

FRENCHTOWN CHARTER TOWNSHIP
PLANNING COMMISSION MEETING
March 16, 2017

The meeting was called to order at 7:00pm

Roll call: Hedwig Kaufman Dennis Staelgraeve Steve Hyder
Ignazio Cuccia Robert Thoma
Hillary Schmitz Paul Thoma

Also present: Mark Mathe, Mannik & Smith Group, Township Engineer Representative
Chris D. Khorey, McKenna Associates, Township Planning Consultant
Kerry Bondy, Petrangelo & Bondy, Frenchtown Township Attorney
Amy Conti, Project Manager, NORR LLC, Panda Express
Michael McPherson, PE, Atwell Group, Panda Express
Rick Shuffield, VP Real Estate & Development, Love's Travel Stop
Kevin Cook, Hennessey Engineers Inc., Love's Travel Stop
Bill Hartstock, Ajax Paving, Special Use, Concrete Plant

3 Interested persons

A quorum being present, Chairman Ignazio Cuccia called the meeting to order at 7:01 p.m. This meeting was held under the Open Meetings Act.

Item No. 1 Agenda Approval.

Motion

Moved By: Robert Thoma Supported By: Dennis Staelgraeve

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

Item No.2 Minutes of February 2, 2017 and February 16, 2017.

Motion

Moved By: Hedwig Kaufman Supported By: Hillary Schmitz

A motion was made to approve the minutes for the February 2, 2017 and February 16, 2017 with the addition of N. Telegraph Rd. on page 1 of the minutes from February 2, 2017. MUC

Item No. 3 Public Hearing- Proposed Special Use – NORR LLC- Proposed Panda Express Drive-Thru Restaurant Located at Parcel ID#030-007-060 zoned C-2 Commercial.

Motion

Moved By: Hillary Schmitz

Supported By: Dennis Staelgraeve

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

- Legal Notice, Monroe Evening News, February 28, 2017 MUC

Secretary Hillary Schmitz read the legal notice published in the Monroe Evening News on February 28, 2017 regarding the proposed Special Use, Parcel ID#030-007-60, located on N. Telegraph Road and the Public Hearing for the Frenchtown Township Master Plan Review and Recommendations to the Township Board. Twenty eight property owners were notified.

Amy Conti, Project Manager, NORR LLC and Michael McPherson, PE, Atwell Group approached and presented for the Proposed Panda Express. Clarification of the parcel location as being between the existing Wendy's Restaurant and the existing Meijer's gas station was given.

Chris Khorey went over the Planner's report dated February 21, 2017. Mr. Khorey pointed out two main concerns, one being the location of the proposed drive thru, the other being a recommendation to include that a sidewalk be installed along the frontage of the Panda Express. Special Use was recommended as long as the Planning Commission could come to a mutual agreement on these issues or any others that might arise during discussion.

Mark Mathe gave the Engineer's report dated March 10, 2017. Mr. Mathe stated that the proposed use could be adequately served by public services and facilities. Further review of underground storm water detention will take place during site plan review. The Township Engineer expressed no objections to the Planning Commission granting approval of the proposed Special Use, subject to comments as set forth in both the Planner's and Engineer's reports.

Commission discussed.

Under discussion: Water and sewer access and locations, Drive-thru location, Landscaping for site, specifically a large tree on the site and the applicant's consideration as to the possibility of saving the tree. Commission discussed the possibility of shifting the site so that the tree may be saved.

Motion

Moved By: Hillary Schmitz

Supported By: Robert Thoma

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

- Chris D. Khorey, McKenna Associates, dated February 21, 2017
- Barry Buschmann, Mannik & Smith Group of Michigan, dated March 10, 2017
- Rich Weirich, Frenchtown Water Dept. Utility Director, March 14, 2017
- Joshua Maddox, Frenchtown Fire Dept., Fire Inspector, February 24, 2017
- Applicant Submittal Documents MUC

Motion

Moved By: Hillary Schmitz

Supported By: Dennis Staelgraeve

A motion was made to open the Public Hearing at 7:24 p.m.

MUC

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

Motion

Moved By: Dennis Staelgraeve

Supported By: Hillary Schmitz

A motion was made to close the Public Hearing at 7:25 p.m.

MUC

Commission discussed further the configuration of the Proposed Panda Express, the possibility of saving the tree and consideration for the sidewalk.

The applicant stated that measures were taken to preserve the existing landscaping where possible and they were not aware of the Township Master Plans regarding sidewalks.

In order to address some of the site concerns and to clarify for both the applicants and the Commission members Mr. Khorey referred to the Township Ordinance.

Kerry Bondy, Township Attorney was asked to clarify the requirements of the Township Zoning Ordinance as it pertains to this site.

No further discussion

Motion

Moved By: Hillary Schmitz

Supported By: Dennis Staelgraeve

A motion was made to grant Special Use approval based on the Panda Express being responsible for any litter that may be generated from the Drive-thru business and with the condition that if a sidewalk is built on an adjoining property Panda Express must also build a sidewalk on their site to adjoin with the neighboring property. The applicant must also comply with all findings from the reports of both the Township Engineer and Township Planner and the applicant must obtain a Final Site Plan approval.

Roll Call: Cuccia- yes, Staelgraeve-yes, P. Thoma-yes, R. Thoma-yes, Kaufman-no, Schmitz-yes, Hyder-no

5-Yes votes, 2 -No votes MC

Item No. 4 Tentative Site Plan Review- NORR LLC- Proposed Panda Express Restaurant Located at Parcel ID#030-007-060 zoned C-2 Commercial.

Motion

Moved By: Hillary Schmitz

Supported By: Steve Hyder

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

- Chris D. Khorey, McKenna Associates, dated February 21, 2017
- Barry Buschmann, Mannik & Smith Group of Michigan, dated March 10, 2017
- Rich Weirich, Frenchtown Water Dept. Utility Director, March 14, 2017
- Joshua Maddox, Frenchtown Fire Dept., Fire Inspector, February 24, 2017
- Applicant Submittal Documents

MUC

Amy Conti, Project Manager, NORR LLC and Michael McPherson, PE, Atwell Group remained standing and presented for the Proposed Panda Express Tentative Site Plan.

Chris Khorey read the Planner's report dated February 21, 2017 and highlighted a few key points such as setbacks, building design, space and aisle dimensions, pedestrian circulation, landscaping, signage and lighting. Mr. Khorey asked specifically if the applicant would consider a continuation of the wood look around the upper portion of the building. Further revisions will be required before final site plan submittal.

A sample board of the exterior finish was presented by applicant representative.

Commission discussed the Planner's review.

Mark Mathe went over the Engineer's review dated March 10, 2017. Mr. Mathe pointed out specific issues from his review such as setbacks, length of parking spaces, loading and unloading space, water main easement, curb radii, utilities, storm and sewer detention. Site plan comments should be reviewed by the applicant and the appropriate revisions done prior to final site plan submittal.

Commission discussed the Engineer's comments.

No further discussion.

Motion

Moved By: Dennis Staelgraeve

Supported By: Hillary Schmitz

A motion was made to grant Tentative Site Plan approval conditioned upon the applicant's compliance with both the Township Planner's and Engineer's reports along with consideration to the Planner's comments regarding the facade, that the parking spaces are adjusted to meet the requirements of the Township Ordinance, the water main easement issue is resolved to the satisfaction of the Township Water Department and that the applicant receives approval from all other required agencies.

Roll Call: Cuccia- yes, Staelgraeve-yes, P. Thoma -yes, Kaufman-no, R. Thoma-yes, Schmitz-yes, Hyder-yes

6-Yes votes, 1 -No votes
MC

Item No. 5 Final Site Plan Approval- Hennessey Engineers Inc.-Proposed Love’s Travel Stops and Country Stores-Located on Nadeau Road, Parcel ID#015-043-00, 015-047-00 and 015-009-20, Zoned LM- Light Manufacturing.

Motion

Moved By: Hillary Schmitz

Supported By: Dennis Staelgraeve

To accept and place on file the following correspondence:

- Chris D. Khorey, McKenna Associates, dated January 30, 2017 February 2, 2017and February 24, 2017
- Mark Mathe, Mannik & Smith Group of Michigan dated February 23, 2017
- Rich Weirich, Frenchtown Water Department August 4, 2016
- Submittal Documents

MUC

Applicant representative Rick Schuffield and Kevin presented for Love’s Travel stop.

Chris Khorey presented the Planner’s reports dated January 30th, February 2nd and February 24, 2017 regarding final site plan approval and signage. Key topics of discussion include the approval of the parcel combination, easements, service drive, signs, photometrics, conservation easement, containment, wetlands and traffic study. Mr. Khorey suggested that if approval is given for Final Site Plan no building permits should be issued until all requirements are met and all approvals have been obtained from the necessary jurisdictional agencies.

Mark Mathe went over the Engineer’s report dated February 23, 2017 and discussed some of the deficiencies with respect to the requirements of the consent judgement and pending approvals from jurisdictional agencies. Site plan review comments also discussed storm sewer design, grading plan, elevations, curbing, drainage pit, lighting levels, conservation easement, water and sewer easements, traffic, traffic signal and labeling and spelling errors. Mr. Mathe suggested that any approvals given by the Planning Commission should be upon the applicant addressing all comments as provided and submitting revised plans to the Engineer for review. The applicant shall also submit any pending approvals from the required agencies.

Commission discussed comments.

Mrs. Kaufman asked that the Commission consider the requirements as outlined in the consent judgement.

The Commission reviewed the consent judgement document and discussion was had.

The applicant addressed some of the concerns and questions.

Mrs. Kaufman asked about the possibility of tabling the matter.

Clarification was offered by the Township Attorney if the choice was to table the Final Site plan.

Commission had no further discussion.

Chairman Cuccia acknowledged that a person in the audience that had a comment.

Russel Chinard, 7573 Caroline, stated that he agreed with Mrs. Kaufman's comment that the applicant should have to have everything done prior to final site plan approval.

Paul Thoma asked for an explanation as to how a consent judgement came about.

The Township Attorney offered clarification on this matter.

Commission discussed further.

Motion

Moved By: Hedwig Kaufman

Supported By: Not supported

A motion was made to table this matter until next month's meeting the applicant has turned in all necessary documents and complied with the consent judgement.

Motion dies for lack of support.

Commission discussed further the items from the consent judgement that have not been completed and what recourse the Township would have if compliance is not met.

Motion

Moved By: Steve Hyder

Supported By: Robert Thoma

A motion was made to grant Final Site Plan approval with all the conditions as outlined in the Township Planner's and Township Engineer's reports and with the further condition that all requirements of the consent judgement must be met.

Commission discussed.

No further discussion.

Roll Call: Cuccia- yes, Staelgraeve-yes, P. Thoma-yes, Kaufman-no, R.Thoma-yes, Schmitz-yes, Hyder-yes

6-Yes votes, 1 -No votes
MC

Chairman Cuccia, due to the length of the meeting asked if anyone needed a 5 minute break.
Commission continued.

Chairman Cuccia excused Township Attorney Kerry Bondy from the remainder of the meeting.

Item No. 6 Public Hearing- Master Plan- Review Comments and Recommendations to the Township Board.

Motion

Moved By: Hillary Schmitz

Supported By: Dennis Staelgraeve

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

- Legal Notice, Monroe Evening News, February 28, 2017 MUC

Motion

Moved By: Hillary Schmitz

Supported By: Paul Thoma

A motion was made to open the Public Hearing at 9:08 p.m. MUC

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

Tim Lake, Monroe County Business Development Organization approached to present. Mr. Lake discussed the Township Master Plan, Future Land Use Map and the Zoning designation of approximately 269 acres referred to as "the old Nike Base site" at Newport and Telegraph Roads. Mr. Lake informed the Commission of the studies done by consultants of this area and the potential benefit to the Township. From the studies conducted it is being suggested that the highest and best use of this property might be a type of light manufacturing use.

Commission discussed.

Commission asked that Mr. Khorey read the study and report back to the Commission.

Mrs. Kaufman reviewed some comments she proposed regarding the draft Master Plan.

Commission discussed the draft Master Plan further which also included a discussion on safe travel for pedestrian traffic.

Motion

Moved By: Dennis Staelgraeve

Supported By: Steve Hyder

A motion was made to close the public hearing at 9:47 p.m. for further revisions to the Draft Master Plan and to continue it at the April 20th Planning Commission meeting.

MUC

Item No. 7 Administrative Reviews Update/Chairperson

- ZBA: Buddy-One, LLC regarding Parcel # 087-005-00 which is located at 1440 N Dixie Hwy Monroe, MI 48162: A variance was granted for a building height of no more than 62 feet and no more than 4 stories.
- Mini Committee: No meetings have occurred since last Planning Commission meeting.

Item No. 8 Old Business.

- Ajax Paving 1806 Nadeau: request permission to allow the property to remain in gravel like condition.

Bill Hartstock approached and presented on behalf of Ajax. Owner of property located at 1806 Nadeau Road, Ahmad Ali was also present and stated his support in keeping the site as is.

Commission discussed the request.

Mr. Mathe brought to the Commission's attention that there is a temporary basin on site for drainage purposes.

Mr. Hartstock stated that the Basin has been cleaned and will remain on site.

Motion

Moved By: Robert Thoma

Supported By: Steve Hyder

A motion was made to grant the request to waive the condition of the earlier approval and to allow the site to remain with the gravel located thereon as requested by the Applicant.

MUC

Item No. 9 New Business.

- Nothing to discuss

Item No. 10 Adjournment.

Motion

Moved By: Hillary Schmitz

Supported By: Dennis Staelgraeve

A motion was made to adjourn the meeting at 9:55p.m.

MUC