

CLINTON TOWNSHIP PLANNING COMMISSION

REPORT OF MEETING

OCTOBER 8, 2009

PRESENT: Kirkanne Moseley, Chairperson
Ronald DiBartolomeo, Vice-Chairperson
Denise C. Trombley, Secretary
Stephen Charron
Fred Gibson
Timothy Grajewski
Peter Henderson
Ernest Hornung
Kenneth Pearl

ABSENT: Timothy Grajewski

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

Ms. Moseley called the meeting to order at 6:30 p.m.

APPROVAL OF AGENDA

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

3.58 ACRES OF LAND FRONTING THE SOUTH LINE OF DOVE STREET, WEST OF PARTRIDGE CREEK BOULEVARD (SECTION 5)

- **VOLUNTEERS OF AMERICA ELDERLY HOUSING**
 - **REQUEST FOR RECOMMENDATION FOR APPROVAL OF SITE
DEVELOPMENT PLAN (POSTPONED FROM PLANNING
COMMISSION MEETING OF SEPTEMBER 10, 2009
FILE #6349: PETITIONED BY DEBBIE CARY
REPRESENTED BY MR. JAMES PAPPAS, FUSCO, SCHAFFER AND
PAPPAS ARCHITECTS**
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Ms. Trombley informed that this matter was postponed from the September 10th, 2009 Planning Commission Meeting. She verified that notification of tonight's meeting was mailed to owners and/or occupants within 300 feet of the property in question, with 5 returned as undeliverable. She read a letter received today by the Planning Department from Mr. Donald Stewart, homeowner of 17390 Eider Drive, Clinton Township,

Michigan 48038, located in the Partridge Creek Subdivision, indicating his opposition to the proposed site development.

Mr. Jim Pappas, 30800 Northwestern Highway, Farmington Hills, Michigan, recalled that the Planning Commission requested information about the traffic study and that has been provided. He noted that there was a request to add more brick to the building elevation and they have subsequently doubled the amount of brick on the project, the documentation of which has been included in their packages. Mr. Pappas noted that the traffic engineer who conducted the traffic study is available to answer questions. He also noted that there was a question on density that came up at the last meeting, but he explained that if they were to build to the maximum allowable density for a three-story building, they would be allowed an additional 55 units. They are only proposing a total of 66 units. He added that they could construct an eight-story building with 226 units on this site and they would still meet density requirements, so he stressed they have made a conscious effort to keep it down.

Ms. Grozda Swetech, 43868 Scoter Lane, Clinton Township, Michigan 48038, supported Mr. Stewart's letter. She could not understand why they are not willing to go with 100% brick on the construction of the building. She stressed her main concern being the excessive traffic in the area and the fact that this development will generate more traffic. Ms. Swetech emphasized this is an important issue to her because she lives across the street.

Mr. Stefan Stanescu, 43957 Scoter Lane, Clinton Township, Michigan 48038, complained that the developers are not constructing an all-brick building and recalled their assurances that they are "financially stable". He questioned why the all-brick building is not being considered by them if they are "financially stable".

Ms. Rosemarie Settecerri, 17812 Golden Eye, Clinton Township, Michigan 48038, stated her main concern is the traffic. She did not feel that street merits a large building with more traffic, and she complained that there is too much traffic at that location now without adding to it.

Mr. Rod Arroyo, Vice-President of Birchler Arroyo Associates, of Lathrup Village, Michigan, explained that his firm, which has been in business for over twenty years, conducted the traffic study on the proposed development. He explained that senior housing is a use that has one of the lowest trip generation rates, and they also tend to generate fewer trips during peak hours. He noted that senior are not generally still in the work force, or at least not on a full-time basis. Mr. Arroyo informed that they conducted their study based on 66 senior units and compared it to a 50-unit condominium development, with the condominium development generating approximately 50% more traffic. The traffic study projects 9 trips during the peak hours in the morning, and 11 trips during the peak hours in the afternoon. When this is looked at in relation to the current traffic on

Dove, it is negligible, and they projected that there would be an average of 230 trips during a 24-hour period on a weekday generated from the proposed facility. Mr. Arroyo assured they have been listening to the concerns of the residents in the area with regard to traffic on Partridge Creek Boulevard and Dove Street; however, he pointed out that is an existing problem and the proposed development will not create a substantial increase in traffic. In conducting their study, they determined that creating a 3-way stop at Partridge Creek Boulevard and Dove Street would greatly enhance traffic flow. This would decrease the average delay by about 10 seconds per vehicle. He felt this is a modest change to an intersection that would provide relief from a congested situation. He reminded that this is an existing condition and has not been caused by the proposed development. He acknowledged that Dove Street tends to back up, but if the 3-way stop sign were to be placed at Dove and Partridge Creek, it would shorten the line on Dove Street and free up the driveway to the proposed development so that it would not be blocked. Mr. Arroyo indicated that is a summary of the traffic study they conducted, and he offered to answer questions.

Mr. Pearl stated he read the study they received at the last meeting. He inquired as to whether this has been reviewed by the Road Commission of Macomb County.

Mr. Arroyo did not believe that the Road Commission had reviewed it.

Mr. Pearl stated that he would like to see a deceleration lane and left-turn lane added.

Mr. Arroyo clarified that they look at “warrants” for those type of improvements, and he indicated that they are not warranted for this type of traffic. They base it on the requirements set by MDOT.

Mr. Pearl stated he would like the traffic study reviewed by the Road Commission of Macomb County prior to voting on the plan.

Mr. DiBartolomeo inquired as to the span of time over which they conducted this study.

Mr. Arroyo replied that they looked at morning and afternoon hours during an average week. He recalled that they conducted their study the week of September 1st, and indicated they generally like to look at traffic patterns on Tuesdays. Mr. Arroyo replied that his staff actually went on site and conducted the study. He replied to further inquiry that his firm was hired by Fusco, Schaffer & Pappas.

Mr. Pearl maintained that the building should be all-brick, and he added that he would like to see more intense landscaping to protect the single-family residents in the area. He suggested that possibly the Planning Commission postpone further action on this request until their next meeting so they can get answers.

Mr. Pappas inquired as to whether the Planning Commission would be more receptive to the plan if they relocated the drive to Partridge Creek Boulevard and eliminated the Dove Street access.

Mr. Pearl was not sure whether that would alleviate their concerns.

Mr. Santia replied to inquiry that, although relocating the driveway from Dove Street to Partridge Creek Boulevard may eliminate some issues, it may create additional issues.

Mr. Pappas claimed that many of the requests being made by the Planning Commission are not required in the Zoning Ordinance. He pointed out that he designed it to match the homes in the neighboring community, and they are a combination of brick and siding. He felt they have already provided extensive landscaping, well beyond what is required, including going to extreme lengths to save a 300-year-old oak tree. He added that he “takes it as a personal affront that we are skimping on the design and on the landscaping”. He felt they have gone well above and beyond what is required of them, and he requested the Planning Commission let him know specifically what they are looking for when they refer to “more intense landscaping”.

Mr. DiBartolomeo stated he is sympathetic to the residents in the area. He noted that they had a Wal-Mart “thrown at them” and now they are looking at the prospect of this development. He could not see why the building could not be all brick. He gathered from the sentiments expressed by the residents that they are willing to accept this development but they are also seeking to protect their investments and will ultimately have to look at the development.

Mr. Gibson commented that the only issue he has is the brick, and he indicated he would like to see an all-brick building. He added that Wal-Mart agreed to an all-brick construction and he felt the commercial buildings should match.

Mr. Pappas replied he is not opposed to more brick but he stressed he is working within budget limits. He recalled that at the last meeting, the Planning Commission requested more brick, he went back and doubled the amount of brick, and he complained that now they are requesting all brick.

Mr. Pearl felt he was clear at the last meeting that he would prefer an all-brick building and he was sorry there was any misunderstanding.

Mr. Pappas also pointed out that they have added more landscaping.

Mr. Santia suggested adding possibly a few more arborvitaes or evergreens along the side and rear of the building in order to provide an additional buffer between the subject property and the abutting single-family residential property.

Mr. DiBartolomeo felt this should be forwarded to the Road Commission of Macomb County for their review and recommendation.

Mr. Santia replied to inquiry that both Dove Street and Partridge Creek Boulevard are county roads.

Ms. Karlynn Tucker, of Volunteers of America, explained that they have a budget and if they add more brick or landscaping, it will take away from some of the amenities they are proposing to enhance the living quarters. She stressed they want to make it nice for the seniors inside the building, such as energy-efficient windows, quality furnishings and other improvements. She felt the landscaping they have provided on the plan is very generous and will be well-maintained. She stressed they will be providing good quality housing and was confident they will be good neighbors. Ms. Tucker clarified that in the other Michigan communities in which they have developments, they have tried to blend in with the neighborhoods and from her past experience in Michigan, that generally means a mixture of brick and siding.

Ms. Swetech admitted that she is not an expert in traffic studies but considered herself an expert “in driving on this road”. She experiences heavy traffic every day and witnesses many accidents. She complained that the traffic lanes are extremely narrow when making a right turn from northbound Garfield to eastbound Partridge Creek Boulevard, and she felt senior citizens trying to maneuver this tight turn will be dangerous. She felt they may be providing a cheaper place for them to live, but she feared it is more dangerous to get in and out. She also noted that the residents of Partridge Creek Subdivision currently pay to maintain Partridge Creek Boulevard, so she felt they should have a voice as to what is permitted along that road.

Mr. Charron inquired as to what the impact would be in the area if this entire parcel were developed as zoned.

Mr. Arroyo replied that single-family homes generate an average of 10 trips over a 24-hour period. He explained that it would be difficult to project how many trips would be generated from this parcel without knowing how many units they would have when fully developed.

Mr. Charron agreed with the suggestion that the Road Commission of Macomb County should review the plans. He felt they need to look at the entire scope. He felt that once fully developed, it may cause a strain on the roads in the area. He felt sending this to the Road Commission for their review would be worth waiting for, even if it takes a few weeks.

Mr. DiBartolomeo agreed with Mr. Charron. He pointed out that a lot of drivers avoid Hall Road and are using Partridge Creek Boulevard as a “cut-through”.

Mr. Arroyo appreciated the comments of the Planning Commission and he noted he is hearing a lot of frustration about traffic problems in the area, but he reminded that when they look at this project and all of the other uses that could go on this site, this is the use that will have the least impact on the traffic. They see this development as being very positive and not even resulting in a negligible increase in the amount of traffic. He stated they are happy to have the Planning Commission refer this to the Road Commission for their review but he did not feel the project should be held up because of it. He added that, because of their experience, trip generation factors will not substantiate major road improvement requirements. He added that they had even come up with a suggestion that would alleviate some of the current congestion.

Mr. Pappas pointed out that, as part of the site plan process, they have to submit plans to the County Road Commission to obtain their permits. He suggested that the Planning Commission could recommend approval tonight contingent upon County approval, which they will be required to obtain regardless.

Dr. Steven Swetech, 43868 Scoter Lane, Clinton Township, Michigan 48038, agreed with the comments made by his wife. He felt any increase of traffic “will be a disaster”. He complained that he is five minutes away from his office but could not get there from his house without making an illegal turn. He also suspected that there are more of the Volunteers of America developments that are all brick, and he could not see why they cannot make this an all-brick building.

Mr. Stanescu recalled that Mr. Arroyo had indicated the area had “light traffic”. He took objection to that comment and felt there are always a lot of cars on that road. He felt relocating the drive to the proposed location from Dove Street to Partridge Creek Boulevard will be going “from bad to worse”.

Mr. Tom Kalas, 43928 Mound Road, Sterling Heights, Michigan, representing the developer and the landowner, explained that he reviewed the previous minutes from both the Planning Commission and the Zoning Board of Appeals. He felt traffic is always an issue with development and they have taken the residents’ concerns into consideration. He added that a brick versus siding construction is something else the developer took into consideration and increase the amount of brick as a result. He felt the renderings are very beautiful. He cautioned the Planning Commissioners that some of these issues on which they are making suggestions and requests are more appropriate for zoning and Special Land Use approval. He pointed out that this is a site plan, and the zoning is appropriate for this use. He added that, as Mr. Pappas had pointed out, the developer could come in with a more intense use and more units. He noted that eleven additional trips during peak hours will not change the traffic pattern in the area. Mr. Kalas explained that the property is zoned RMH and the traffic that would result from any development of this property with that use and that meets density

requirements should not be a consideration because the roads are supposed to be designed to handle the amount of traffic generated. He pointed out that if this was a public hearing to consider a rezoning or a special land use, then traffic is an issue that should be considered by the Planning Commission, and road improvements can be required if they feel it is necessary. He reminded that the Planning Commission has no discretion on this if the petitioner meets the ordinance requirements and the proposal is for a site development plan. Mr. Kalas felt if all requirements are met, the Planning Commission is obligated to make recommendation for approval to the Township Board. He stressed they have no problem adding a few more trees, and he noted that the petitioner has been very cooperative and will continue to be so; however, he felt that for the Planning Commission to postpone this matter and have them come back a third time is unnecessary. Mr. Kalas indicated that the Road Commission is required to give their “stamp of approval” in order for them to secure building permits so he felt there is no reason to delay the recommendation. He stressed they would like a decision tonight from this Commission, and if they want to make a recommendation for approval contingent upon the approval of the Road Commission of Macomb County, his client would have no objection to that. He reiterated his request for a Planning Commission decision tonight.

Ms. Moseley inquired as to whether the Planning Commission has the right to postpone this matter.

Mr. Kalas responded that the Planning Commission does not have the right to postpone if all conditions have been met.

Ms. Moseley stated the Planning Commission understands that they have to stay within legal boundaries but she reminded that they also serve the community and have to listen to their concerns. She indicated they have to take those concerns into consideration as well, so she felt they have the right to postpone their decision if they determine there is more information they would like in coming up with their decision.

Mr. Kalas disagreed, and pointed out that if those concerns are not addressed in the ordinance, they have no right to postpone based on that and make requests of the petitioner that are over and above what is required by ordinance.

Ms. Moseley stated the Planning Commission has the right to ask.

Mr. Kalas agreed they can ask, but he also pointed out that his client went from one-third brick on the building to two-thirds brick. As far as traffic, he felt the additional 11 trips this development will generate during peak hours is negligible and not a reason to postpone or deny. He stressed that timing is of the essence and the funding is currently in place for the development. They would like the Board to grant approval, so they can proceed with their engineering and obtain permits to begin construction. He could not see any point in the Township

delaying this any further. All of the review comments are in order, and he advised that the appearance of the building cannot be used as a pretext for approval. He noted that someone else could come in with a development for this parcel that is three times more intense. He felt this is a great project from an aesthetic point of view, as well as from a traffic and safety point of view. They plan to be good neighbors at this location for many years to come. They want to work with the Township and develop a project that will be an asset, providing a place for residents to move in and stay in the area. He considered it a “dynamite project” that meets the ordinance requirements and he advised that the recommendation should be “for approval” but he added that if the Commission wants to place the stipulation on the recommendation for approval that it is contingent upon Road Commission approval, they would be willing to accept that.

Mr. DiBartolomeo recalled that the developers of Wal-Mart were resistant to the Township’s requests for an all-brick building; however, they revised their plans and by the time it was approved by the Township, it was proposed to be an all-brick construction. He felt this is no different, and the developer should revise the plans to incorporate the all-brick construction as requested by the Township and to match the other commercial development.

Mr. Kalas stressed that they have no control over the traffic in the area. He did not know whether the petitioner is willing to add yet more brick, but he noted that the property was already rezoned and the roads were put in based on those zoning districts, including all of the infrastructure for the entire development, and were intended to accommodate traffic generated from the rezoned property. He emphasized that his client did not create the traffic issue, and generating 11 additional trips during peak hours is not a reason to go back to the Road Commission and justify the delay of a decision on this to yet another meeting. He reiterated that they would like a decision tonight.

Mr. Pappas replied to inquiry that he is willing to revise the plan to include 100% brick.

Ms. Trombley felt that an all-brick building is an important issue, but she cautioned the petitioner and his representative that they should not be trying to “bully” the Planning Commission into making a decision tonight.

Mr. Kalas was adamant that he was not “bullying”, but rather asking for a recommendation to the Township Board based on the fact they are entitled to that by law.

Mr. Pearl inquired as to whether this is an assisted living facility.

Mr. Pappas replied that it is not assisted living.

Mr. Pearl could not see what makes this development “so great”. He estimated there are at least sixty apartment complexes in the area that now take vouchers. He agreed there is a need for housing for people who cannot afford it, but a lot of existing housing complexes now accept vouchers for that reason. He noted that there are so many vacancies, and felt this “is not exactly the wonderful thing we need”. He cautioned that if the petitioner needs a decision tonight, he would be willing to vote “no”. He hinted that possibly the Township made a big mistake by rezoning this. He felt this is a large building, and he clarified that one of the reasons he is looking at an all-brick construction is that he does not want to see a problem down the road that was experienced by the Township’s senior housing complex where they had to replace the siding. He commented that is an expensive proposition and it would be better to eliminate that problem now by constructing an all-brick building. He felt if the building is all brick, there is additional landscaping added, and they resolve the issue with the road, he would feel more comfortable voting on this.

Ms. Turner explained that the Veterans of America conducted a feasibility study for this type of facility in Macomb County and they had to prove there was a need for this type of development for the “over 62” population. The Federal government is limiting funds to Housing Authorities. Those funds are drying up, but they are funding “HUD 202” developments. She indicated they will pay 30% of the residents’ adjusted income, which also takes into consideration their medicine and other such expenses, which is different than taking a straight percentage of their income. She stressed that the government is making a 40-year commitment to this facility, and the protocols and inspections they will have through the government will be far over and above those of Clinton Township, and will assure excellent quality. Ms. Turner indicated they have a two- to three-year waiting list for people to get into affordable quality facilities. She stressed the market is there and they have studied it extensively for this area.

Mr. Pearl inquired as to whether there will be families living in these units.

Ms. Turner replied it is for “elderly”, not “families”. She added that there may be a husband and wife living in a unit.

Mr. Pearl questioned the results of the traffic survey that indicated there would only be 11 trips generated in the peak hours for a 66-unit complex.

Ms. Turner pointed out that their parking lots are never filled, and typically only 50% of their residents have vehicles.

Mr. Pearl replied to inquiry that the Clinton Township Senior Housing offers reduced rent but is not subsidized.

Motion by Mr. DiBartolomeo, supported by Ms. Trombley, with reference to File #6349 and application from Ms. Debbie Cary, Volunteers of America, 3450 Desaix Boulevard,

New Orleans, Louisiana 70119, as represented by Mr. James Pappas, Fusco Schaffer & Pappas Architects, 30800 Northwestern Highway, Suite 100, Farmington Hills, Michigan 48334, concerning the proposed site development plan for Clinton Township Volunteers of America Elderly Housing, to be located on 3.58 (part of 14.27) acres located at the southwest corner of Dove Street and Partridge Creek Boulevard (Section 5), that further consideration of this request be postponed for sixty (60) days so the independent traffic study submitted by the petitioner can be forwarded to the Road Commission of Macomb County for their review and recommendation. Roll Call Vote: Ayes – DiBartolomeo, Trombley, Charron, Henderson, Hornung, Moseley, Pearl. Nays – Gibson. Absent - Grajewski. Motion carried.

**10.74 ACRES OF LAND FRONTING THE WEST LINE OF GRATIOT AVENUE,
SOUTH OF 15 MILE ROAD (SECTIONS 33/34)**

- **BAKER COLLEGE CLASSROOM BUILDING**
 - **REQUEST FOR RECOMMENDATION FOR APPROVAL OF SITE
DEVELOPMENT PLAN**
- FILE #06-3102: PETITIONED BY MR. DONALD TORLINE, BAKER
COLLEGE
REPRESENTED BY MR. JAMES MORGAN,
MORGAN CONSTRUCTION COMPANY**
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Pertinent correspondence was read and entered into the record.

Mr. James Morgan, 5454 Gateway Centre, Suite C, Flint, Michigan 48507, explained that they are proposing a building on the west side of the property. It will be a two-story, 16,000 square foot building with split face brick that will house sixteen classrooms and a student center. He advised that they went before the Board of Appeals and were granted a variance with regard to setbacks, and as a result, agreed to plant additional pine trees for a buffer and those are noted on the plan. They also agreed to allow for access to Normandy Park for residents on Canton Street during daylight hours, and he added that the Township will still have the gated entrance for their access.

Mr. Charron inquired as to the distance from the proposed classroom building to the abutting homes.

Mr. Morgan replied the building is 35 feet from the north property line, 20 feet from the south property line and 25 feet from the west property line. The park is to the south.

Mr. Charron inquired as to how late the classes will run in this building.

Mr. Torline, President of Baker College, 34950 Little Mack, Clinton Township, Michigan 48035, replied that the classes run until 9:40 p.m. and the parking lot is generally emptied out by 9:50 p.m.

Mr. Charron inquired as to whether they will have any additional lighting around the outside of the building.

Mr. Morgan anticipated that the only light from the building at night will be emanating from the classrooms.

Mr. Torline added that they have security on duty so they do not feel a lot of lighting on the sides of their building is necessary. He stressed they try to keep their campus as quiet as possible. He noted it is a brick building so it will be quiet, and there will be no exit from the sides. There will be parking in the back.

Mr. Morgan pointed out that the parking is existing and they will maintain the parking lot lighting.

Ms. Trombley informed that at the Board of Appeals meeting, there were residents present who were quite concerned. The Board spent a lot of time on this item, and with the addition of pine trees and the assurance of continued access to the park for the residents on Canton, the residents were all happy with the results.

Mr. Torline explained one of the issues the residents were unhappy with was the condition of Kemp Street. He emphasized that they do not travel Kemp Street for their construction projects; however, to help out the residents, Baker College has put down 100 tons of stone for them and they did this within a week-and-a-half after the Board of Appeals meeting where the residents' concerns were discussed. Mr. Torline stressed that they are concerned about the residents in the area and want to be good neighbors.

Ms. Trombley confirmed that Baker College was very agreeable to accommodate the residents and their concerns.

Mr. Pearl felt they have done a great job and he is pleased that they addressed the residents' concerns.

Motion by Mr. Pearl, supported by Mr. Hornung, with reference to File #06-3102 and application from Mr. Donald Torline, Baker College, 34950 Little Mack, Clinton Township, Michigan 48035, as represented by Mr. James Morgan, Morgan Construction Company, 5454 Gateway Centre, Suite C, Flint, Michigan 48507, concerning the proposed site development plan for Baker College classroom building, to be located on 10.74 acres of land fronting the west line of Gratiot Avenue, south of 15 Mile Road (Sections 33/34), that, in consideration of variances granted by the Board of Appeals, recommendation be forwarded to the Clinton Township Board for approval of the site development plan as submitted. Roll Call Vote: Ayes – Pearl, Hornung, Charron, DiBartolomeo, Gibson, Henderson, Moseley, Trombley. Nays – None. Absent – Grajewski. Motion carried.

**LOTS 14, 15 & 16, NORTH GRATIOT HEIGHTS SUBDIVISION (SECTION 1)
(LOCATED FRONTING THE EAST LINE OF GRATIOT AVENUE, SOUTH OF
HALL ROAD)**

- **SPECIAL LAND USE: PAWN BROKER IN THE B-3 GENERAL
BUSINESS DISTRICT AND**
 - **SITE DEVELOPMENT PLAN FOR MOTOR CITY PAWN BROKERS**
 - **REQUEST FOR RECOMMENDATION FOR APPROVAL OF SPECIAL
LAND USE AND SITE DEVELOPMENT PLAN**
- FILE #09-6366: PETITIONED BY MR. ANTHONY AUBREY
REPRESENTED BY MS. TINA BASSETT**
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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 25 owners and/or occupants located within 300 feet of the land in question, with 5 of those returned as undeliverable.

Mr. Eric Flynn, Attorney for Motor City Pawn Brokers, 38600 Van Dyke, Sterling Heights, Michigan, introduced Ms. Bassett and Mr. Aubrey and indicated there will be no new construction with regard to the proposal and it is using the former “Bobcat” building.

Ms. Tina Bassett distributed brochures to the Planning Commissioners. She indicated that Mr. Aubrey operates a family-owned business and is highly respected in the communities where he operates these businesses. She explained that the small business owner now has a tough time obtaining a traditional bank loan. She noted that their facility will afford opportunity to some small business owners in the area. She cited the example of a landscaper who typically does snow removal in the winter. There are times when they cannot afford to purchase the snow removal equipment they need to run their business, so the pawn broker provides them the opportunity to sell their summer equipment and purchase the equipment they need for the winter season. Years ago, that individual would have been able to go to a bank and obtain a loan to purchase that equipment, but it is nearly impossible now. They mainly deal with commercial and industrial accounts. She stated everyone she has talked to about their proposed location in Clinton Township is enthusiastic. Ms. Bassett noted that this will also provide twelve new jobs for people in this area, and the annual income for these employees would range from \$30,000 to \$150,000 annually, depending upon the position. She assured it will be a beautifully-landscaped facility, and they will be doing many improvements both inside and outside the building. She added that they have done a lot of business on E-Bay and have a 99.7% satisfaction rating. She submitted letters of support from the neighboring business owners, and she felt their business will help a lot of people.

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

Mr. John Johnson, 497 Willard, Algonac, Michigan, expressed opposition to the proposed development. He submitted a petition that has been

signed by a number of business owners in the area who are in opposition to the development. He noted that he has generated a report on this matter, which takes a number of criteria into consideration. He claimed it takes “best land use practices” into consideration and whether those requirements have been met.

Ms. Trombley read the letter into the record, signed by Mr. Walter Cohen, Managing Member.

Mr. Richard Sheppard, 23440 Patterson, Clinton Township, Michigan 48036, stated he owns the subject building and is trying to sell it. He did not feel Mr. Johnson’s comments made sense. He pointed out that the petitioner is already running a very neat business further south on Gratiot in another community, and he felt that they will bring a lot of money into the Township. He pointed out that there is a large right-of-way, and he felt the road can handle this type of development.

Mr. Johnson replied to inquiry that he is representing a client from the Township.

Mr. Flynn stated he talked with Mr. Reilly, owner of Wolverine Harley Davidson, who indicated that his statements made in these petitions opposed to the development are incorrect, and he in fact is in support of the proposed site plan and special land use. It is on a major highway and that will not change. The site will be updated and upgraded, with more landscaping added, so it will improve the appearance of the area. He added his feeling that the proposed development will provide a needed service for small business owners in the area. He noted that if anyone would look at the petitioner’s other two facilities in Warren and Roseville, they would see that they are very well maintained.

Mr. Johnson stated he circulated the petition in opposition to the site development. He felt the language was clearly stated on it, and those who signed did so of their own free will. He suggested that possibly some may have changed their mind after signing. Mr. Johnson replied to inquiry that Mr. Reilly did not actually sign the petition in opposition, but it was his assistant, who claimed she was authorized to sign on Mr. Reilly’s behalf. He claimed a few people he talked with expressed to him feelings that they were misled when confronted with the petition to sign in favor of the development; however, he pointed out that they signed a petition that clearly stated what the use was going to be.

Ms. Bassett took issue with Mr. Johnson’s comments. She stated she was in Mr. Reilly’s office at the time he talked with Mr. Johnson. She recalled that Mr. Reilly assured Mr. Johnson at that time that he was being misrepresented and is in favor of the project. She stressed that Mr. Reilly was never opposed to the project. She noted there was a misrepresentation made on Mr. Johnson’s behalf. She questioned if possibly Mr. Johnson is representing a competitor of the petitioner.

Mr. Johnson verified his conversation with Mr. Reilly, who indicated that he did not sign but confirmed that his executive assistant signed the petition in opposition. Mr. Johnson recalled that “she runs the operation” and is authorized to sign on his behalf, and Mr. Johnson added she had confirmed her authorization to sign when Mr. Johnson originally asked her.

Ms. Bassett informed that they have signatures of over 61% of the businesses and residents who support this project.

Motion by Mr. Pearl, supported by Mr. Hornung, to close the public hearing. Motion carried.

Mr. Pearl inquired as to how many Mr. Johnson claims are opposed.

Mr. Johnson claimed his job was to get the signatures. He indicated that when he turned in his petition in opposition to the proposed development, he had 51% in both residential and business owners/occupants. He was not aware of whether they changed their minds after signing it. He indicated that there is a single home that is a rental unit, and he claimed he met with the occupants and obtained the signatures of two of the three residents who expressed their opposition to the proposed development.

Mr. Pearl inquired as to whether the Department of Planning and Community Development could research this to determine an exact count of those in favor and those opposed.

Mr. Santia noted that the proposal was placed on tonight’s agenda and a public hearing is being held because the petitioner obtained the required signatures. He felt it may be prudent, however, for a representative from the Planning Department to go out and talk with owners and/or occupants of properties located within 300 feet of the subject parcel.

Mr. Charron stated he would be in favor of postponing further action on this and studying it. He stressed he wants to be fair in his decision. He felt they need to look at this “footprint” and determine whether or not the plans will be harmonious for something the Township can live with in the future. He felt they have been inundated with a lot of information, and he suggested it may be a good idea for the Planning Commissioners to take their time so it can be researched.

Mr. Aubrey replied to inquiry that he currently has two locations. He added that his Roseville location is on approximately two acres and allows him to have equipment. He stated they deal with contractors, who are their primary customer base.

Mr. DiBartolomeo inquired as to whether they would turn away someone who would come in with a gold watch or necklace, for example.

Mr. Aubrey replied that he would not turn them away.

Motion by Mr. Pearl, supported by Mr. Hornung, with reference to File #6366 and application from Mr. Anthony Aubrey, Motor City Pawn Brokers, 26510 Gratiot, Roseville, Michigan 48066, as represented by Ms. Tina Bassett, same address, concerning a request for Special Land Use to permit a pawn broker in the B-3 General Business District and a site development plan for Motor City Pawn Brokers, to be located on Lots 14, 15 and 16, North Gratiot Heights Subdivision (Section 1), fronting the east line of Gratiot, south of Hall Road (Section 1), that further consideration of this request be postponed for sixty (60) days to provide an opportunity for the Department of Planning and Community Development to verify the signatures on the petition submitted by the petitioner. Roll Call: Ayes – Pearl, Hornung, Charron, DiBartolomeo, Gibson, Henderson, Moseley, Trombley. Nays – None. Absent – Grajewski. Motion carried.

REPORT OF MEETING

-- APPROVAL OF SEPTEMBER 10, 2009 REPORT

Motion by Ms. Trombley, supported by Mr. Pearl, to approve the report of the September 10, 2009 Planning Commission Meeting, as submitted. Motion carried.

DISCUSSION ON NEXT MEETING AGENDA

Mr. Santia stated that there are no items at this point for the Planning Commission Meeting scheduled for Thursday, October 21, 2009, so it will most likely be canceled.

ADJOURNMENT

Motion by Mr. Charron, supported by Mr. Hornung, to adjourn the meeting. Motion carried. Meeting adjourned at 8:12 p.m.

Respectfully submitted,

Denise C. Trombley, Secretary
CLINTON TOWNSHIP PLANNING COMMISSION

ces:10/12/09
ces:10/19/09
ces:11/30/09