

MACOMB TOWNSHIP PLANNING COMMISSION  
MEETING MINUTES AND PUBLIC HEARING  
TUESDAY, FEBRUARY 20, 2007

LOCATION: MACOMB TOWNSHIP MEETING CHAMBERS  
54111 BROUGHTON ROAD  
MACOMB, MI 48042

PRESENT: EDWARD GALLAGHER, CHAIRMAN  
DEAN AUSILIO, VICE CHAIRMAN  
MICHAEL D. KOEHS, SECRETARY  
ARNOLD THOEL, MEMBER  
DEBORAH ZOLNOSKI, MEMBER

ABSENT: JOA PENZIEN, MEMBER  
CHARLES OLIVER, MEMBER

ALSO PRESENT: Jerome Schmeiser, Planning Consultant  
(Additional attendance on file at the Clerk's Office)

Chairman GALLAGHER called the meeting to order at 7:00 p.m. and the Pledge of Allegiance was recited.

**ROLL CALL**

1. Clerk KOEHS called the roll and Commission Members Oliver and Penzien were absent.

**APPROVAL OF THE AGENDA**

2. The agenda was reviewed and any additions, corrections or deletions were discussed and made.

**MOTION by AUSILIO seconded by THOEL to approve the agenda as presented.**

**MOTION carried.**


**APPROVAL OF THE PREVIOUS MEETING MINUTES**

3. The minutes of the previous meeting held on February 6, 2007 were reviewed and any additions, corrections or deletions were discussed and made.

**MOTION by AUSILIO seconded by THOEL to approve the minutes of the meeting of February 6, 2007 as presented.**

**MOTION carried.**

**AGENDA ITEMS**

4.  **Special Land Use; Kroger at Macomb Park;** Located on the southwest corner of 26 Mile Road and Romeo Plank Road; Adams McAlpine Group, LLC, Petitioner. Permanent Parcel No. 08-06-200-049.

Mr. Jerome Schmeiser, Planning Consultant, reviewed this item and stated that it meets all of the criteria called for in the ordinance. He further stated his recommendation of approval.

Mr. David Adams representing the petitioner, was also present to answer any questions which the commission might have.


**MOTION by KOEHS seconded by ZOLNOSKI to approve the Special Land Use for the Kroger at Macomb Park, Permanent Parcel No. 08-06-200-049 with the condition that no outside sales or storage will be permitted anywhere on the entire site without proper review and approval and pursuant to the following findings:**

1. **The proposed special land use shall be of such location, size and character that it will be harmonious with the appropriate and orderly development of the surrounding neighborhood and/or vicinity, and shall be in compliance with the applicable regulations of the zoning district in which it is to be located.**
2. **The proposed use shall be of such nature that vehicular and pedestrian traffic shall not be more hazardous than is normal for the district involved, taking into consideration vehicular turning movements in relation to routes of traffic flow; proximity and relationship to intersections, adequacy of sight distances; location and access of off-street parking; and provisions for pedestrian traffic, with particular attention paid to minimizing child-vehicle interfacing.**
3. **The proposed use shall be designed, with respect to the location, size, and intensity, site layout and periods of operation of any such proposed use, to eliminate any possible nuisance emanating therefrom which might be noxious whether by reason of dust, noise, fumes, vibration, smoke or lights to others.**
4. **The proposed use shall be such that the proposed location and height of buildings or structures, and the location, nature and height of walls, fences and landscaping, will not interfere with or discourage the appropriate development and use of adjacent land and buildings, or unreasonably affect the value of the land and/or buildings.**

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5. The proposed use shall relate harmoniously with the physical and economic aspects of adjacent land uses with regard to prevailing shopping habits, convenience of access by prospective patrons, continuity of development, and need for particular services and facilities in specific areas of the Township.
6. The proposed use is necessary for the public convenience at the proposed location.
7. The proposed use is so designed, located and planned, and shall be operated in such a manner that the public health, safety and welfare will be protected.
8. The proposed use shall not be detrimental or injurious to the neighborhood within which it is to be located, nor shall such use operate as a deterrent to future land uses permitted within said zoning district, and such use shall be in harmony with the general purpose and intent of the Zoning Ordinance.
9. This approval is made with the understanding that the petitioner will comply with all of the conditions of the site plan approved for the project.

**MOTION carried.**

5.  **Revised Site Plan; Kroger at Macomb Park;** Located on the southwest corner of 26 Mile Road and Romeo Plank Road; Adams McAlpine Group, LLC, Petitioner. Permanent Parcel No. 08-06-200-049.

Mr. Jerome Schmeiser, Planning Consultant, reviewed this item and stated his recommendation of denial.

Mr. David Adams, representing the petitioner, was present and requested that this matter be tabled to the meeting of March 20, 2007.

**MOTION by KOEHS seconded by AUSILIO to table this matter to the Planning Commission meeting scheduled for March 20, 2007.**

**MOTION carried.**

6.  **Special Land Use; Contours Express;** Located on the southeast corner of Romeo Plank Road and 22 Mile Road; Robert Leese, Petitioner. Permanent Parcel No. 08-28-101-010.

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Mr. Jerome Schmeiser, Planning Consultant, reviewed this item and stated that it meets all of the criteria called for in the ordinance. He then stated his recommendation of approval.

Mr. Robert Leese, the petitioner, was also present to answer any questions which the commission might have.


**MOTION by KOEHS seconded by THOEL to approve the Special Land Use request for Contours Express, Permanent Parcel No. 08-28-101-010, and the proposed use must comply with all of the standards set forth in Section 10.2401(B)(5)(a), as follows:**

- 1. The proposed special land use shall be of such location, size and character that it will be harmonious with the appropriate and orderly development of the surrounding neighborhood and/or vicinity, and shall be in compliance with the applicable regulations of the zoning district in which it is to be located.**
- 2. The proposed use shall be of such nature that vehicular and pedestrian traffic shall not be more hazardous than is normal for the district involved, taking into consideration vehicular turning movements in relation to routes of traffic flow; proximity and relationship to intersections, adequacy of sight distances; location and access of off-street parking; and provisions for pedestrian traffic, with particular attention paid to minimizing child-vehicle interfacing.**
- 3. The proposed use shall be designed, with respect to the location, size, and intensity, site layout and periods of operation of any such proposed use, to eliminate any possible nuisance emanating therefrom which might be noxious whether by reason of dust, noise, fumes, vibration, smoke or lights to others.**
- 4. The proposed use shall be such that the proposed location and height of buildings or structures, and the location, nature and height of walls, fences and landscaping, will not interfere with or discourage the appropriate development and use of adjacent land and buildings, or unreasonably affect the value of the land and/or buildings.**
- 5. The proposed use shall relate harmoniously with the physical and economic aspects of adjacent land uses with regard to prevailing shopping habits, convenience of access by prospective patrons, continuity of development, and need for particular services and facilities in specific areas of the Township.**

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6. **The proposed use is necessary for the public convenience at the proposed location.**
7. **The proposed use is so designed, located and planned, and shall be operated in such a manner that the public health, safety and welfare will be protected.**
8. **The proposed use shall not be detrimental or injurious to the neighborhood within which it is to be located, nor shall such use operate as a deterrent to future land uses permitted within said zoning district, and such use shall be in harmony with the general purpose and intent of the Zoning Ordinance.**

**MOTION carried.**

7.  **Revised Preliminary Plan**; The Bluffs at Riverside Condominiums; 115 units; Located on the west side of North Avenue, south of 23 Mile road; L & M Macomb, LLC, Petitioner; Permanent Parcel Number 08-23-251-003. *(Tabled from 02/06/2007)*

Mr. Jerome Schmeiser, Planning Consultant, reviewed this item and stated his recommendation of approval.

Mr. Greg Windingland, representing the petitioner, was also present to answer any questions which the commission might have.

Several residents of nearby properties addressed their concerns regarding construction traffic and drainage.

**MOTION by AUSILIO seconded by KOEHS to recommend approval to the Board of Trustees the Revised Preliminary Plan for the Bluffs at Riverside Condominiums, Permanent Parcel Number 08-23-251-003, with the following standard conditions:**

1. **The petitioner shall prepare and submit engineering plans to the Township Engineer for the required approvals from the following agencies in compliance with the State Condominium Act and Sections 17-87 to 17-90 of Chapter 17 of Macomb Township Code of Ordinances, Land Division Regulations:.**
  - a. **Macomb County Road Commission**
  - b. **Office of Public Works Commission of Macomb County**
  - c. **Macomb County Health Department**
  - d. **Macomb County Planning Commission**
  - e. **Michigan Department of Environmental Quality**



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**Consulting Engineer be posted. The bond shall be posted prior to receiving construction permits from the Water/Sewer Department.**

**It is noted that in the development of the landscape easement, that no stones (a cobblestone measuring 3-8" in diameter is permitted) or loose materials are allowed to within 3' of any paved areas.**

- 12. That the preliminary approval expires one year from the date of Township Board approval.**
- 13. If a 'phasing plan' has not been submitted it is assumed that this plan will be developed in one phase. Please be advised that any revisions to the phasing plan for this plan must be reviewed and approved by the Planning Commission and Township Board and incorporated into the Preliminary Plan as a Revised Preliminary Plan.**
- 14. That the preliminary approval expires one year from the date of Township board approval. It is not the responsibility of Macomb Township to notify the petitioner prior to the expiration date of this approval. Please make note of the above date. Any request for extension must be received by this office prior to the expiration date.**

**MOTION carried.**

- 8.  Request to Schedule a Public Hearing for the purpose of reviewing the proposed amendments to Zoning Ordinance Number 10, Section 25, Traditional Neighborhood Development.**

Mr. Jerome Schmeiser, Planning Consultant, reviewed this item and stated his recommendation to schedule a meeting to address this issue.

**MOTION by AUSILIO seconded by ZOLNOSKI to schedule a Public Hearing for the purpose of reviewing the proposed amendments to Zoning Ordinance Number 10, Section 25, Traditional Neighborhood Development.**

**MOTION carried.**

- 9. Motion to receive and file all correspondence in connection with this agenda.**

**MOTION by THOEL seconded by AUSILIO to receive and file all correspondence in connection with this agenda.**

**MOTION carried.**

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**PLANNING CONSULTANTS COMMENTS**

None

**PLANNING COMMISSIONERS COMMENTS**

None

**ADJOURNMENT**

**MOTION by THOEL seconded by ZOLNOSKI to adjourn the meeting at 8:30 p.m.**

**MOTION carried.**

Respectfully submitted,

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Edward Gallagher, Chairman

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Michael D. Koehs, CMC  
Macomb Township Clerk  
Planning Commission Secretary