

Chairperson Werth called the meeting to order at 4:34p.m.

I. Roll Call

Present: Sandra Werth, Chairperson
Matt Ray, Secretary
Tony Bartolotta, Commissioner
Steve Reno, Vice Chairperson
Dave Kramer, Commissioner
David Hardin, Commissioner

Absent: Scott Sintkowski, Commissioner

Also Present: Larry Lockwood, Superintendent of Planning and Zoning
Scott Alef, Planner II
Amy Williams, Administrative Specialist

General Public of approximately 5

II. Approval of the August 13, 2019 Planning Commission meeting minutes as printed.

MOTION AND VOTE

Moved by Kramer

*Supported by Reno; Resolved to **APPROVE** the Minutes of the August 13, 2019 Planning Commission Meeting.*

MOTION CARRIED UNANIMOUSLY

(6-0)

III. Approval of September 24, 2019 Planning Commission meeting agenda.

MOTION AND VOTE

Moved by Bartolotta

*Supported by Kramer; Resolved to **APPROVE** the Agenda of the September 24, 2019 Planning Commission Meeting.*

MOTION CARRIED UNANIMOUSLY

(6-0)

IV. Approval of Consent Agenda

MOTION AND VOTE

Moved by Reno

Supported by Bartolotta; Resolved to APPROVE the Consent Agenda..

MOTION CARRIED UNANIMOUSLY

(6-0)

V. Public Hearings

1.) Special Approval. 19-08-01, Dale Verhey (Staff Reviewer – Scott Alef)

Location: 4305 Lessing St
Request: Special Approval under Section 3-806.5.C(6) to allow outdoor storage as an accessory use in the M-1, Light Industrial District
Parcel I.D. Nos.: 13-05-127-050
Applicant: Dale Verhey

Applicant or representative present: Dale Verhey

Mr. Alef gave a brief history of the subject property. Request is for Special approval for outdoor storage in conjunction with minor vehicle repair that requires Wellhead protection compliance.

Mr. Verhey added that this change would have low impact on the area. There will be less trucks going in and out than in the past. Many trucks have been taken off the road.

Chairperson Werth questioned if the fence would be extended to screen residential properties to the north.

During the public portion of the meeting, the following spoke regarding this request.

Scott Dillworth of 6621 Windiate had concerns with screening and noise. He further stated that he spoke with staff regarding this request and does now encourage building. The property has been a bit of an eyesore with a rusty yellow trailer and overgrown scrub trees. He would be supportive of the proposed changes with adequate buffering.

MOTION AND VOTE

Moved by Reno

*Supported by Bartolotta; to **APPROVE with conditions** the request for special approval in this case based on the following findings and conclusions under the Ordinance review criteria and considerations, which are based on assessment of the information and statements presented in this case by or for the Township Staff, Applicant, and members of the public.*

Findings:

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- A. *The proposed use is in accordance with the objectives of the Master Plan and with future land use plans for the area as adopted or maintained by the Planning Commission.*
- B.1 *The proposed use will be compatible with adjacent uses of land in terms of building and activity location, scope of activity, character, hours of operation, and compliance with the performance standards required under ARTICLE II, Division 2-2.*
- B.2 *The proposed use will not have an adverse effect on the environment or adjacent properties beyond the normal effects of permitted principal uses in the same zoning district.*
- B.3 *The proposed use will not result in an impairment, pollution, and/or destruction of air, water, natural resources and/or the public trust therein.*
- C. *The proposed use is not located in any Special Approval use service areas identified and adopted by the Planning Commission.*
- D. *The proposed use will not impose an unreasonable burden upon public services and utilities.*
- E. *The proposed use will be in compliance with the regulations of the Zoning District in which it is proposed to be located.*

Conclusions:

- A.1 *The proposed use is of such location, size and character as to be compatible with the orderly development of the Zoning District in which it is proposed to be situated.*
- A.2 *The proposed use will be compatible with the orderly development or use of adjacent zoning lots.*
- A.3 *Pedestrian circulation will not be hindered by the proposed use.*
- A.4 *Outdoor operations and display in connection with the proposed use will not burden and/or disrupt uses on adjacent properties.*
- A.5 *The natural and surrounding environment will not be negatively impacted by the proposed use.*
- B. *The proposed use will be within the capacity limitations of the existing or proposed public services and facilities, which serve its proposed location.*
- C. *The proposed use will be conducive to fulfilling a gap in the geographic coverage of such services to Township residents.*

The conditions of this approval, which have considered the Planning Commission's ability to impose reasonable restrictions to ensure compliance with the performance standards established in the Zoning Ordinance, are as follows:

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1. *Outdoor storage shall be limited to the parking areas shown on the plan.*
 2. *Additional screening will be installed to buffer the adjacent residential properties to the north.*
 3. *All Department comments from this application and Site Plan 19-1343-0 are to be addressed to the satisfaction of department staff.*
 4. *Minor repairs are limited to personal vehicles.*
 5. *Complete a Wellhead review with DPW.*

**MOTION CARRIED UNANIMOUSLY
(6-0)**

VI. Development

Reviews

- 1.) Site Plan No. PSP19-0053-1 , Neighborhood Bar & Grill, Michael Backalukas (Staff Reviewer – Scott Alef)
Location: 7760 & 7770 Cooley Lake Rd
Parcel I.D. Nos.: 13-31-351-041 & 13-31-351-094
Action: Minor Site Plan Review
Applicant: Michael Backalukas

Applicant or representative present: Michael Backalukas and his architect.

Mr. Alef gave a brief history of the properties and the intention to remodel the former Tomato Kitchen to a restaurant. This request includes the adjacent property. He addressed the concerns for parking, driveway access, screening and fire lanes. The property meets all zoning requirements with minimal alterations.

Mr. Backalukas stated that they have already started repairs to the retaining wall and cleaning up the rear of the property. He further commented that he would like to move the storage container on the rear of 7760 Cooley lake to an area between the two buildings.

It was further discussed that a variance would be needed to move the container as it would not meet setback requirements for the side yard. This could be a recommendation in the minutes to the Zoning Board.

MOTION AND VOTE

Moved by Ray

*Supported by Reno to **APPROVE with comments**, Site Plan No. PSP19-0053-1.*

Comments:

1. *A cross-access and parking agreement, executed to the satisfaction of the Township Attorney, must be registered with the Oakland County Clerk.*
2. *The retaining wall must be repaired.*
3. *A five foot buffer and curb must be located adjacent to the retaining wall on either side of the drainage area. Landscaping must be installed between the curbing and retaining wall in the northeast corner of the property where the residential structure is located.*
4. *The expanded fire department lane on the 7770 Cooley Lake property should be curbed and finished to redirect storm water.*
5. *All missing or damaged parking blocks must be repaired or replaced.*
6. *A minimum of 104 parking spaces must be located within the two properties.*
7. *Landscaping or a screen fence must be installed adjacent to the Lakeland apartments to the west.*
8. *Staff recommends removing the rear utility pole and relocating the loading zone between the buildings or to the northwest corner of the 7770 Cooley Lake property.*
9. *Due to substantial increases in traffic to the site, the RCOC must approve the suitability of the existing 22' wide driveways to the site or any required modified entrance. The RCOC has requested that the entrances on the 7770 Cooley Lake Rd site be consolidated and widened to accommodate traffic flow.*

Fire Dept Comments: Approved with Comments

1. *Site approval contingent upon removal of existing steel storage container currently behind 7760 Cooley located in the area of the plans submitted as 18'x50' LOADING ZONE.*
2. *(3) NO PARKING – FIRE LANE signs placed on west side of building.*
(2) NO PARKING – FIRE LANE signs placed along sidewalk in front of business.
(4) NO PARKING – FIRE LANE signs placed along/on existing 6' high wood screen fence.
3. *Refer to the requirements of the IFC 2009, Section 503, and Appendix D, Fire Apparatus Access Roads.*
4. *Refer to the requirements of the IFC 2009, Appendix C, Section C105, Distribution of Fire Hydrants, C105.1 Hydrant Spacing, Table C105.1, Number and Distribution of Fire Hydrants for Minimum Number of Hydrants to the Fire Flow Requirements and the average spacing between hydrants (feet).*
5. *Please call the Waterford Regional Fire Department to schedule a Fire Department Final Inspection at (248) 673-0405.*

This plan is APPROVED with comments by the Fire Department for the described use. And agreement/completion of line items 1 & 2

Engineer Comments: Approved with Comments

- 1. The engineering division is requesting that the debris (concrete chunks, asphalt, and yard waste) within the vegetative low area off the northerly end of the parking lot servicing 7760 Cooley Lake Rd be removed and the area restored as part of our recommendation of approval. In addition, the existing timber retaining wall shall be repaired.*

And that the Planning Commission is in support of the relocating of the storage container to the area between the two buildings.

**MOTION CARRIED UNANIMOUSLY
(6-0)**

VII. Discussion

VIII. All Else

IX. Adjourn

Chairperson Werth adjourned the meeting at 5:15p.m.