

MACOMB TOWNSHIP PLANNING COMMISSION
MEETING MINUTES AND PUBLIC HEARING
TUESDAY, MAY 21, 2019
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LOCATION: MACOMB TOWNSHIP MEETING CHAMBERS
54111 BROUGHTON ROAD
MACOMB, MI 48042

PRESENT: CHARLES OLIVER, CHAIRMAN
MICHAEL HARDY, VICE CHAIRMAN
AARON TUCKFIELD, SECRETARY
RICHARD BENTLEY, MEMBER
ROGER KRZEMINSKI, MEMBER
JASPER SCIUTO, MEMBER
NUNZIO PROVENZANO, MEMBER

ABSENT: NONE.

ALSO PRESENT: Thomas Esordi, Township Attorney
Douglas Plachcinski, Planning Supervisor
James L. VanTiflin, Township, Engineer
(Additional attendance on file at the Clerk's Office)

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

ROLL CALL

3. Secretary TUCKFIELD called the roll all members present.

All members present.

4. APPROVAL OF THE AGENDA

The agenda was reviewed and there were no additions or deletions.

MOTION by KRZEMINSKI seconded by PROVENZANO to approve the agenda as presented.

MOTION carried

5. APPROVAL OF THE PREVIOUS MEETING MINUTES

The minutes of the previous meeting held on April 16, 2019 were reviewed and any additions, corrections or deletions were discussed and made.

MOTION by SCIUTO seconded by BENTLEY to approve the minutes of the meeting of April 16, 2019 as presented.

MOTION carried.

PUBLIC HEARING

6. AGENDA ITEMS:

A. REZONING REQUEST; RESIDENTIAL ONE FAMILY SUBURBAN (R-1-S) TO RESIDENTIAL MULTIPLE FAMILY MEDIUM DENSITY (R-2)

Permanent Parcels 08-17-451-014; Located on the west side of Romeo Plank Road, ¼ mile north of 23 Mile Road; Section 17. PVL Investments, Petitioner.

Doug Plachcinski, Planning Supervisor, stated that both items 6A and 6B are intertwined and will be combined to be part of larger development which is Provision Living Senior. This particular parcel is to allow for the extension of the driveway out to Romeo Plank to allow for 2 means of egress from the site. He then presented a slide of the two parcels and how they would tie into the larger parcel to the west. In conclusion, he stated the Planning Department was recommending approval of the rezoning of R-1-S to R-2.

Dave Baylis, petitioner, was in attendance and stated that he and his partners are owner/operators of senior facilities throughout the Midwest and gave a brief overview of their operation. He stated that by obtaining these additional parcels they were trying to improve the flow of the community by providing access to Romeo Plank Road.

Member KRZEMINSKI asked what the name plate was used on the senior complexes.

Dave Baylis stated Provision Living.

Member KRZEMINSKI asked if they would be utilizing the Parks and Recreation facility for any type of recreation.

Dave Baylis stated that there is transportation available, however, most of the amenities that the seniors need will be located on the property.

Member KRZEMINSKI asked how many units would be constructed.

Dave Baylis stated that the Independent Living would consist of 160 units and that Assisted Living would range from 60 to 100 units.

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Member KRZEMINSKI asked if the white house that was on Parcel 3 would be removed.

Dave Baylis stated yes and that the desire is to put a drive on that property which will give more flow to the property and community from a fire stand point.

Member BENLEY asked if Parcel "2" would be developed into housing units or if it was primarily for road access and/or parking.

Dave Baylis stated that it would be a combination of both. The primary purpose was for access but as there are wetlands to the west and the desire is to avoid those as much as possible so most likely would shift some of the development onto Parcel 2.

Member BENTLEY asked if there was going to be any attempt to salvage/maintain any of the mature evergreen growth for a natural buffer.

Dave Baylis stated that they would try. Even though they are a business they also consider themselves residents and would also enjoy the green space.

Member SCIUTO asked if the rezoning were recommended for approval at what time do you foresee starting the project.

Dave Baylis stated that he would have to go through site plan approval and all other approving agencies and believes the soonest would be early spring or summer of 2020.

Member TUCKFIELD asked what the buffer requirement was for an R-2-L and R-1-S. The reason he was asking this question pertained to the Zoning Board of Appeals variance that had been granted three years ago for parcel one as shown on the diagram and if said variance would carry over to parcels 2 and 3.

Thomas Esordi, Township Attorney, stated the variance would not extend to property that was not presented. Because you are combining other lots with a lot that has a variance, that variance does not extend onto the new portion of the property. So, if there was a setback variance, that pertains to that parcel of property as it was presented. Even when the parcels are combined it would still apply to that portion even though it's a piece of the overall parcel.

Member TUCKFIELD asked if the north line of the parcel fronting on Romeo Plank Road is considered a side yard or rear yard or front yard.

Member KRZEMINSKI stated that they are using that parcel as a driveway and nothing else.

Member TUCKFIELD stated we are not looking at a specific use but we are looking to see if the parcels that we are rezoning are not creating a parcel that can't be used.

Doug Plachcinski, Planning Supervisor, read under Section 10.0906.G. and also under 10.

Chairman OLIVER stated he felt that the commission was getting ahead of themselves and that these issues would be resolved during site plan review.

Member TUCKFIELD stated that he did not want to rezone parcels if they could not be used.

Doug Plachcinski, Planning Supervisor, stated that the parcels could be developed under the R-2 zoning without requiring a variance and if there are any Special Land Use applications for this parcel in the future that any variances needed could be handled then.

Chairman OLIVER asked how many stories were planned for of each building.

Dave Baylis, petitioner, stated typically the independent living is 3 stories, the assisted living is either 1 or 2 stories and the duplex villas are one story.

Public Portion:

Mary Jones, 17848 Cottonwood, stated her concern is whether her property is part of the wetland that is part of this development.

Chairman OLIVER stated that this meeting is for the rezoning of the property and should this go through there will be a site plan submitted at which time the questions that are being asked tonight will be addressed.

MOTION by TUCKFIELD seconded by HARDY to recommend approval to the Township Board of Trustees the Rezoning Request; Residential One Family Suburban (R-1-S) to Residential Multiple Family Medium Density (R-2); Permanent Parcel 08-17-451-014; Located on the west side of Romeo Plank Road, ¼ mile north of 23 Mile Road; Section 17. PVL Investments, Petitioner. The rezoning is being recommended pursuant to the fact that it matches the designated Master Plan for the area and that it matches the surrounding parcels on all sides as far as its use and density and it appears to be a benefit to the neighboring parcels for the purpose of access and health and safety. In addition, it is subject to the parcels being combined with parcels 08-17-451-027 and 08-17-451-014.

MOTION carried.

**B. REZONING REQUEST; RESIDENTIAL ONE FAMILY SUBURBAN (R-1-S) TO
RESIDENTIAL MULTIPLE FAMILY MEDIUM DENSITY (R-2)**

Permanent Parcels 08-17-451-026; Located on the north side of 23 Mile Road, west of Romeo Plank Road; Section 17. PVL Investments, Petitioner.

Doug Plachcinski, Planning Supervisor, stated this parcel is a portion being split off from the church property which is approximately 2 acres and are recommending approval of the rezoning request. The only condition would be that all three properties are combined in order for the rezoning to take effect.

Dave Baylis, petitioner, was in attendance to answer any questions the commission may have.

Discussion took place about the possibility of the connection to Cherry Lane once the property is developed.

Public Portion: None.

MOTION by KRZEMINSKI seconded by SCIUTO to recommend approval to the Township Board of Trustees the Rezoning Request; Residential One Family Suburban (R-1-S) to Residential Multiple Family Medium Density (R-2); Permanent Parcel 08-17-451-026; Located on the north side of 23 Mile Road, west of Romeo Plank Road; Section 17. PVL Investments, Petitioner. The rezoning is being recommended pursuant to the fact that it matches the designated Master Plan for the area and that it matches the surrounding parcels on all sides as far as its use and density and it appears to be a benefit to the neighboring parcels for the purpose of access and health and safety. In addition, it is subject to the parcels being combined with parcels 08-17-451-027 and 08-17-451-014.

MOTION carried.

Member TUCKFIELD indicated that within his motion he did not add that the rezoning was contingent upon the combination of the parcels and wants to make sure that it is part of the motion. He asked if the motion needed to be redone or just added on.

Doug Plachcinski, Planning Supervisor, stated he could ask for the support of the amendment and then vote again on the motion.

Member TUCKFIELD indicated to Member HARDY that he was amending his motion to have it be contingent upon the parcels being combined as shown on the attached sketch of the property.

Member HARDY stated that he continued to support the motion. (Reflected in the motion)

C. SITE PLAN; MACOMB INDUSTRIAL PARK UNIT 19

Permanent Parcel 08-18-326-019; Located on the south side of Claire Court, east of Milano; Section 19. V & G Industrial, Petitioner.

Doug Plachcinski, Planning Supervisor, stated after departmental review, all departments have signed off and are recommending approval of the proposed development.

Frank Salamone, representative, was in attendance to answer any questions from the commission.

Member TUCKFIELD asked if there was a proposed tenant for the building to the east and if he was happy with the site flow pertaining to the east one way exit drive.

Frank Salamone, representative, stated he felt that it flows fairly well. Also, when the plan was initially submitted the Fire Marshall had suggested the fire lane be placed on the east side of the property. Lastly, there is no tenant secured.

Member BENTLEY asked about a minimum 24 foot width of a drive which would be on the east side and on the plan it shows it at 22 feet wide and does not meet the 24 foot wide drive.

James VanTiflin, Township Engineer, stated the site plan is acceptable as submitted. The 24 foot wide driveway pertains to a two way drive lane. A one way drive lane needs to be 20 feet wide and the drive is actually two feet wider than the minimum requirement.

Public Portion: None.

MOTION by KRZEMINSKI seconded by PROVENZANO to approved the Site Plan; Macomb Industrial Park Unit 19; Permanent Parcel 08-18-326-019; Located on the south side of Claire Court east of Milano; Section 18. V & G Industrial, Petitioner.

MOTION carried.

D. REZONING REQUEST; AGRICULTURAL (AG) TO HEAVY INDUSTRIAL (M-2)

Permanent Parcels 08-19-200-005; Located on the south side of 23 Mile Road, ½ mile east of Hayes Road; Section 19. Simone Mauro, Petitioner.

Doug Plachcinski, Planning Supervisor, stated the Planning Department was recommending approval of the rezoning request.

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Simone Mauro, petitioner, was in attendance to answer questions for the Commission. He further indicated that he had done a mock sketch for development on the site based upon phone calls that he has received from individuals looking to located their business there.

Member SCIUTO questioned Mr. Mauro if this were to be rezoned how quick would he proceed with a site plan.

Simone Mauro, petitioner, stated that he is currently in with the MDEQ since there is a drain that he feels will take some time, but once that is resolved with the county and MDEQ they plan on submitting for site plan approval.

Chairman OLIVER asked if he had a tenant.

Simone Mauro, petitioner, stated he has received a lot of different phone calls but nothing has been secured. He then discussed the options of developing the property.

Public Portion:

James Mudloff, 16147 Moore Park, asked for an overview of the parcel in question to see where his property was in relation. He also mentioned the wetlands immediately to the south of the parcel under consideration which is deeded to the MDEQ and that it had also been deeded to the subdivision. Lastly, he asked if there would be any improvements made to the Jersey Drain and that the drain flows into a wetland and believes that any altering would have a bearing on the subdivision.

Chairman OLIVER stated the petitioner has indicated that he is working with the County.

James Mudloff, 16147 Moore Park, asked if there would be another hearing with notices being sent out to the public.

Chairman OLIVER stated that when the engineering is submitted all of those things fall under the spotlight.

Member BENTLEY asked if the site was trying to be planned for an industrial park.

Simone Mauro, petitioner, stated it would either be a subdivision park or condo.

Member BENTLEY stated that the current ordinance requires 20 acres and you are under the 20 acres parcel.

Simone Mauro, petitioner, stated that when the right-of-way was dedicated to the county for 23 Mile Road a half acre was lost and was not sure how that would affect the 20 acre minimum, but that he felt it could be developed as a condo regardless.

Member TUCKFIELD asked how the property to the south is to be handled since it was left unzoned due to a court case handled by the Circuit Court.

Doug Plachcinski, Planning Supervisor, stated that when you go into the Judgment it tells you to handle the property as residential.

Chairman OLIVER stated that when an application is submitted the site plan is thoroughly reviewed by each applicable department.

MOTION by HARDY seconded by SCIUTO to recommend approval of the Township Board of Trustees the Rezoning Request; Agricultural (AG) to heavy Industrial (M-2); Permanent Parcels 08-19-200-005; Located on the south side of 23 Mile Road, ½ mile east of Hayes Road; Section 19. Simone Mauro, Petitioner.

MOTION carried.

E. GROUND SIGN; BEYOND SELF STORAGE

Permanent Parcel 08-19-351-102; Located on the east side of Hayes Road, ¼ mile north of 22 Mile Road; Section 19. Allied Signs, Petitioner.

Doug Plachcinski, Planning Supervisor, stated that the proposed sign meets all the requirements and recommends the approval by the Planning Commission.

Jim Fields, petitioner, was in attendance to answer any questions the commission may have.

Member SCIUTO indicated that the address needs to be included on the sign.

Jim Fields, petitioner, stated he would either add it to the base or the side of the ground sign.

Member SCIUTO asked if the sign would be lit.

Jim Fields, petitioner, stated the sign would be self-lit.

Public Portion: None.

MOTION by HARDY seconded by KRZEMINSKI to approve the Ground Sign; Beyond Self Storage; Permanent Parcel 08-19-351-102; Located on the east side of Hayes Road, ¼ mile north of 22 Mile Road; Section 19. Allied Signs, Petitioner. The sign is approved contingent upon the address being added to the sign.

MOTION carried.

7. OLD BUSINESS

Text Amendments to M-1 and M-2 Zoning District

Doug Plachcinski, Planning Supervisor, stated that amendments have been worked on for several meetings and the recent amendments from Member BENTLEY have been incorporated. In addition, a response had been received from the Fire Department about building separations and that the Fire Department and Fire Code classify industrial buildings into different use groups. He went onto indicate that he had researched other community industrial codes (Warren, Clinton Township and Sterling Heights) and stated that none of the them have a building separation clause or standard. At this point the recommendation would be to remove Section 10.2106E and 10.2204E and let the Fire Department Code control any building separation so there is no conflict or inconsistency in the future.

Member SCIUTO stated the rezoning proposed this evening can potentially have commercial in front as a Special Land Use. In addition, this applies to any industrial property up and down 23 Mile Road and asked if would apply to 26 Mile Road.

Doug Plachcinski, Planning Supervisor, stated that it would apply to any industrial district as long as it serves and enhances the industrial district it's not contingent upon the street it is located on.

Member TUCKFIELD stated that the concern of residential abutting industrial had been brought up by residents and that the distance between industrial and residential is being maintained 100 feet and that the landscape buffer would be 30 feet which is in line with other municipalities.

Member SCIUTO asked if this was recommended for approval when would it go before the Board.

Thomas Esordi, Township Attorney, stated that he would work with Planning Department and Engineering to ensure that it proceeds to the Township Board.

Public Portion: None.

MOTION by KRZEMINSKI seconded by SCIUTO to recommend approval to the Township Board of Trustees the Text Amendments to the M-1 and M-2 zoning districts.

MOTION carried.

Chairman OLIVER thanked everyone on the Board and all the others for their involvement for working together to make the amendments possible.

8. PUBLIC COMMENTS ON NON-AGENDA ITEMS*

None.

9. COMMISSIONER COMMENTS

Member SCIUTO thanked Doug Plachcinski for his service to the township and wished him well on his endeavors.

Doug Plachcinski, Planning Supervisor, thanked him and wished all the members good fortune in the future.

Member TUCKFIELD also thanked Doug Plachcinski for his time.

Doug Plachcinski, Planning Supervisor, thanked Patrick Meagher, Jim VanTiflin and Beckie Kavanagh for being a great team to work with.

Member TUCKFIELD thanked Member SCIUTO for pushing forward with the industrial amendments and making sure they took place.

10. ZBA LIAISON UPDATE

Member TUCKFIELD indicated the next meeting will be on June 6, 2019.

11. PLANNING DEPARTMENT ITEMS

None.

12. ADJOURNMENT

MOTION by SCIUTO seconded by HARDY to adjourn the Planning Commission meeting at 8:05 p.m.

MOTION carried.

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Respectfully submitted,

Charles Oliver, Chairman

Aaron Tuckfield, Planning Commission Secretary