

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

Monday, February 6, 2023
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
Bill McKeever
Sam Karim
Brady Phillips
Absent: George Weber (excused)
Also Present: Dave Campbell, Township Planning Director
Paula Lankford, Planner
Jay James, Engineer/Building Official
Jason Mayer, Township Engineer, Giffels Webster
Mark Gall, Township Fire Marshal

B. APPROVAL OF AGENDA

MOTION by Loskill, supported by Karim, to approve the Planning Commission Regular Meeting Agenda of February 6, 2023, as presented.

MOTION CARRIED UNANIMOUSLY

C. APPROVAL OF MINUTES

MOTION by Loskill, supported by Phillips, to approve the Planning Commission Regular Meeting Minutes of January 9, 2023, with one correction as proposed by Winkler, on Page 2, top of the page under Weber's commentary, add the word "Department" after Building in the second to the last bullet.

MOTION CARRIED UNANIMOUSLY

D. UPDATE OF ACTIVITIES

Brian Winkler – Downtown Development Authority

- This is a summary of the January 17th DDA meeting.
- Five and Main Quarterly Update: Bruce Aikens gave the DDA his quarterly update on the status of the Five & Main project.
 - Aikens is looking at financing options to reduce the cost of the infrastructure needed to serve the parcel.
 - The anticipated project schedule was outlined as follows:
 - Break ground by end of 2023;
 - Go vertical with multifamily component in Spring of 2024;
 - Go vertical with retail in Fall of 2024 or Spring of 2025.
 - We will get another update on that during his next quarterly update.
 - Aikens is close to signing a lease for the residential portion of the development with Lautrec.
 - Many tenants are downsizing their spaces to reduce costs. Aikens does not have any signed leases as of yet. Several leases that were close to signing have to be revised.
 - The site plan as previously presented is still basically the same.

- Oakland County Sheriff's Office Update:
 - Lt. Reyes noted that we will need to plan for police security for the site once Five & Main is built, particularly if the development includes bars. Having a security system integral with the buildings is important. A small substation within the development was also discussed.
 - Lt. Reyes also went over some crime statistics for 2022.
- Insite Commercial Update, Parcel C – LAG Development: I'll defer to Dave Campbell for updates to the PUD status with combined dealerships. There have been some changes to the layout.

Dave Campbell – The Planning Commission has seen a couple concepts over the last year. Lafontaine proposes to purchase the undeveloped property at the northwest corner of Pontiac Trail and Haggerty and develop it with a dual-branded dealership; Hyundai, and their luxury brand which is Genesis. More recently, they thought they were going to split the two dealerships, keeping Genesis on that corner and moving Hyundai to the former Dick Morris Chevrolet site, further south on Haggerty.

Most recently, another Hyundai dealership, Feldman in Lyon Township, protested that the Dick Morris location was less than 9 miles away. Hyundai's franchise agreements with their dealers is that no Hyundai dealership shall be any less than 9 miles away from another location. It turns out the Dick Morris property is something like 35 feet short of 9 miles. Therefore, LAG is revising their PUD and site plan, and they have pushed their review to the March 6th Planning Commission meeting.

If it gets to the Planning Commission for the March meeting, and to the Township Board for their March 14th meeting, and then comes back to the Planning Commission for final site plan approval at the April 3rd meeting, we hope that still works with the DDA's timeline as far as closing on that property with Lafontaine.

Chairperson Parel – Just to clarify, the Dick Morris site is still part of the project?

Dave Campbell – Yes and no. It's still part of Lafontaine's overall plan. It's not part of the PUD specifically for the corner. But yes, Lafontaine's intent with the Dick Morris site is that it would still be a Hyundai service center, because the building still has the hydraulic lifts to service vehicles. It would also be a pre-owned vehicle dealership. As part of that, they will have to clean up the site and bring it into the expectations of today. They won't do a lot of service at the corner of Pontiac Trail and Haggerty.

Vice Chairperson Winkler –

- Discussion took place regarding interest in the DDA area and the Five & Main development by Dort Federal Credit Union.
- Attorney 's Report: Counsel recommended, and the DDA board approved, an extension of the option for Aikens to purchase the Phase II property to October 25, 2025, in exchange for termination of the right of first refusal.

Bill McKeever – Zoning Board of Appeals

- We did have an agenda.
- We held educational discussions with the Township Attorneys.
- We reelected our officers, and they remain the same.

George Weber – Township Board of Trustees

- No report in Weber's absence.
- Jay James noted there had been nothing groundbreaking to report.

Jay James – Building Department

- Nothing to report.

E. PUBLIC DISCUSSION OF MATTERS NOT ON THE AGENDA

Chairperson Parel opened to Public Discussion of Matters Not on the Agenda.

None.

Chairperson Parel closed Public Discussion of Matters Not on the Agenda.

F. TABLED ITEMS

None.

G. OLD BUSINESS

None.

H. SCHEDULED PUBLIC HEARINGS:

ITEM H1. PZ23-01 – ANNALISON COMPANY – REZONING – PUBLIC HEARING

Annalison Company of Waterford, MI is requesting a rezoning of four parcels of land totaling 1.3 acres from B-1 (Local Business) to R-1D (One Family Residential) located on both the northeast (two parcels) and the southeast (two parcels) corners of Union Lake and Farrant. If rezoned, all four properties would remain within the Union Lake Road Overlay.

Sidwell No.'s: 17-01-431-001, 17-01-431-002, 17-01-429-005, & 17-01-429-006

David Campbell, Planning Director, gave a review of the Planning Department's report.

Robert Cobb, Annalison Company President, 1073 Audubon, Waterford, MI, was present to address the request, along with Jim Butler, Engineer for the project, of PEA Group, 1849 Pond Run, Auburn Hills, MI.

Robert Cobb – We have decided, based on all of the things that have happened over the last 14 months, that single-family housing would be the most expeditious way. It meets all the criteria. It doesn't require any variances. It is the easiest and simplest solution.

Jim Butler – We have looked at the configuration of the parcels. On the north side, we envision two lots, and on the south side, we envision three lots. So, a total of five, all meeting the rezoning requirements for setback pursuant to the Zoning Ordinance requirements.

Dave Campbell – There is a challenge with setbacks relative to the planned right-of-way for Union Lake Road. We've discussed these with Mr. Cobb, and with Mr. Butler and his team. Because Union Lake Road is designated a major thoroughfare, the setbacks on the east side of Union Lake Road would be wider than what is designated on the

screen. When they envisioned the two lots on the north side, and three on the south, that takes into account that additional setback that they would have to provide for Union Lake Road, considering that someday that road will be widened.

Jim Butler review and reiterated the setbacks and lot sizes. On the south side, there would be one corner lot of 70 feet wide, and the other two lots would be 50 feet wide.

McKeever – How do you envision entering each of the lots?

Jim Butler – All access would be from Farrant for all five lots.

McKeever – You're going to combine the other lots?

Jim Butler – We're going to reconfigure them. We will essentially take the east/west property line and turn it north/south.

Loskill – I'm a little confused. In the information we were given, we were shown two lots on the south side.

Jim Butler – Yes.

Loskill – But you just said three.

Jim Butler – Currently there's two lots. We are going to create three.

Discussion continued regarding the lot sizes.

Dave Campbell – I caution you. These are all good questions, but I caution that the decision this evening is not how the lots would be split and reconfigured. It is strictly a zoning decision, of whether the proposed zoning is advisable.

Loskill – Understood. My concern was that I don't want to create lots that are unbuildable.

Dave Campbell – Yes, we spent a lot of time looking at that.

Chairperson Parel discussed the split in the neighborhood between Commerce Township and West Bloomfield, and inquired about which Fire Department responds to calls.

Chairperson Parel opened the Public Hearing.

Frank Guastella, 7996 Flagstaff St, Commerce Township, MI – Thank you for the change. I do agree that changing to residential for the subdivision makes a lot more sense. It's a much safer environment for traffic entering, and the type of traffic that will be going through that subdivision.

Karen McDonough, 8034 Farrant St, Commerce Township, MI – Would any of the south side lots have lake access, and how would that affect the wetlands to the east?

Jim Butler – Only one of the south side lots will have access to the lake. As to the wetlands, we will have to go back to EGLE for a permit for any disruption of the wetlands.

Karen McDonough – That would be my concern is having lake access and interfering with those wetlands.

Ben Krebs, 8156 Farrant St, Commerce Township, MI – I'm having a hard time visualizing how the driveway would work, going to the two lots that are split on the south side.

Jim Butler approached the overhead and showed the driveway locations along Farrant.

Jason Petoskey, 8034 Farrant St, Commerce Township, MI – When we make a left turn out of Farrant, it's hard to see right now with the brush, and it was worse when equipment was parked there. Your vision is obstructed. Where are the house locations?

Jim Butler also reviewed the house locations and the setbacks.

Jim Ramsay, 2105 Union Lake Road, Commerce Township, MI – Where is the curb cut on the north side of Farrant?

Jim Butler explained the lot split and the driveway entrances off Farrant on the north side.

Jim Ramsay – Did you get a permit for the culverts to be put in there?

Jim Butler – We have not made any improvements on the site.

Dave Campbell – Again, tonight is the zoning decision.

Jim Ramsay – Okay, I'm good.

Chairperson Parel – There will be a formal site plan review?

Dave Campbell – Assuming they are going to reconfigure the lots, which we understand their intent to be, then they would have to apply for a land division. That is an administrative decision by the Township Planning and Building Departments. We look at whether the proposed lots comply with the Zoning Ordinance in terms of their lot size, their lot frontage and so-forth. If and when they go to build houses on the lots, they have to go through Jay and his Building Department for the necessary building permits. With respect to the curb cuts, they have to go through the Road Commission for Oakland County for work within the public right-of-way. At that point, the RCOC will look at things like whether they require culverts.

Chairperson Parel – Does that answer your question, sir?

Jim Ramsay nodded yes.

Chairperson Parel closed the Public Hearing.

Commission Comments:

Chairperson Parel – Dave, is there an action here?

Dave Campbell – If there is an action tonight, it would be a formal recommendation to the Township Board for the rezoning that's being requested.

Chairperson Parel – That recommendation language is on Page 5?

Dave Campbell – The Planning Department provided potential motion language if the Planning Commission wants to take advantage of it.

Chairperson Parel – Any other comments?

No comments.

MOTION by Loskill, supported by McKeever, to recommend approval, to the Commerce Township Board of Trustees, of Item PZ23-01, the request by Annalison Company of Waterford, MI for a rezoning of four parcels of land totaling 1.3 acres from B-1 (Local Business) to R-1D (One Family Residential) located on both the northeast (two parcels) and the southeast (two parcels) corners of Union Lake and Farrant. If rezoned, all four properties would remain within the Union Lake Road Overlay.

Sidwell No.'s: 17-01-431-001, 17-01-431-002, 17-01-429-005, & 17-01-429-006

Move to recommend the Township Board approve PZ#23-01, a petition by Robert Cobb of the Annalison Company, to amend the Township's Zoning Map for four properties at Union Lake Road and Farrant Street from B-1 (Local Business) within the Union Lake Overlay to R-1D (One-Family Neighborhood Residential) within the Union Lake Overlay. The Planning Commission's recommendation is based on a finding that the proposed rezoning meets the criteria for a Zoning Map amendment contained within Article 3 of the Zoning Ordinance, that the proposed zoning is consistent with the Township's Master Plan, and that the appropriate land uses for the four subject properties are those permitted within the R-1D zoning district. **MOTION CARRIED UNANIMOUSLY**

Dave Campbell – Mr. Cobb, the Township Board meeting is next week Tuesday. We could get this on their agenda if you'd like.

Robert Cobb – Yes.

Dave Campbell – Okay.

I. NEW BUSINESS:

ITEM 11. PSP23-01 – SURE CONVEYORS

Sure Holding Company, LLC of Commerce, MI is requesting site plan approval for a new office/manufacturing building to be located at 1160 Metro Drive, undeveloped Lot 10 of the Harrison Industrial Acres Subdivision. Sidwell No.: 17-27-351-019

David Campbell, Planning Director, gave a review of the Planning Department's report.

Raymond Blanchet, 4775 Rayfore Drive, Commerce Township, MI, was present along with his daughter-in-law, Lauren Blanchet, and Jim Butler, Engineer for the project, of PEA Group, 1849 Pond Run, Auburn Hills, MI.

Dave Campbell – Another ask of the Fire Department, in addition to the siren activated gates, is if the gates could also be hardwired to the building's fire alarm system, such that if the fire alarm system were to be triggered, the gates would open automatically. I hope the petitioner could speak to that as part of their presentation.

Raymond Blanchet – I'm the owner of Sure Conveyors, which is a family-owned business. We manufacture conveyor systems for the egg industry. We handle about 125 million eggs per day in the United States on our conveyors. We ship them all across the United States. We also have some that we ship to Australia and Canada. There are 320 million eggs produced every day, so we handle a bunch of them.

We're a small company. Most of our employees have been with us for 10 years. Once they come work with us, they usually stay. We like to do things correctly. The opportunity of the siren was new for us to handle. We were hoping we'd have no surprises, but that was a surprise. Once we looked into it, it only made sense. We want our building to be safe for employees. The last thing we want is for our building to burn down.

Our structure will be a steel building, with a steel lining, very well insulated. We will put nice siding on the exterior, whether it is brick or rock. It only makes sense for it to be on both sides. We will have a big American flag out front, and a Michigan flag. I'm a real American and I believe in the red, white and blue, and all of our employees do. We are very proud of our product. We work hard every day. We're a family. We're very happy to have the opportunity to be in Commerce Township. It's basically only 5 miles from where we are now.

Commission Comments:

Chairperson Parel – Is this an expansion or relocation?

Raymond Blanchet – This is expansion. We outgrew our building a couple years ago. Now we spend a lot of time moving stuff in and out, from one building to another. I wanted something to pass onto the next generation. We have a good group and I think my family is ready to take over some day.

Chairperson Parel – Thank you. Dave, you mentioned parking. Is that something we might want to bring up now?

Dave Campbell – I asked Mr. Butler this question and he talked to his client about it.

Jim Butler – We are proposing land banked parking. We don't need it initially. We don't need all of this parking. We are proposing to land bank about 25 parking spaces. (Mr. Butler approached the overhead and identified the land banked spaces.) The challenge is that putting those spaces in now is a whole lot cheaper than coming back in the future and having to do it, so we would prefer to just do it at this point.

Dave Campbell – Why not stripe them at this time?

Jim Butler – We can do that. There's no reason we couldn't.

Loskill – The fact that you're going to pave it defeats the nomenclature of land banking.

Jim Butler – Agreed, right.

Loskill – My concern was that you were going to park big rigs or something there, or do outdoor storage or something of that nature, which might be objectionable to your neighbor. If you stripe it and use it for parking, that makes those issues go away.

Dave Campbell – From an operational standpoint, can you speak to what the outdoor storage component would be to this? I know you have an area specifically designated for outdoor storage. Do you anticipate any trucks, trailers or containers are going to be stored outside of this designated area?

Raymond Blanchet – No, that area would be the only area where we would have containers with storage and we'd be happy to put up walls or whatever. The outdoor containers are a must for right now. Hopefully, by building this building this big, I'll be long gone before they have to get a lot more outdoor containers. That's why we're building the building this size.

Dave Campbell – Is there going to be a temptation to have outdoor storage in this area where it's surplus parking?

Raymond Blanchet – No, there would be no temptation for that. We're going from 15,000 square feet to 30,000 square feet. That includes our office. I can't talk about the future for the next generation, but I can assure you that isn't going to happen right away. By that time, they can buy another building and leave that as the corporate office as far as I'm concerned.

McKeever – No comments.

Loskill – My concern was about the land banked parking. I have no other issues on the site plan. There were a few things I noticed about your building. You have a 3-story building but no elevator. You're going to need an elevator in that building. You have a 3-story office, so ADA is going to require that you have access to all 3 floors. I noticed that the exit on the south side, you've got a conflict with people coming down the stairs and two doors opening against each other into the stairwell. You may want to resolve that. Good luck.

Phillips – Nothing to add.

Winkler – No comments.

Karim – I have one comment about Metro Drive. There is a similar situation somewhere on West Park in Novi. They put that gate on the main road to restrict people from coming into the subdivision. Why don't you put that on Metro instead of your side?

Lauren Blanchet – If you've seen the barricade that's there now, it's totally destroyed by a vehicle. I don't really want to have to replace that. I don't feel like the rest of the people on Metro are going to approve that. It's not just our decision.

Karim – You think they will destroy the gate?

Lauren Blanchet – Have you seen the one that's there? And they're cement blocks. If we put them in our parking lot, I feel like it's less likely to be an issue.

Raymond Blanchet – And we can make decisions on our own property and put the sirens in. I said okay, we'll just grin and bear it and pickup that expense.

Dave Campbell – We discussed that very thing, Mr. Karim. Another thing we discussed was if the gate were to be between Metro and Claranton, it would be more difficult for Sure Conveyors to enforce if somebody parks there, or if somebody plows their snow up to the gate. Unfortunately, we have a dumping problem back here. Whereas if it is on their private property and it's their private driveway, they have more motivation to keep it clear and operational.

Chairperson Parel – We touched on the outdoor storage and the area that has been allocated for that. Dave, is the screening of that area handled administratively?

Dave Campbell – They're showing a defined outdoor storage area. They're showing a chain link fence with a fabric screening. Anytime you have outdoor storage in the industrial zoning district, it's up to the Planning Commission what level of screening is most appropriate. We have allowed the fabric on other sites. Ultimately it's a decision of the Planning Commission whether the method of screening is appropriate. Really, the portion that would be most visible would be this portion facing Claranton. Otherwise, it's somewhat buffered by their building on the south side, and the development of the properties to the north.

Chairperson Parel – What about the quality of the gate? Have you seen renderings?

Dave Campbell – They did provide a detailed gate. (Dave brought up the gate on the overhead.) Just to clarify, there's a standard note on here that says the gate is manually operated; however, as we discussed, they intend to make it a siren-activated motorized gate. Otherwise, it's an aluminum chain link gate.

Chairperson Parel – There's really three things on my mind. One was addressed by Dave, which was the proposed banding. Are we in agreement?

Jim Butler – Yes, we're in agreement.

Chairperson Parel – The gate is what it is, and I don't think you're going to put in a shoddy gate. Would you be opposed to making one of the walls of the storage unit, the wall that faces the road, a cleaner material, maybe something of a block nature? Would that be possible? So that from the road, we wouldn't see a fence.

Dave Campbell – This portion here? (Identified on the overhead.)

Chairperson Parel – Yes.

Dave Campbell – If Sure Conveyors were agreeable to that, there is a fake stone vinyl fencing material that the contractor storage yard used, right across the street on the west side of Claranton. It's actually the same fake stone vinyl fence that the Township recently installed at our Benstein Road cemetery. For the sake of consistency, that might be the material that you would consider there.

Chairperson Parel – Yes, and consistency is the goal. We're not looking for you to do anything that we haven't had other people do.

Raymond Blanchet – Sure. Personally, we want a nice looking facility and we want to be proud of it. I'm not against that at all.

Discussion took place regarding an adjacent parcel that is unsightly, engineering of the new building and how well-built it will be, along with plans for relocation of the business.

Loskill – We talked about how you're getting emergency access to the site, but how are your daily employees getting into the site? Are you going to have a fob?

Raymond Blanchet – Yes, and our building will require a fob for entry. We increased security.

Dave Campbell – To clarify, speaking of the gate, you're agreeable to having it hardwired to the fire alarm system?

Raymond Blanchet – Absolutely, and we plan on having a standby generator, so if our power goes out, it will still open.

Chairperson Parel – I believe a motion would include three additional items, if they're not already in the language. One is the additional wrap of the brick band.

Dave Campbell – That's in there.

Chairperson Parel – Okay. Two is the hardwired gate.

Dave Campbell – That's in there.

Chairperson Parel – Three would be the upgraded building material on the west side of the outdoor storage yard.

Loskill – He mentioned a generator. That's not shown on the plan anywhere.

Jay James – That's something we would get in the building plans.

Loskill – I just want to make sure. I don't know whether he is using natural gas or diesel, but those generators tend to get really big, especially the diesel ones.

Raymond Blanchet – We would probably use natural gas.

Discussion continued regarding the backup generator, the size of it, and that it would primarily be used to power the computers.

MOTION by Loskill, supported by McKeever, to approve, **with conditions**, Item PSP23-01, Sure Conveyors, the request by Sure Holding Company, LLC of Commerce, MI for site plan approval for a new office/manufacturing building to be located at 1160 Metro Drive, undeveloped Lot 10 of the Harrison Industrial Acres Subdivision.

Sidwell No.: 17-27-351-019

Move to approve PSP23-01, a site plan by Sure Conveyors for a new 29,325 sq ft office/light manufacturing building on Lot 10 of the Harrison Industrial Acres subdivision at 1160 Metro Drive.

Site plan approval is conditional upon the following items:

1. Review and approval of engineered construction plans by the Township Engineer, Building Official, and Fire Marshal;
2. All outside storage to be contained within the designated fenced/screened storage area shown on the site plan;
3. Driveway approach to Claranton Drive to be reviewed and approved by the RCOC;
4. Administrative review and approval by the Planning Department of a revised site plan to include the following:
 - a. Building materials to be revised to include an 8-foot brick band along the building's west elevation;
 - b. Note to be added to the site plan that the access gate at both entrances will be siren activated, and hardwired to the building's fire alarm system such that the gates open automatically when the alarm is triggered;
 - c. Review of a revised landscape plan;
5. Signs 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;
6. To install a faux masonry material screen wall on the west side of the outdoor storage area.

MOTION CARRIED UNANIMOUSLY

Jim Butler and Raymond Blanchet thanked the Commissioners.

Chairperson Parel – Thank you, gentlemen.

Dave Campbell – Do you have a prospective timeline?

Raymond Blanchet – As long as we can push forward, we plan on moving dirt as soon as we can; probably April or May. We're all approved for financing so we should be able to rock and roll. Thank you very much.

J: OTHER MATTERS TO COME BEFORE THE COMMISSION:

Chairperson Parel – Dave, have we had any traction with our developer tree replacement program or ordinance?

Dave Campbell – It is in draft form and we are currently reviewing it internally.

K: PLANNING DIRECTOR'S REPORT

- **NEXT REGULAR MEETING DATE: MONDAY, MARCH 6, 2023**
- At the March 6th meeting, we are expecting to see Lafontaine's PUD which will be a public hearing.
- We also expect a public hearing for a project you saw a couple months ago as a concept, which is 1420 Benstein Road.
 - This is the property on the east side of Benstein with the silo out front. It is surrounded by duplex condos to the north, south and east.
 - The developer wants to infill the remaining 4 or 5 acres with 18 owner-occupied duplex units.
 - They would have to rezone from single-family to R-2 which is our duplex zoning.
 - They want to do that as a Conditional Rezoning. Their attorney is working with the Township Attorney on what those conditions will be. They will include upgraded building materials.
 - Because I know rentals are always a concern, we're working with them to write it right into their bylaws, *Thou shalt not use their unit as a rental*.

Chairperson Parel – Any chance we could save the silo?

Dave Campbell – They have looked at it. They say it is asbestos filled and it is structurally unsound.

Lastly, there are a couple projects to be aware of:

- The Benstein water main – This is a new water main, mostly on the west side of Benstein Road, from McCoy all the way to Glengary, including in front of the Benstein Grille. There were a number of delays with easements for this project, along with delays in getting materials.
- It has been a similar story for the water and sewer along Sleeth Road to get to the gravel pit project, The Reserves at Crystal Lake. That one will start very soon.
- The same contractor is doing both jobs.

Vice Chairperson Winkler – To Dave and Paula, I will miss the July Planning Commission meeting.

Chairperson Parel – I may be out next month.

L: ADJOURNMENT

MOTION by Loskill, supported by Winkler, to adjourn the meeting at 8:11pm.

MOTION CARRIED UNANIMOUSLY

Joe Loskill, Secretary