

CLINTON TOWNSHIP PLANNING COMMISSION

REPORT OF MEETING

JUNE 25, 2009

PRESENT: Kirkanne Moseley, Chairperson
Denise C. Trombley, Secretary
Fred Gibson (arrived late)
Peter Henderson
Ernest Hornung
Ken Pearl

ABSENT: Ron DiBartolomeo, Vice-Chairperson (Excused)
Stephen Charron (Excused)
Timothy Grajewski (Excused)

STAFF: Carlo Santia, Director
DEPARTMENT OF PLANNING AND
COMMUNITY DEVELOPMENT

Ms. Moseley called the meeting to order at 6:35 p.m.

APPROVAL OF AGENDA

Motion by Mr. Hornung, supported by Mr. Henderson, to approve the agenda as submitted. Roll Call Vote: Ayes – Hornung, Henderson, Moseley, Pearl, Trombley. Nays – None. Absent – DiBartolomeo, Charron, Grajewski. Motion carried.

CODIFIED ORDINANCES OF CLINTON TOWNSHIP PART TWELVE – PLANNING AND ZONING CODE

- **PROPOSED AMENDMENT: TEXT**

-- **PUBLIC HEARING**

FILE #09-6354: PETITIONED BY THE CHARTER TOWNSHIP OF CLINTON

Mr. Santia explained that the proposed text amendment is a revision to the ordinance with regard to certain uses in the B-1, B-2 and B-3 Districts, making them subject to Special Land Use requirements. These uses include sexually-oriented businesses, massage parlors, pawnbrokers and tattoo parlors, payday advance/check-cashing businesses, resale shops, second-hand dealers, gold sell/buy businesses, precious gems and metals sell/buy businesses, used goods businesses and other similar uses. The proposed amendments also address some of the fencing and parking requirements for group daycare homes in residential districts. Mr. Santia indicated that the Planning Department will mail the

proposed text amendment to licensed group daycare homes for their comments prior to this being forwarded to the Township Board.

Motion by Mr. Pearl, supported by Mr. Hornung, to open the public hearing. Roll Call Vote: Ayes – Pearl, Hornung, Henderson, Moseley, Trombley. Nays – None. Absent – DiBartolomeo, Charron, Gibson, Grajewski. Motion carried.

There were no comments from citizens.

Motion by Mr. Hornung, supported by Mr. Henderson, to close the public hearing. Roll Call: Ayes – Hornung, Henderson, Moseley, Pearl, Trombley. Nays – None. Absent – DiBartolomeo, Charron, Gibson, Grajewski. Motion carried.

Mr. Pearl explained that the Ordinance Update Committee spent a lot of time on modifications for the fence requirements, and they received a lot of feedback from existing group daycare providers.

Mr. Hornung inquired as to the proposed change for the fence requirements.

Mr. Santia replied that the current ordinance requires a 6-foot-high obscuring vinyl fence and the proposed amendment would require a 4-foot vinyl-coated chain link fence.

Mr. Pearl noted that most of the daycare providers who attended the Ordinance Update Committee meeting receive state aid to take care of children and they cannot afford to put up expensive fences.

Motion by Mr. Hornung, supported by Ms. Trombley, with reference to the proposed revisions to the Township Ordinance, that recommendation be forwarded to the Township Board for approval of the text amendments as presented. Roll Call Vote: Ayes – Hornung, Trombley, Henderson, Moseley, Pearl. Nays – None. Absent – DiBartolomeo, Charron, Gibson, Grajewski. Motion carried.

1.610 ACRES OF LAND LOCATED BETWEEN NORTHBOUND AND SOUTHBOUND GRATIOT AVENUE, SOUTH OF IROQUOIS STREET (SECTION 23)

- **SPECIAL LAND USE: DRIVE-THRU RESTAURANT IN THE B-3 GENERAL BUSINESS DISTRICT AND**
 - **SITE DEVELOPMENT APPROVAL FOR MCDONALD'S RESTAURANT**
 - **PUBLIC HEARING**
- FILE #09-6335: PETITIONED BY MCDONALD'S U.S.A.
 REPRESENTED BY MICHAEL KAZARIAN**
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Pertinent correspondence was read and entered into the record. Ms. Trombley informed that notice of this public hearing was issued by regular mail to owners and occupants of property located within 300 feet of the land in question.

Mr. Tom Gergich, Area Real Estate Manager for McDonald's, 1021 Karl Greimel Drive, Brighton, Michigan 48116, explained they are seeking approval for the proposed special land use of a drive-thru restaurant and the related site plan for McDonald's Restaurant on this site. He offered to answer any questions and address concerns of the Planning Commission with regard to this project.

Motion by Mr. Pearl, supported by Mr. Henderson, to open the public hearing. Roll Call Vote: Ayes – Pearl, Henderson, Hornung, Moseley, Trombley. Nays – None. Absent – DiBartolomeo, Charron, Gibson, Grajewski. Motion carried.

There were no comments from citizens.

Motion by Mr. Hornung, supported by Mr. Henderson, to close the public hearing. Roll Call Vote: Ayes – Hornung, Henderson, Moseley, Pearl, Trombley. Nays – None. Absent – DiBartolomeo, Charron, Gibson, Grajewski. Motion carried.

Mr. Henderson inquired as to the small parcel of land between Gratiot and Remick and what that will be used for.

Mr. Santia replied the parcel referred to by Mr. Henderson is owned by Michigan Department of Transportation (MDOT) and will remain a green area.

Mr. Gergich replied to inquiry that the subject parcel is in the process of being split, and application has been made to the Department of Assessing.

Mr. Santia clarified that they were waiting for final approval before they go ahead with the purchase of the property and the related property splits.

Mr. Gergich replied to inquiry that the current McDonald's Restaurant, located a short distance from this site, will be closed, the building will be raised and the property will be marketed for sale. He added they will clean up the property. Mr. Gergich replied to further inquiry that the new facility will have a side-by-side drive-thru window, which allows them to take two orders at a time and gives them a few extra seconds to prepare it before the customer pulls up to the drive-thru window. He added this is important because all of the food is made-to-order so it is not all done ahead of time.

Motion by Ms. Trombley, supported by Mr. Pearl, with reference to File #6335 and application from Mr. Michael Kazarian, McDonald's U.S.A., 1021 Karl Greimel Drive, Brighton, Michigan 48116, concerning 1.610 acres of land located between northbound and southbound Gratiot Avenue, south of Iroquois Street (Section 23), that recommendation be forwarded to the Clinton Township Board for approval of the Special Land Use being a drive-thru restaurant in the B-3 General Business District and of the Site Development Plan for McDonald's Restaurant, as submitted, subject to the petitioner obtaining the required property split. Roll Call Vote: Ayes – Trombley, Pearl,

Henderson, Hornung, Moseley. Nays – None. Absent – DiBartolomeo, Charron, Gibson, Grajewski. Motion carried.

LOT 36, GROESBECK-NUNNELEY SUBDIVISION (SECTION 28)

- **SPECIAL LAND USE: USED AUTO SALES IN THE B-3 GENERAL BUSINESS DISTRICT**
 - **SITE DEVELOPMENT APPROVAL FOR IMPORT AUTO SALES**
 - **PUBLIC HEARING**
- FILE #09-0286-A: PETITIONED BY SAM YOUSIF
REPRESENTED BY MARK SEGAL AND
CHARLES SHAW**
-

Pertinent correspondence was read and entered into the record. Ms. Trombley informed that notice of this public hearing was issued by regular mail to owners and occupants of property located within 300 feet of the land in question.

Mr. Sam Yousif, 4469 Westover Drive, West Bloomfield, Michigan 48323, replied to inquiry that this is the site of the former Haney's Car Stereo. When Enterprise Car Rental took over the site, it was redesigned; however, with the economy taking a downturn, they decided to close this location and move their business to one of their current locations on Gratiot. Mr. Yousif noted that Mr. Cass Daniels has put in a lot of money into this property for upgrades, and he assured he has met or exceeded all of the Township's expectations.

Motion by Mr. Hornung, supported by Ms. Trombley, to open the public hearing. Roll Call Vote: Ayes – Hornung, Trombley, Henderson, Moseley, Pearl. Nays – None. Absent – DiBartolomeo, Charron, Gibson, Grajewski. Nays – None. Absent – DiBartolomeo, Charron, Gibson, Grajewski. Motion carried.

There were no comments from citizens.

Motion by Mr. Henderson, supported by Mr. Hornung, to close the public hearing. Roll Call Vote: Ayes – Henderson, Hornung, Moseley, Pearl, Trombley. Nays – None. Absent – DiBartolomeo, Charron, Gibson, Grajewski. Motion carried.

Mr. Hornung inquired as to how many cars can be stored on the lot.

Mr. Santia replied that there is not room for very many cars.

Mr. Yousif replied that there is room for 12 cars but the rest of the spaces on the other side are required for customer parking. He explained they are looking to run a "boutique" of pre-owned cars, where they would be a higher quality. He would like to turn over as many cars as possible at reasonable prices.

Mr. Pearl noted that the site does not have a lot of visibility because of the way the site is angled and landscaped. He did not feel it will be a typical used car auto dealer because they will have limited room for cars and limited visibility; however, he felt the owners will have to figure out how to market the business.

Mr. Santia added it is a difficult site to access because of its close proximity to Metropolitan Parkway.

Motion by Mr. Henderson, supported by Ms. Trombley, with reference to File #0286 and application from Mr. Sam Yousif, SIPO Investments/dba Import Auto Sales, 4469 Westover Drive, West Bloomfield, Michigan 48323, as represented by Mr. Mark Segal, Spectrum Real Estate, 5650 Culpepper, West Bloomfield, Michigan 48322, that recommendation be forwarded to the Clinton Township Board for approval of the proposed Special Land Use, being a used auto sales facility in the B-3 General Business District and the Site Development Plan for Import Auto Sales, as presented. Roll Call Vote: Ayes – Henderson, Trombley, Hornung, Moseley, Pearl. Nays – None. Absent – DiBartolomeo, Charron, Grajewski. Abstain – Gibson. Motion carried.

LOT 217, PIPER'S BROAD ACRES SUBDIVISION (SECTION 34)

- **PROPOSED REZONING FROM B-3 GENERAL BUSINESS TO R-5 ONE-FAMILY RESIDENTIAL**

-- **PUBLIC HEARING**

FILE #09-6355: PETITIONED BY CASS LEESCH

Pertinent correspondence was read and entered into the record. Ms. Trombley informed that notice of this public hearing was issued by regular mail to owners and occupants of property located within 300 feet of the land in question.

Mr. Cass Leesch, P. O. Box 296, Richmond, Michigan 48062, explained that this property is developed with a single-family home and he would like to rezone the property to residential.

Motion by Mr. Hornung, supported by Mr. Henderson, to open the public hearing. Roll Call: Ayes – Hornung, Henderson, Moseley, Pearl, Gibson, Trombley. Nays – None. Absent – DiBartolomeo, Charron, Grajewski. Motion carried.

There were no comments from citizens.

Motion by Mr. Hornung, supported by Mr. Henderson, to close the public hearing. Roll Call Vote: Ayes – Hornung, Henderson, Moseley, Pearl, Trombley, Gibson. Nays – None. Absent – DiBartolomeo, Charron, Grajewski. Motion carried.

Mr. Hornung inquired as to what the petitioner intends to do with the existing home on the property.

Mr. Leesch replied that he is an investor, and he would like to resell the home. He purchased it as a HUD home, but would like to be able to sell it.

Mr. Hornung inquired as to why he is proposing to rezone the property.

Mr. Santia explained that the house has been vacant for more than thirty days, which makes it non-conforming. He noted that if the house had been occupied, it could be sold as a legal non-conforming use; however, since it was vacant for longer than thirty days, it is no longer allowed to be occupied as a home, and that is why the petitioner is proposing to rezone it back to residential.

Motion by Mr. Hornung, supported by Mr. Pearl, with reference to File #6355 and application from Mr. Cass Leesch, P. O. Box 296, Richmond, Michigan 48062, concerning the proposed rezoning from B-3 General Business to R-5 One-Family Residential of Lot 217, Piper's Broad Acres Subdivision (Section 34), generally located north of Stafford, west of Gratiot, addressed as 20787 Stafford, that recommendation be forwarded to the Township Board for approval of the rezoning as requested. Roll Call Vote: Ayes – Hornung, Pearl, Henderson, Gibson, Moseley, Trombley. Nays – None. Absent – DiBartolomeo, Charron, Grajewski. Motion carried.

0.667 ACRE OF LAND FRONTING THE NORTH LINE OF FESTIAN, WEST OF GARFIELD (SECTION 30)

- **TREE REMOVAL PLAN**

-- **FILE #09-6361: PETITIONED BY TOM CULLEN
REPRESENTED BY ROY TRANSIT**

Pertinent correspondence was read and entered into the record.

Mr. Roy Transit, 3813 Edgar, Royal Oak, Michigan, representing the petitioner, explained that they have three existing buildings on the property. They are using one and want to develop a portion for parking, but will have to remove some of the trees in order to remove the old building. He assured they are leaving the trees that border the neighboring parcels, but are removing the others. He stressed that many of the trees are dead and a lot of the branches came down in the storm earlier today. Mr. Transit explained they would like to clean up the property because it is an eyesore. He replied that they will combine the parcels, and all three are zoned OS Office/Service (Low-Rise). He replied to inquiry that Parcels 2 and 3 will possibly be used for parking and they may have some type of outbuilding.

Mr. Santia clarified that no equipment storage is permitted in the OS District, but they may be able to put in something small.

Mr. Transit replied that they have to compact the ground to put in the parking and driveway. He emphasized that they want to stay in Clinton Township but they are running out of space.

Mr. Santia replied that it is zoned OS so they could develop another office but they are aware that they would have to come back to the Planning Commission with a revised site plan if they choose to build in the future. He replied to inquiry that they are in favor of demolishing the building.

Motion by Ms. Trombley, supported by Mr. Henderson, with reference to File #09-6361 and application by Mr. Tom Cullen, Facility Solutions, 35525 Garfield Road, Clinton Township, Michigan 48035, as represented by Mr. Roy Transit, concerning 0.667 acre of land fronting the north line of Festian, west of Garfield (Section 30), that the Tree Removal Plan be approved as submitted. Roll Call: Ayes – Trombley, Henderson, Gibson, Hornung, Moseley, Pearl. Nays – None. Absent – DiBartolomeo, Charron, Grajewski. Motion carried.

REPORT OF MEETING

-- **APPROVAL OF APRIL 9, 2009 REPORT**

-- **APPROVAL OF MAY 14, 2009 REPORT**

Motion by Mr. Hornung, supported by Mr. Henderson, to approve the reports of the April 9, 2009 and May 14, 2009 Planning Commission Meetings, as submitted. Roll Call: Ayes – Hornung, Henderson, Gibson, Moseley, Pearl, Trombley. Nays – None. Absent – DiBartolomeo, Charron, Grajewski. Motion carried.

DISCUSSION ON NEXT MEETING AGENDA

Mr. Santia advised that there will be a public hearing on the Access Management Plan for Gratiot Avenue. He added they will notify the property owners along Gratiot so they can attend and provide input. Mr. Santia explained the Planning Commission will then make recommendation to the Township Board.

ADJOURNMENT

Motion by Mr. Hornung, supported by Mr. Gibson, to adjourn the meeting. Motion carried. Meeting adjourned at 7:09 p.m.

Respectfully submitted,

Denise C. Trombley, Secretary
CLINTON TOWNSHIP PLANNING COMMISSION

ces:07/05/09

ces:07/08/09