – I share some of Brian's concerns on changing this. It's feasible to do it, but I'm just not sure of the impact on that corner. There's no plan, at least the most recent from the Road Commission, and this is not on their radar to do anything, any kind of improvements at this intersection, such as a roundabout or anything like that.

Dave Campbell – Not that I've seen.

Weber – And intensity is the word we tend to use here a lot, because traffic in Commerce is a disaster.

Chairperson Parel – Hopefully that gave you some feedback, good and bad, positive and negative. Anything else that we can answer for you?

Mr. Jonna – No, I'm good.

Chairperson Parel – All right. Hopefully we helped you out. You've got Dave and you've got us if you need anything further. We do appreciate it.

Mr. Jonna – Sounds good. Thank you for your time.

Mr. Williams – Thank you.

J: OTHER MATTERS TO COME BEFORE THE COMMISSION:

None.

K: PLANNING DIRECTOR'S REPORT

NEXT REGULAR MEETING DATE: MONDAY, AUGUST 10, 2026, AT 7:00PM.

SPECIAL MEETING DATE: MONDAY, JULY 13, 2026, AT 5:30PM

Dave Campbell – A reminder that we have a special Planning Commission meeting a week from tonight at 5:30. I asked Paula to send out a calendar invite so that hopefully it lands on your Google calendars. The item to be reviewed at the special meeting is a conceptual proposal for the southwest corner of Union Lake and Wise Road. We mentioned the Sally's Barn property earlier, and then the Union Lake Golf Course. The development team is looking to develop the hard corner, and to do so, they're going to need to fill in some wetlands. The tradeoff to that would be that they would create more wetlands within the Union Lake Golf Course property, and then they would donate the bulk of the Union Lake Golf Course property to Commerce Township as an extension of our Victory Park that we already have on the south side of Wise Road. Victory Park is where the Nike missile base was back during the Cold War, and now it's a Township Park. There are some pretty strict restrictions on what Commerce Township can do with Victory Park. Those restrictions were put in place by the DNR when they sold the Township the property, because they gave the Township a really good price on the property, but the tradeoff was that we were limited with what we can do with it. Whereas, if this project comes to fruition that I'm describing, the Union Lake Golf Course would be an extension of Victory Park, but it wouldn't have those restrictions on it. So, we may have more flexibility and more opportunity to be creative with what we could do on that portion of the park.

Phillips – So the properties are contiguous?

Dave Campbell – Victory Park and Union Lake Golf Course are contiguous. The developer, what they hope to do on the corner is an 80,000 square foot grocery store. They would contend, and I don't know that a lot of people would argue, that having another grocer in that vicinity may be a good thing. Kroger has something of a monopoly through there, so maybe having a competitor would be a good thing. Then, I think two out lot retail restaurant buildings, and also a car wash. Obviously, there are strong opinions about a car wash, but the perspective of the tradeoff has to be part of the consideration. So, they wanted to have a special meeting about this. It is certainly a big project. There are going to be a lot of steps to it. There will have to be a lot of cooperation with the State of Michigan as far as the trading of the wetlands. They're looking to do it as a Brownfield, and so that involves coordination with the Township, the County and the State. It will be a complicated project, and I guess the kickoff for it will be this meeting a week from tonight.

McCanham – Is Victory Park a Brownfield?

Dave Campbell – I don't know that anybody has ever analyzed it.

McCanham – I would be very surprised with the military installation of those missiles and everything they used in there.

Dave Campbell – I wonder if nobody really wants to know. A Brownfield comes into effect when somebody is looking to develop a property, and Commerce Township is never going to develop that property, so we have never had reason to evaluate its Brownfield eligibility. But yes, there are all sorts of legends about what went on back when that was a missile base.

So, that's what our special meeting will include, which is at 5:30pm a week from tonight. We will go over that concept and talk through the expectations, procedures and timelines. If this were to move forward, with the park in particular, we would probably want to have some coordination with our Parks & Recreation Department and Parks & Recreation Committee about what that former Union Lake Golf Course might look like when it becomes a Township Park. How would we want to use it, whether it's a passive park, or walking trails, or frisbee golf, or any of that fun stuff.

Chairperson Parel – You said when, and you meant if.

Dave Campbell – I did. It's a big, ambitious project so it will be interesting.

Chairperson Parel – Anything else?

Dave Campbell – I'll say that they did have a kickoff meeting with the neighbors to the south on Golf Lane. I think those neighbors were encouraged to hear that what is not being proposed is 500 apartments on the Union Lake Golf Course site, because that was always the rumor.

At our regular meeting on August 10th, you are likely to see a Special Land Use for auto repair at Martin and Pioneer. You are also likely to see a Special Land Use for outdoor storage along Pioneer. You are possibly going to see the Commerce Lake Market; the rezoning for the knock down and rebuild expansion of the Commerce Lake Market at Benstein and Glengary. And, while I hate to say it, we're going to continue our discussion on amending our Zoning Ordinance to provide standards for data centers, which I know is a topic that gets a whole lot of attention. That might be another late issue.

Chairperson Parel – Dave, when you talk about the Commerce Lake Market on Benstein, where did we land with the canopy and the building height? That was still outstanding last time we talked.

Dave Campbell – Last time we talked, it was still at a conceptual level. What they heard was that the canopy shouldn't be any taller than it absolutely has to be, it should be neutral colors, not any splashy logos or signage or illumination, and that it shouldn't be any brighter than it has to be. We've all seen gas station canopies that are meant to be beacons that you see from three miles up the road. The direction they got is that cannot be the illumination for this one. And then there was also talk of the hours of operation. This is not going to be a 24-hour or a late-night operation. They would need to close down at a reasonable hour and respect the neighbors around them.

Chairperson Parel – So they're coming back to us with all of that?

Dave Campbell – Yes, potentially. One of the things that they know they have to show the Planning Commission is that there is a documented and immediate need. Even if

they are successful at rezoning the corner to B-3, gas stations are a Special Land Use in B-3. Anytime you have a Special Land Use, you have to show documented and immediate need. So, what they're waiting on right now from a third-party consultant is a market study. That will hopefully show them and the Township that there is a documented and immediate need for a fuel option at that corner. I think they told us they're hoping to have it by the 10th of this month. That's something we have not seen yet is the actual market study that's meant to show the need for fuel at that corner.

Chairperson Parel – Okay.

L: ADJOURNMENT

MOTION by Weber, supported by Loskill, to adjourn the meeting at 9:37pm.

MOTION CARRIED UNANIMOUSLY

Joe Loskill, Secretary