

FRENCHTOWN CHARTER TOWNSHIP  
PLANNING COMMISSION MEETING  
October 19, 2017

The meeting was called to order at 7:00pm

Roll call: Hillary Schmitz Hedwig Kaufman  
Ignazio Cuccia Robert Thoma Paul Thoma

Excused: Steve Hyder Dennis Staelgraeve

Also present: Mark Mathe, Mannik & Smith Group, Township Engineer Representative  
Chris Khorey, McKenna Associates, Township Planning Consultant  
Melissa Borden/Proposed Special Use, Devoted Barn  
David Kubiske, David Arthur Consultants/Proposed Medical Complex, MKLJ LLC  
John Tenpas, Driesenga & Associates, Guardian Self Storage  
James Jacobs Architects/Rhonda Cox, Proposed Feline Rescue & Adoption

Approximately 108 Interested persons

A quorum being present, Chairman Ignazio Cuccia called the meeting to order at 7:00 p.m. This meeting was held under the Open Meetings Act.

**Item No.1 Agenda Approval.**

**Motion**

Moved By: Hillary Schmitz Supported By: Robert Thoma

A motion was made to approve the agenda as presented. MUC

**Item No.2 Minutes of September 21, 2017.**

**Motion**

Moved By: Hedwig Kaufman Supported By: Paul Thoma

A motion was made to approve the minutes for the September 21, 2017 meeting as presented. MUC

**Item No. 3 Public Hearing-Special Use- Remove from Table/Item to be Considered- Proposed Kennel/Animal Rescue Operation and Associated Fundraising Events- Devoted Barn/Melissa Borden- Parcel ID# 018-510-00, located at 6227 N Dixie in an AG Agricultural District.**

## Motion

Moved By: Hillary Schmitz

Supported By: Paul Thoma

A motion was made to place on file the following correspondence:

- Chris D. Khorey, McKenna Associates, dated October 13, 2017
- Mark Mathe, Mannik & Smith Group of Michigan, dated October 13, 2017
- Submittal Documents
- Legal Notice Monroe Evening News, October 3, 2017
- State of Michigan Department of Attorney General, dated September 11, 2017
- Monroe County Sheriff FOIA Request and Response , dated October 9, 2017
- Letter from Frenchtown Charter Township Building Official to Melissa Borden, October 11, 2017
- Letters/emails in favor and in opposition

MUC

Secretary Schmitz read the legal notices for this evening's agenda which were published in the Monroe Evening News on October 3, 2017. A Special Use Request to be Considered- Proposed Kennel/Animal Rescue Operation and Associated Fundraising Events- Devoted Barn/Melissa Borden- Parcel ID# 018-510-00, located at 6227 N Dixie in an AG Agricultural District, A Special Use approval to expand the existing self-storage facility at 1050 Stewart Road (Parcel ID: #030-007-20). A proposed rezoning at 1818 N. Monroe Street, Parcel ID#353-035-00 to rezone the rear half of the parcel being approximately 4.368 amol from C-2 General Commercial to R-3-A Multiple Family Residential and lastly a public hearing Special Use approval to operate a proposed cat rescue operation at 2532 N. Dixie Highway (Parcel ID: #776-957-00), located in a C-2 General Commercial zoning district. 195 property owners were notified in all.

Chris Khorey, McKenna Associates, went over his report dated October 13, 2017. Mr. Khorey stated that any Special Events open to the public would not be permitted on this site. If Special Use is granted the planner recommends that the applicant be required to comply with all requirements as outlined in his report. In the event that the Special Use Permit is voided for any reason, he recommends that all dogs and all horses must be removed from the premises within 60 days of the Planning Commission meeting where the special use approval was voided. All required fees and escrow deposits must be paid. No Final Site Plan Approval will be granted without all required fees and escrow deposits being paid to the Township. As with all sites, no construction shall take place on the site prior to the issuance of a building permit. No building permits shall be issued prior to site plan approval.

Commission discussed.

Mr. Khorey offered clarification on matters discussed.

Mark Mathe presented to the Commission, the review document, Mannik & Smith Group of Michigan, dated October 13, 2017. The Special Use proposed can be adequately served by public services and facilities without diminishing or adversely affecting public services and facilities to existing land uses in the area. Mr. Mathe discussed the proposed operation and handling of manure on the site in regards to current accepted Agricultural and Management Practices (GAAMP) for Manure Management and

Utilization. Based on the Engineer's review there was no objection to the Planning Commission granting approval of the proposed Special Use subject to the comments as set forth in the Planner's and Engineer's reports and recommendations as discussed.

Commission discussed.

Melisa Borden approached and presented to the Commission. She stated that she will supply the required to scale site plan.

Commission discussed

No further discussion.

**Motion**

Moved By: Hillary Schmitz                      Supported By: Paul Thoma

A motion was made to open the Public Hearing at 7:38 p.m. MUC  
Chairman Cuccia asked if there were any comments from the public.

Comments from the public:  
3 persons were recognized and spoke with concerns.  
4 persons were recognized and spoke in favor.

**Motion**

Moved By: Hillary Schmitz                      Supported By: Robert Thoma

A motion was made to close the public hearing at 7:53 p.m. MUC  
No further discussion.

Commission discussed further the various issues and concerns.

Applicant's 501 3- c status was discussed.  
Ms. Borden offered clarification regarding her 501 3-c status.

No further discussion.

**Motion**

Moved By: Hedwig Kaufman                      Supported By: Paul Thoma

A motion was made to grant Special Use approval with the following conditions:

1. A to scale site plan, signed and sealed by a licensed architect, engineer, or surveyor, must be submitted for Tentative and Final Site Plan Approval. The Site Plan must be submitted by November 30, 2017, and Final Site Plan Approval must be received by March 1, 2018. The approval of that Site Plan is a condition of the Special Use Permit. If the Site Plan is not submitted, or is not approved, then the Special

Use Permit shall be void. Site Plan approval will include reviews by the Township Engineer and Fire Inspector.

2. The Special Use Permit must be renewed annually by March 1 of each calendar year, starting with March 1, 2017. At the time of annual renewal, the applicant must meet the following requirements in order for the permit to be renewed.

a. The applicant must have an in-force valid K Facility License issued by the Monroe County Animal Control, and must be in compliance with all requirements of the K Facility License, including the limit on the number of dogs permitted on site.

b. The applicant must remain in compliance with all County, State, and Federal standards for the keeping of animals, including not only dogs and horses, but also the animals that the Township does not regulate.

c. The facility must be in compliance with the approved Site Plan for the site. This means that the Site Plan must accurately reflect conditions on the site. There shall be no improvements made that are not on the Site Plan, and all improvements shown on the Site Plan must begin construction within one year of approval, as required in Section 27.12 of the Zoning Ordinance. If the required Site Plan has not been submitted by November 30, 2017, or the Final Site Plan Approval has not been granted by March 1, 2018, this condition shall be deemed to not be met, and the Special Use permit shall be void.

d. Required Township approvals must be obtained prior to all improvements on the site (that require Township approvals). This includes, but is not limited to, Building Permits, Fence Permits, Site Plan Approvals, and amendments to the Special Use Approval. The Building Department shall be the final arbiter off whether an improvement requires an approval.

e. No events may be held on the site that the Township deems to be open to the public or to require admission to attend.

f. Prior to March 1 of every calendar year, starting with March 1, 2018, the applicant must submit the following to the Building Department.

i. A copy of the approved current County of Monroe issued K Facility License.

ii. Copies of the County-required rabies certificates for all dogs over four months old.

iii. A copy of the County-required log that provides a description of each dog at the facility and its K-Tag number.

g. Upon the receipt of the above information, the Township may require the following additional information to also be submitted.

i. All information with regard to suspected violations of the Zoning Ordinance, including construction of improvements without required approval or permits, if any.

ii. All information with regard to suspected violations of any County, State, or Federal standards for the keeping and handling of animals, if any.

iii. Any additional information required to ensure compliance with the conditions of the Special Use Approval.

h. The Building Department, or its designated consultant, shall review the above materials, and shall determine whether the facility is in compliance with the conditions of the Special Use Approval. If the facility is determined to be in compliance, the Special Use Permit shall be renewed. If the facility is not determined to be in compliance, then the Special Use Approval shall be placed on the following Planning Commission agenda. The Planning Commission shall review the information provided and shall either require actions to bring the facility into compliance, or shall void the Special Use Approval.

i. It shall be the applicant's responsibility to submit the information required in Section f by March 1 of every year. The Township shall have no obligation to remind the applicant of the annual renewal deadline. If the Township requests additional information during the annual renewal, then it must be provided by the applicant promptly. The Township reserves the right to impose deadlines of its choosing on requests for additional information, and to refer the Special Use Approval to the Planning Commission for possible revocation if those deadlines are not met.

3. In the event that the Special Use Approval is voided for any reason, all dogs and all horses must be removed from the premises within 60 days of the Planning Commission meeting where the permit was voided.

4. All required fees and escrow deposits must be paid. No Final Site Plan Approval will be granted without all required fees and Escrow deposits being paid to the Township.

As with all sites, no construction shall take place on the site prior to the issuance of a building permit. No building permits shall be issued prior to site plan approval.

Roll Call: Cuccia- yes, P. Thoma-yes, R. Thoma-yes, Schmitz-yes, Kaufman-yes

MUC

5-Yes votes, 0-No votes

**Item No. 4 Rezoning for the Proposed Medical Complex- David Arthur Consultants/MKLJ LLC- Parcel ID# 353-035-00, 353-033-00 and 353-015-00, located at 1818 N Monroe, 1776 N Monroe and 1806 N Monroe, located in a C-2 Commercial Zoning District.**

**Motion**

Moved By: Hillary Schmitz

Supported By: Hedwig Kaufman

A motion was made to place on file the following correspondence:

- Chris D. Khorey, McKenna Associates, dated October 5, 2017
- Mark Mathe, Mannik & Smith Group of Michigan, dated October 13, 2017
- Submittal Documents

- Legal Notice, Monroe Evening News, October 3, 2017

MUC

Chris Khorey, McKenna Associates presented the Planners October 5, 2017.

Mr. Khorey stated that for the reasons stated in his review, a recommendation of approval is recommended for the rezoning to the Township Board.

Mr. Cuccia discussed the previous zoning classification of the property and the changes made by Frenchtown Charter Township.

Mr. Khorey gave clarification to the Zoning Ordinance amendments by Frenchtown Township to the parcels in question which previously did have a split zoning classification. The changes are supported by the current Master Plan.

Drawings were presented for public view and comments.

David Kubiske approached and presented on behalf of the Applicant. Mr. Kubiske addressed questions regarding the proposed development for the Medical Complex in the front portion of the property and the multi-family, two bedroom town homes in the back portion.

Commission discussed.

Mark Mathe, Mannik & Smith Group of Michigan, presented review documents October 13, 2017. Mr. Mathe stated that the use permitted by the zoning would be less intense and more favorable. A traffic study would come from the Road Commission a little farther into the process. The existing infrastructure appears adequate and the proposed rezoning would be supported.

Commission discussed.

### **Motion**

Moved By: Hillary Schmitz

Supported By: Hedwig Kaufman

A motion was made to open the Public Hearing at 8:31 p.m.

MUC

Chairman Cuccia asked if there were any comments from the public.

Comments from the public:

3 persons were recognized and spoke with concerns.

1 person was recognized and spoke in favor.

The applicant and Planner offered clarification to questions regarding the proposed development. Site Plan documents were utilized by the public and Commission to answer questions.

### **Motion**

Moved By: Hillary Schmitz

Supported By: Robert Thoma

A motion was made to close the public hearing at 8:54 p.m.

MUC

No further discussion.

**Motion**

Moved By: Hillary Schmitz

Supported By: Robert Thoma

A motion was made to recommend approval for the partial rezoning of parcels 353-035-00, 353-033-00 and 353-015-00, located at 1818 N Monroe, 1776 N Monroe and 1806 N Monroe, with the rear portion being zoned R-3-A Multi-Family and the front remaining a C-2 Commercial Zoning District.

Commission discussed further.

Roll Call: Cuccia- yes, P. Thoma-yes, Schmitz-yes, R. Thoma -yes , Kaufman-yes

MUC

5-Yes votes, 0-No votes

**Item No. 5 Public Hearing- Special Use –Friends of Companion Animals- Proposed Feline Rescue/Adoption Clinic- James Jacobs Architects/Rhonda Cox- Parcel ID# 776-957-00, located at 2532 N Dixie, in a C-2 Commercial Zoning District.**

Commission took a 5 minute recess before continuing.

Chris Khorey, McKenna Associates gave the Planners report dated October 13, 2017.

Mr. Khorey mentioned that the MDARD website states that new registration is required when a licensed shelter moves. It is recommended that a copy of the new registration be required to be submitted to the Township as a condition of any approval. The use will be limited to the interior of the building. No animals will be outside. Mr. Khorey recommended approval of the Special Use with the conditions contained in his report and that the remaining site plan approvals be referred to the Mini-Committee due to the minimal changes to the existing site for the proposed use.

Mark Mathe, Mannik & Smith Group of Michigan, presented his review documents dated October 13, 2017. The site meets the criteria used to review the Special Use request and the changes are very minimal. Mr. Mathe has no objections to the Special Use approval.

James Jacobs, James Jacobs Architects, approached and presented for the Friends of Companion Animals.

Commission discussed.

The owner Rhonda Cox, representative for the Friends of Companion Animals and James Jacobs addressed questions as presented.

Commission discussed.

**Motion**

Moved By: Paul Thoma

Supported By: Hillary Schmitz

A motion was made to open the Public Hearing at 9:32 p.m. MUC  
Chairman Cuccia asked if there were any comments from the public.

Public Comments:  
1 person was recognized and spoke in favor.

**Motion**

Moved By: Hedwig Kaufman Supported By: Robert Thoma

A motion was made to close the public hearing at 9:34 p.m. MUC  
No further discussion.

**Motion**

Moved By: Hillary Schmitz Supported By: Paul Thoma

A motion was made to place on file the following correspondence: MUC

- Chris D. Khorey, McKenna Associates, dated October 13, 2017
- Barry Buschmann, Mannik & Smith Group of Michigan, dated October 13, 2017
- Submittal Documents
- Legal Notice, Monroe Evening News, October 3, 2017

**Motion**

Moved By: Hillary Schmitz Supported By: Paul Thoma

A motion was made to grant the Special Use to the Friends of Companion Animals with conditions as outlined in the Planners' report dated October 13<sup>th</sup>, 2017, along with the added condition that no more than 75 cats over six months in age may be kept on the premises at any given time. The exterior lighting must also be brought into compliance with the current Frenchtown Charter Township Zoning Ordinance standards.

Roll Call: Cuccia- yes, P. Thoma-yes, Schmitz-yes, R. Thoma -yes , Kaufman-yes MUC

5-Yes votes, 0-No votes

**Item No. 6 Public Hearing- Special Use –Guardian Self Storage- Driesenga & Associates Inc./C S McIntyre & Associates Inc.- Parcel ID# 030-007-20, located at 1050 Stewart Road, in a LM-Light Manufacturing, C-2 Commercial and C-3 Commercial.**

Chris Khorey, McKenna Associates presented the Planners report dated October 4, 2017. Mr. Khorey recommended approval of the Special Use with conditions as listed in the report and to also include required screening for the outdoor storage area. Landscaping and lighting should also be addressed prior to submission for Tentative and Final site plan approval.





A motion was made to grant Special Use to Guardian Self Storage subject to the conditions and recommendations in the Planner's Report dated October 4<sup>th</sup>, 2017 and in addition that any outdoor lighting must be brought into compliance with the Township's current Zoning Ordinance requirements.

Roll Call: Cuccia- yes, P. Thoma-yes, Schmitz-yes, R. Thoma -yes , Kaufman-yes

MUC

5 -Yes votes, 0 -No votes

### **Item No. 7 Administrative Reviews Update/Chairperson**

- ZBA:  
Troy Doederlein, Parcel ID# 902-001-00 located at 1299 N. Roessler, Approved.  
Jason Kismish, Parcel ID# 956-033-00, located at 1111 N Telegraph, Approved
- Mini Committee: Nothing to report

### **Item No. 8 Old Business.**

- Angelo's Chop House, Sign: Will be applying to Planning Commission for a Sign Waiver request at the November meeting.

### **Item No. 9 New Business.**

- Recording devices used in Board Room: outdated and not reliable updated equipment is needed.
- Zoning map to be displayed in Boardroom, large scale for wall display and a Master Plan to be made available.
- Public Comment: 2 citizens in the audience remained in attendance. Commission asked if they had any comments regarding tonight's meeting. One person spoke.
- Gas Station at Hurd and N. Monroe and Monroe Public Schools administration building, lighting very bright.

### **Item No. 10 Adjournment.**

#### **Motion**

Moved By: Hillary Schmitz

Supported By: Paul Thoma

A motion was made to adjourn the meeting at 10:01 p.m.

MUC