

FRENCHTOWN CHARTER TOWNSHIP
PLANNING COMMISSION MEETING
April 15, 2021

The meeting was held entirely via Zoom and was called to order at 7:03 p.m.

Roll call: Paul Thoma Dennis Staelgraeve Hillary Venier
Fred Calkins Don Abrams Chris Collins

Absent: Brain Dotson

Also present: Mark Mathe, Mannik & Smith Group, Township Engineer Representative
Mario Ortega, McKenna Associates, Township Planning Consultant
Natalie Askar, Planning Commission Recording Secretary
Jim Jacobs, James A Jacobs Architects, representing Family Fun Center
Dan Sinnott, Family Fun Center
Chuck Friese, TNT Fireworks Regional Manager
Chase Meylan, ODW Properties Monroe, LLC, Culver's Restaurant
Matt Cole, Project Engineer, Roosien & Associates, representing Culver's Restaurant
Nasser Choucair, NC Designers & Contracting, Michigan Fuels

5 interested citizens

A quorum being present, Chairman Paul Thoma called the meeting to order at 7:03 p.m. This meeting was held under the Open Meetings Act.

Item No. 1 Agenda Approval.

Motion

Moved By: Dennis Staelgraeve Supported By: Don Abrams

A motion was made to approve the agenda as presented.

MUC

Item No. 2 Minutes of March 18, 2021 Meeting.

Motion

Moved By: Dennis Staelgraeve Supported By: Hillary Venier

A motion was made to approve the minutes for the March 18, 2021 Planning Commission meeting as presented.

MUC

Item No. 3 Public Hearing- Rezoning: to hear and consider a request to amend the existing Planned Unit Development (PUD) agreement that is in place for the Frenchtown Park Business Community. The amendment to Section 1. Permitted Uses, Paragraph A. Lots 1-10, Sub-Paragraph (2) would add an additional sub-paragraph h. to allow Private and Public Recreation Facilities such as batting cages,

arcades and other indoor and/or outdoor recreation facilities to the list of permitted uses in the PUD district.

Mario Ortega, McKenna Associates, Township Planner, presented the Planner’s report dated April 6, 2021. Mr. Ortega states that the rezoning would allow for the development of a vacant property within the Township Business Park. Mr. Ortega advises that the Planning Commission recommend approval of the proposed Frenchtown Business Park PUD Development Plan amendment to allow public commercial indoor and outdoor recreation uses on lots 1-10.

Mark Mathe, Mannik & Smith Group of Michigan, Township Engineer, presented the engineer’s report dated April 7, 2021. The comments made in Mr. Mathe’s review state that the Planning Commission should consider the merits of each specific proposal within the Business Park, considering such aspects as outdoor storage, anticipated traffic generation and noise generated by the facility, and be prepared to consider mitigation efforts at that time.

Motion

Moved By: Hillary Venier

Supported By: Dennis Staelgraeve

MUC

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

- Mario Ortega, McKenna Associates, dated April 6, 2021
- Mark Mathe, Mannik & Smith Group of Michigan, April 7, 2021
- Legal Notice – publication date March 30, 2021
- Affidavit of Mailing, dated March 24, 2021 of which 39 property owners were notified
- Submittal Documents

Jim Jacobs, James S. Jacobs Architects, PLLC, presented the proposed changes to the Business Park PUD agreement. They understand that this is the first step in a four-step process which also includes Special Use, Tentative and Final Site Plan. The applicant is proposing to put in an 18-hole putt putt golf course and 4 batting cages.

Motion

Moved By: Hillary Venier

Supported By: Chris Collins

A motion was made to **open** the public hearing at 7:30 pm.

MUC

Paul Thoma, Planning Commission Chairperson, asked if there were any citizens who wished to address the Commission.

Two concerned citizens spoke in opposition of this development due to loitering, drugs, litter and noise.

Mr. Thoma, asked three times if there were any other citizens who wished to address the Commission. There were no other citizens who wished to address the Commission.

Motion

Moved By: Hillary Venier

Supported By: Dennis Staelgraeve

A motion was made to **close** the public hearing at 7:40 pm.

MUC

The Commission discussed.

Motion

Moved By: Hillary Venier

Supported By: Dennis Staelgraeve

A motion was made to recommend to the Township Board the request to amend the existing Planned Unit Development (PUD) agreement that is in place for the Frenchtown Park Business Community. The amendment to Section 1. Permitted Uses, Paragraph A. Lots 1-10, Sub-Paragraph (2) would add an additional sub-paragraph h. to allow Public Commercial Recreation Facilities such as batting cages, arcades and other indoor and/or outdoor recreation facilities to the list of permitted uses in the PUD district.

Roll Call: Thoma – Yes, Staelgraeve – Yes, Collins – Yes,
Abrams – Yes, Calkins – Yes, Venier – Yes.

MUC

6 - Yes votes, 0 - No votes

Item No. 4 Public Hearing - Special Use: to hear and consider a special use permit for temporary outdoor sales of fireworks to be located in the parking lot at 1700 N. Telegraph Road (more commonly known as Meijer) (Parcel# 5807-030-007-02). The property where the special use is being requested is located in the C-2, General Commercial zoning district.

Motion

Moved By: Hillary Venier

Supported By: Don Abrams

MUC

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

- Mario Ortega, McKenna Associates, dated April 2, 2021
- Mark Mathe, Mannik & Smith Group of Michigan, April 7, 2021
- Josh Maddox, Fire Inspector, dated April 6, 2021
- Legal Notice – publish date March 30, 2021
- Affidavit of Mailing, dated March 24, 2021 of which 42 property owners were notified
- Submittal Documents

Mario Ortega, McKenna Associates, Township Planner, presented the Planner’s report dated April 2, 2021. Mr. Ortega states that the site appears to be an appropriate location for the proposed temporary special use. We recommend the Planning Commission grant special use approval contingent upon the following:

1. The Planning Commission determination that the tent sidewalls will be sufficient to stop the blowing of debris into the parking lot and adjacent properties.
2. The use of the restrooms for customers is approved by Meijer.

3. The applicant indicating the precise date when set-up will begin and the final date by which removal will be completed.
4. The applicant obtaining all necessary outside agency approvals, including but not limited to, LARA and the Township Fire Department.
5. The applicant providing its event/sales liability insurance certificate with the Township listed as an additional insured party on the certificate.

Mr. Mathe, Mannik & Smith Group of Michigan, Township Engineer, presented the engineer's report dated April 7, 2021. Mr. Mathe has no objections to the Planning Commission granting approval of the proposed special use, subject to the comments set in his review. The information in this report should supplement the Township Planning Consultant's report and recommendations with regard to the special use approval request.

Chuck Friese, TNT Fireworks Regional Manager, presented the proposed special use for temporary outdoor sales of fireworks to be located in the parking lot at 1700 N. Telegraph Road (more commonly known as Meijer) (Parcel# 5807-030-007-02).

- Setup is scheduled for June 22, 2021.
- Tear down is scheduled for July 7 or 8, 2021.
- Operation of sales will be June 25 through July 5.
- Meijer is allowing customers to utilize their bathrooms.
- Meijer is also allowing TNT Fireworks to utilize their garbage containers.

The Commission discussed.

Motion

Moved By: Fred Calkins

Supported By: Don Abrams

A motion was made to **open** the public hearing at 8:04 pm.

MUC

Paul Thoma, Planning Commission Chairperson, asked three times if there were any citizens who wished to address the Commission. There were no citizens who wished to address the Commission.

Motion

Moved By: Don Abrams

Supported By: Hillary Venier

A motion was made to **close** the public hearing at 8:06 pm.

MUC

The Commission further discussed.

Motion

Moved By: Dennis Staelgraeve

Supported By: Fred Calkins

A motion was made to grant special use approval for temporary outdoor sales of fireworks to be located in the parking lot at 1700 N. Telegraph Road (more commonly known as Meijer) (Parcel# 5807-030-007-02). The property where the special use is being requested is located in the C-2, General Commercial zoning district. Approval is contingent upon the items listed in the Planner's report.

Roll Call: Staelgraeve – Yes, Collins – Yes, Abrams – Yes,
 Calkins – Yes, Venier – Yes, Thoma – Yes.

MUC

6 - Yes votes, 0 - No votes

Item No. 5 Public Hearing – Special Use: to hear and consider a special use permit for a drive-through restaurant on a 5.84-acre portion of a vacant parcel located on the west side of N. Telegraph Road, south of Mall Road (Parcel# 5807-076-002-00). The 5.84-acre portion of the property where the special use is being requested is located in the C-2, General Commercial zoning district.

Motion

Moved By: Hillary Venier

Supported By: Dennis Staelgraeve

MUC

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

- Mario Ortega, McKenna Associates, dated April 5, 2021
- Mark Mathe, Mannik & Smith Group of Michigan, April 7, 2021
- Josh Maddox, Fire Inspector, dated April 7, 2021
- Randy Kendall, Frenchtown Water Department, dated March 9, 2021
- Legal Notice – publication date March 30, 2021
- Affidavit of Mailing, dated March 24, 2021 of which 20 property owners were notified
- Submittal Documents

Mario Ortega, McKenna Associates, Township Planner, presented the Planner's report dated April 5, 2021. Mr. Ortega states that the proposed drive-thru restaurant will be impacting a regulated wetland and be located directly adjacent to existing Township residents. While the site is located in one of the Township's primary commercial areas, the site design and function will determine if it can exist in harmony with the adjacent residential uses and natural features. We recommend that the Planning Commission grant special use approval contingent upon the following:

1. The site be designed to provide an effective landscape buffer adjacent to the existing residential uses which is above and beyond the zoning ordinance minimum requirements.
2. The site be designed to function to minimize any impact to the regulated wetland, including but not limited to, the use of best management practices for storm water mitigation above and beyond any County or State standards.
3. The applicant receiving tentative and final Site Plan Approval.
4. The receipt of an approval letter from MDOT for the proposed driveway access configuration.

Mr. Mathe, Mannik & Smith Group of Michigan, Township Engineer, presented the engineer's report dated April 7, 2021. Mr. Mathe has no objection to the Planning Commission granting approval of the proposed special use, subject to the comments set in his review. The information in the report should supplement the Township Planning Consultant's report and recommendations with regard to the special use approval request.

Matt Cole, Project Engineer, Roosien & Associates representing Culver's Restaurant, presented the proposed special use for a drive-through restaurant on a 5.84-acre portion of a vacant parcel located on the west side of N. Telegraph Road, south of Mall Road (Parcel# 5807-076-002-00). The 5.84-acre portion of the property where the special use is being requested is located in the C-2, General Commercial zoning district.

Motion

Moved By: Chris Collins

Supported By: Fred Calkins

A motion was made to **open** the public hearing at 8:24 pm.

MUC

Paul Thoma, Planning Commission Chairperson, asked if there were any citizens who wished to address the Commission.

One interested citizen spoke in support of this project.

Mr. Thoma, asked three times if there were any other citizens who wished to address the Commission. There were no other citizens who wished to address the Commission.

Motion

Moved By: Dennis Staelgraeve

Supported By: Don Abrams

A motion was made to **close** the public hearing at 8:27 pm.

MUC

The Commission discussed.

Motion

Moved By: Hillary Venier

Supported By: Fred Calkins

A motion was made to grant special use approval for a drive-through restaurant on a 5.84-acre portion of a vacant parcel located on the west side of N. Telegraph Road, south of Mall Road (Parcel# 5807-076-002-00). The 5.84-acre portion of the property where the special use is being requested is located in the C-2, General Commercial zoning district. The approval is contingent upon the items listed in both the Planner's and Engineer's Reports. In addition, wetlands in kind to be purchased in the Township if possible.

Roll Call: Collins – Yes, Abrams – Yes, Calkins – Yes,
Venier – Yes, Thoma – Yes, Staelgraeve – Yes.

MUC

6 - Yes votes, 0 - No votes

Item No. 6 Tentative Site Plan Review: Parcel ID# 5807-076-002-00 for a drive-through restaurant on a 5.84-acre portion of a vacant parcel located on the west side of N. Telegraph Road, south of Mall Road (Parcel# 5807-076-002-00). The 5.84-acre portion of the property where the special use is being requested is located in the C-2, General Commercial zoning district.

Motion

Moved By: Hillary Venier

Supported By: Dennis Staelgraeve

MUC

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

- Mario Ortega, McKenna Associates, dated April 6, 2021
- Mark Mathe, Mannik & Smith Group of Michigan, April 7, 2021
- Josh Maddox, Fire Inspector, dated April 7, 2021
- Randy Kendall, Frenchtown Water Department, dated March 9, 2021
- Submittal Documents

Mario Ortega, McKenna Associates, Township Planner, presented the Planner's report dated April 6, 2021. Mr. Ortega states that the proposed drive-thru restaurant site plan is in substantial compliance with most of the issues considered as part of the tentative site plan review process. We recommend that the Planning Commission grant tentative site plan approval contingent upon the following:

- A. The applicant addressing any conditions from special land use review;
- B. The applicant submitting a final site plan that includes the following;
 - 1) Detailed building elevations including type and color of all materials;
 - 2) A revised Telegraph Road access drive configuration that minimizes conflict points with the proposed parking spaces;
 - 3) A detailed lighting plan to determine compliance with ordinance standards;
 - 4) A revised landscaping plan that includes a residential buffer, that the Planning Commission has determined is appropriate, and that utilizes BMPs to address stormwater quality;
 - 5) Details for the proposed dumpster enclosure;
 - 6) Confirmation that all signage standards shall be complied with.
- C. Submittal of approvals from the required Township departments;
- D. Submittal of approvals from relevant outside agencies, including but not limited to MDOT and the Monroe County Drain Commissioner;
- E. The applicant addressing any site plan issues identified by the Township Engineer.

Mr. Mathe, Mannik & Smith Group of Michigan, Township Engineer, presented the engineer's report dated April 7, 2021. Mr. Mathe states he has no objection to the Planning Commission granting approval of the tentative site plan, subject to the applicant addressing all comments provided and incorporating them into the final site plan drawings.

In addition, tentative site plan approval should also be contingent upon:

- Approval from the Township Fire Marshal,
- Approval from the Township Water Department, and
- Approval from the Township Planning Consultant.

Mr. Mathe also recommended to the Commission that sidewalks should be requested of the applicant. And that due to the unique parameters of the site that the Planning Commission allows Mannik & Smith to work with the applicant to get items addressed.

Matt Cole, Project Engineer, Roosien & Associates representing Culver’s Restaurant, presented the proposed tentative site plan review for a drive-through restaurant on a 5.84-acre portion of a vacant parcel located on the west side of N. Telegraph Road, south of Mall Road (Parcel# 5807-076-002-00). The 5.84-acre portion of the property where the special use is being requested is located in the C-2, General Commercial zoning district.

The Commission discussed.

Motion

Moved By: Dennis Staelgraeve

Supported By: Hillary Venier

A motion was made to grant tentative site plan approval for a drive-through restaurant on a 5.84-acre portion of a vacant parcel located on the west side of N. Telegraph Road, south of Mall Road (Parcel# 5807-076-002-00). The 5.84-acre portion of the property where the special use is being requested is located in the C-2, General Commercial zoning district. The approval is contingent upon the recommendations of both the Planner and Engineer found in their reports and to allow Mannik & Smith to work with the applicant on the slopes of the curbs.

Roll Call:	Abrams – Yes,	Calkins – Yes,	Venier – Yes,
	Thoma – Yes,	Staelgraeve – Yes	Collins – Yes.

MUC
6 - Yes votes, 0 - No votes

Item No. 7 Final Site Plan Review: Parcel ID# 5807-009-036-00 & 5807-009-037-00 (Michigan Fuels) for an automobile filling station and convenience mart with drive-thru at 7051/7015 N. Monroe Street, which is located in the C-3, Highway Commercial zoning district.

Motion

Moved By: Hillary Venier

Supported By: Don Abrams

MUC

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

- Mario Ortega, McKenna Associates, dated April 1, 2021
- Mark Mathe, Mannik & Smith Group of Michigan, April 7, 2021
- Josh Maddox, Fire Inspector, dated October 2, 2020
- Randy Kendall, Frenchtown Water Department, dated March 13, 2020 and March 9, 2021
- ZBA Approval dated 2/10/2021
- Submittal Documents

Mario Ortega, McKenna Associates, Township Planner, presented the Planner’s report dated April 1, 2021. Mr. Ortega states that the proposed gas station with convenience retail and a restaurant with drive

through window is generally in compliance with zoning ordinance standards and did warrant a tentative approval. The applicant has applied for and received the necessary variances. However, the same issues identified at tentative site plan review are still outstanding. We advise the applicant to submit the following items below and the Planning Commission only consider final site plan approval after a full review of these materials.

- A. A revised final site plan that includes:
 - 1) Elevations of the canopy to determine that the height is in compliance;
 - 2) A photometric plan with lighting details to determine compliance with all lighting standards;
 - 3) The location of one (1) free-standing sign and any proposed wall signage;
 - 4) A revised landscape plan that is compliance with all planting standards;
- B. Confirmation of compliance with the fire station setback standard;
- C. The applicant submitting an application for a lot combination;
- D. Submittal of approvals from the required Township departments;
- E. Submittal of approvals from relevant outside agencies including, but not limited to, the Monroe County Drain Commissioner, Michigan Department of Transportation; and
- F. The applicant addressing any site plan issues identified by the Township Engineer.

Mr. Mathe, Mannik & Smith Group of Michigan, Township Engineer, presented the engineer's report dated April 7, 2021. Mr. Mathe states that based on the extent of deficiencies and number of concerns with regard to the proposed layout and access to the site, we would not recommend approval of the final site plan at this time. It should be noted that the plans submitted for final site plan review are essentially identical to those submitted earlier for tentative site plan review and have not addressed the comments provided in our initial review letters.

In addition, final site plan approval should also be contingent upon:

- Approval from the Monroe County Drain Commissioner's Office, with respect to site plan and soil erosion and sedimentation control,
- Approval from the Michigan Department of Transportation, with respect to the proposed improvements within the US-24 and M-125 rights-of-way,
- Approval from the City of Monroe, with respect to the sanitary sewer connection,
- Approval from the Township Fire Marshal,
- Approval from the Township Water Department, and
- Approval from the Township Planning Consultant.

Nasser Choucair, N.C. Designers & Contracting, Michigan Fuels, presented the case on behalf of Michigan Fuels for an automobile filling station with drive thru restaurant at 7051/7015 N. Monroe, which is located in the C-3, Highway Commercial zoning district.

The Commission discussed.

Applicant requested to table until he can get the required approvals and get the items corrected on the prints.

Motion

Moved By: Dennis Staelgraeve

Supported By: Chris Collins

A motion was made to table the final site plan for Parcel ID# 5807-009-036-00 & 5807-009-037-00 (Michigan Fuels) for an automobile filling station and convenience mart with drive-thru at 7051/7015 N. Monroe Street, which is located in the C-3, Highway Commercial zoning district as requested by the applicant.

Roll Call: Calkins – Yes, Venier – Yes, Thoma – Yes,
Staelgraeve – Yes, Collins – Yes, Abrams – Yes.

MUC
6- Yes votes, 0 - No votes

Item No. 8 Old Business.

There were no items of old business to discuss.

Item No. 9 New Business.

There were no citizens remaining to open the floor for questions, comments or concerns to the Planning Commission.

Mario Ortega, McKenna Associates, Township Planner, would like to add a Zoning Ordinance Amendment on the next agenda.

Item No. 10 Administrative Reviews Update/Chairperson.

Next Month's Agenda

Paul Thoma, Planning Commission Chairperson, informed the Commission of the items proposed to be on next month's agenda.

- FINAL SITE PLAN – Brady Sullivan Properties – True Storage
- REZONING – Monroe Storage Units – (Old Sears Building)
- **Mini Committee:** none to report

Township Board Report:

Chris Collins, Township Trustee, informed the Commission of the ability to be able to access board packets online.

ZBA (Zoning Board of Appeals) Report:

Fred Calkins, Planning Commission representative to the ZBA, informed the Commission of the results of ZBA meeting. There were two cases that the ZBA heard:

- 6551 Newport South Rd - passed
- 3237 Oakwood - denied

Item No. 11 Adjournment.

Motion

Moved By: Dennis Staelgraeve

Supported By: Fred Calkins

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

MUC