

FRENCHTOWN CHARTER TOWNSHIP  
PLANNING COMMISSION MEETING  
September 15, 2016

The meeting was called to order at 7:00pm

Roll call: Hillary Schmitz Dennis Staelgraeve Thomas Fox  
Robert Thoma  
Hedwig Kaufman Ignazio Cuccia

Also present: Barry Buschmann, Mannik & Smith Group, Township Engineer  
Chris D. Khorey, McKenna Associates, Township Planning Consultant  
James Jacobs, James Jacobs Architects, El Maguey Restaurant  
Todd Williams, Applicant -Drive In Movie Theater

17 Interested persons present

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: Thomas Fox Supported By: Hillary Schmitz

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

**Item No.2 Minutes of August 18, 2016.**

**Motion**

Moved By: Thomas Fox Supported By: Hillary Schmitz

A motion was made to approve the minutes for the August 18, 2016 meeting as presented. MUC

**Item No. 3 Public Hearing- Proposed Zoning Text Amendments to repeal Sections 7.04.9, 8.04.13 and 19.04.8(i) regarding pool fences which have been replaced by prior amendments and to amend Section 23.14 regarding General Conditions for Planned Unit Developments.**

Secretary Thomas Fox read the legal notices for both items on the agenda, which were published in the Monroe Evening News on August 30, 2016. The first item being the proposed Zoning Ordinance Text Amendment to repeal Sections 7.04.9, 8.04.13 and 19.048(i) regarding pool fences which have been replaced by prior amendments and to amend Section 23.14 regarding General Conditions for Planned

Unit Developments-and the second item being the proposed Special Use at 6495 North Monroe Street, Parcel ID# 016-092-00 and Parcel ID# 016-092-10 for a Drive-In Movie Theater in a C-3 Highway Commercial Zoning District.

**Motion**

Moved By: Thomas Fox                      Supported By: Dennis Staelgraeve

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

- Legal Notice, Monroe Evening News, August 30, 2016

MUC

**Motion**

Moved By: Thomas Fox                      Supported By: Dennis Staelgraeve

A motion was made to open the Public Hearing at 7:03 p.m. and to place on file the following correspondence:

MUC

- Submittal Document Draft Zoning Ordinance Text Amendment 200-129 regarding the repeal of certain sections as to pool fencing which have been replaced previously as well as an amendment of section 23.14 General Conditions.

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

There were no comments from the public.

**Motion**

Moved By: Dennis Staelgraeve                      Supported By: Hillary Schmitz

A motion was made to close the public hearing at 7:05 p.m.

MUC

Commission discussed.

A Commission member questioned the power of the Board and Planning Commission from page 2 of the proposed amendments.

Mr. Khorey offered clarification on the matter and addressed questions.

**Motion**

Moved By: Thomas Fox                      Supported By: Robert Thoma

A motion was made to recommend approval of Zoning Ordinance Text Amendment No. 200-129 to repeal Sections 7.04.9, 8.04.13 and 19.04.8(i) regarding pool fences which have been replaced by prior amendments and to amend Section 23.14 regarding General Conditions for Planned Unit Developments to the Frenchtown Township Board as presented.

Roll Call: Staelgraeve-yes, Fox-yes, Thoma-yes, Schmitz-yes, Kaufman-yes, Cuccia-yes MUC

6-Yes votes, 0-No votes

**Item No. 4 Tentative and Final Site Plan Approval- James Jacobs-El Maguey Restaurant-5144 N. Dixie Highway- Parcel ID#531-017-00, Zoned C-1 Local Commercial.**

**Motion**

Moved By: Thomas Fox Supported By: Hillary Schmitz

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

- Chris D. Khorey, McKenna Associates, August 26, 2016
- Barry Buschmann, Mannik & Smith Group of Michigan, September 9, 2016
- Submittal Documents

MUC

Mr. Jacobs approached and presented for the proposed restaurant.

Mr. Khorey gave his review dated August 26, 2016 and touched on key issues such as the pavilion, pavement markings, nautical theme, possible expansion, parking requirements, building design, barriers, lighting, improvements to the facade, and evidence of all required agency approvals to be submitted. Mr. Khorey stated that he was not opposed to recommending tentative approval and possibly final approval if the applicant could resolve some of the issues as listed in his review.

Mr. Jacobs addressed some of the concerns from the Township Planner's review. Mr. Jacobs discussed issues with the fence and what the residents living in the area would prefer and what would be acceptable to the Commission.

Commission discussed.  
Members questioned the interior layout, especially with regard to an area labeled not occupied and questioned the health department requirements.

Mr. Buschmann presented the Engineer's report dated September 9, 2016. Mr. Buschmann discussed the dimensional issues and parking changes that will need to be addressed. Mr. Buschmann questioned the status of approvals from the Township Fire Department and the Monroe County Drain Commission. Mr. Buschmann had no objection to granting tentative and final subject to the issues from the review letter being addressed along with reviews from the fire department being obtained.

Mr. Jacobs state that he has had correspondence from the Drain Commissioner's Office but not the Fire Department.

No further discussion.

**Motion**

Moved By: Thomas Fox

Supported By: Hillary Schmitz

A motion was made to grant both Tentative and Final Site Plan approval with the conditions as set forth in the reviews of both the Township Planner and Township Engineer along with the addition of a barrier wall to cordon off the unused area from the toilet facilities, the issues with the fence shall comply with the Planners recommendations unless a letter is received from the adjacent property owner, all agency approvals are received including the Fire Department and allowing the Engineer and applicant to work out the final details of the parking lot after they are able to determine their final costs.

Roll Call: Staelgraeve-yes, Fox-yes, Thoma-yes, Schmitz-yes, Kaufman-yes, Cuccia-yes MUC

6-Yes votes, 0-No votes

**Item No. 5 Public Hearing- Special Use-Proposed Drive In Movie Theater-6495 North Monroe Street, Monroe MI 48162- Parcel ID#016-092-00 and Parcel ID#016-092-10, Zoned C-3 Highway Commercial.**

**Motion**

Moved By: Thomas Fox

Supported By: Hedwig Kaufman

A motion was made to accept and place on file the following correspondence and to open the public hearing at 7:32 p.m.

- Chris D. Khorey, McKenna Associates, August 4, 2016
- Barry Buschmann, Mannik & Smith Group of Michigan, August 26, 2016
- Submittal Documents
- Legal Notice, Monroe Evening News, August 30, 2016

MUC

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

Neighbor, Tracy Abbott/Boudrie 130 Neighbor Drive, approached the Commission. She expressed that she was excited about the proposal but had some concerns regarding such things as noise, traffic, trespassing, property value and safety. She also had a concern about traffic on the private road she shares with a neighbor.

Commission members asked if she had some suggestions on how to address these concerns.

She stated she could not think of any.

Tracy St Andre, 6474 N Monroe, approached. He stated he had concerns about traffic in the area and the possible increase in crime.

Dennis Elliott, 6455 N Monroe, approached. He stated his concerns were about safety pertaining to emergency vehicle traffic flow in the area, and drugs being used and sold on the site.

Sandy Mckee, 111 Neighbor Drive stated her concerns were about safety and the kids sneaking alcohol into the site.

Heather Odell and Donovan Obrien, 6475 N Monroe, commented on water flow and questioned the process for Planning Commission.

Tricia St. Andre, 6474 N Monroe, commented on safety and the ability of emergency response vehicles to travel through this area during peak drive through hours.

Scott Hudkins, interested party, stated that the potential impact on local businesses was a positive thing.

Mr. Khorey clarified the flow of traffic coming and going from the proposed Drive-Inn and stated that the plans submitted are above what is required in order to keep cars from stacking up on the public road.

### **Motion**

Moved By: Thomas Fox

Supported By: Dennis Staelgraeve

A motion was made to close the public hearing at 7:50 p.m.

MUC

Mrs. Kaufman wanted to clarify that the public may make comments after the applicant presents.

Mr. Cuccia stated that the public hearing can be reopened.

No further discussion.

Todd Williams approached and presented for the Proposed Drive-In Movie Theater. He addressed the public concerns, such as safety, security, traffic flow, number of jobs created, vehicle capacity, site designs and screening in place to decrease any potential disturbance to any nearby homes and his desire to create an affordable family friendly site. Applicant is proposing to be open May through October 7 days a week and double features available.

Mr. Khorey gave his review of the proposed Special Use dated August 4, 2016. The proposed special use is supported by the township Master Plan. Mr. Khorey mentioned the Zoning Ordinance 200, Performance Standards, Section 29.04.1 regarding Noise and also suggested that the Planning Commission might consider getting some of the terms of operation such as hours and months of operation in writing. Mr. Khorey recommended approval of the Special Use.

Commission discussed. Conditions of use granted for previous theater on this site were questioned as well as existing signage and how potential changes could affect what is existing.

Mr. Williams mentioned that if he is not able to keep the grass and the gravel areas as depicted on his plans he would not be moving forward.

Mr. Buschmann presented the Engineer's report dated August 26, 2016. At this phase from an engineering perspective the special use can be adequately served by public services and facilities without adversely affecting public services and facilities to existing land uses in the area. Exits and entrances will be required to be paved. There are no real major hurdles except for addressing the gravel and drainage issues. Mr. Buschmann was in favor of granting Special Use at this time.

The Commission discussed that they had no objection with keeping the grass and gravel area in the interior area for the proposed Drive-In Theater. Previously approved cases were discussed briefly.

There were no further comments from the public.

### **Motion**

Moved By: Thomas Fox

Supported By: Dennis Staelgraeve

A motion was made to approve the special use conditioned upon the following: The owner/applicant must resolve all of the concerns of the Township Planner and Engineer; the owner/applicant's special use must comply with the Township Zoning Ordinance, section 29.04.1 regarding noise; the special use specifically prohibits alcohol on the site; the owner/applicant will employ mobile security guards, one of whom must have arresting power; and, due to the size of the projection screen, in order to protect the neighboring properties aesthetically and for safety purposes, the applicant shall provide for complete removal of the projection screen within 12 months of the date that the operation is last open to the public.

Roll Call: Staelgraeve-yes, Fox-yes, Thoma-yes, Schmitz-yes, Kaufman-no, Cuccia-yes MC

5-Yes votes, 1-No votes

No further discussion.

### **Item No. 6 Administrative Reviews Update/Chairperson.**

- ZBA: No case was heard.
- Mini Committee: No Case was heard

### **Item No. 7 Old Business.**

- **1950 Welcome Way, Angelo's Sports Bar:** Mr. Jacobs has been involved in part of the process and was able to share what information he could. The applicant is struggling with coming in to compliance in order to receive approval to open. The foundations are in question under the cooler which was installed without the appropriate approvals from the Township. There appear to be no footings. Planning members questioned the process that the applicant took in order to reach his current status. The conditions of a Mini Committee approval were discussed. Work was done on site before applying to Mini Committee or pulling the required permits. Mr. Fox questioned as to way this applicant was not brought before the Commission especially due to all the issues. Commission continued to discuss the process and what standards are used to determine if an applicant should be expected to come before a full Planning Commission meeting instead of a Mini Committee meeting.

**Item No. 8 New Business.**

- Mrs. Kaufman mentioned an information website: darksky.org

**Item No. 9 Adjournment.**

**Motion**

Moved By: Thomas Fox

Supported By: Hillary Schmitz

A motion was made to adjourn the meeting at 8:58 p.m.