



**RAISINVILLE TOWNSHIP
PLANNING COMMISSION MINUTES
November 20, 2017 7:00 pm**

Meeting called to order by Chairman John Delmotte at 7:00 pm and he led the Pledge of Allegiance.

ROLL CALL: Craig Assenmacher, Tom Woelmer, John Delmotte, Ann Nickel-Swinkey, Mike Jaworski, Gary Nowitzke and Kevin Kruskie were present. Also present were Township Planner Lucie Fortin, Township Attorney Kerry Bondy, Developer Aaron Brooker, AR Engineer Whitney Pizzala, property owners Chris Schassberger, Kay Lani Wilson, and Greg Navarre.

APPROVAL of MINUTES:

Motion to approve the minutes of the October 16, 2017 meeting and place on file by Tom Woelmer **Supported** by Craig Assenmacher. **Motion carried.**

PUBLIC HEARING:

RDA Partners, LLC of 8701 Belleville Road Belleville Mi 48111 are requesting that Parcel number 5813 127 215 10 be Rezoned from C3, Restrictive Commercial to C1, Local Commercial District. The parcel is located on South Custer Road (M-50) just west of Plum Grove Drive (South Drive).

Motion to open public hearing by Mike Jaworski. **Supported** by Ann Nickel-Swinkey. **Motion Carried.**

Aaron Brooker, with the Zaremba Group and also Monroe BTS Retail, LLC representing RDA Partners for the rezone request from C3 to C1. Zaremba Group are preferred developers for Dollar General. The Zaremba Group are build to suit developers, which means they purchase the land and develops it and lease it back to Dollar General. They currently have first purchase agreement with RDA for a portion of the parcel. As proposed they are looking to split the property. As C1 zoning would allow the split but C3 would be non-conforming. They are not interested in developing the entire site as it currently sits, it's too much property for a small retailer. The Dollar General is not a retailer that is a destination spot, but more of a stop if you are driving by it. He stated the Planners review was perfectly outlined and well written. The seller has sewer taps and the Township has few available so that answered that question (as from Planners review).

Commissions questions-

- A.) Is it correct that the footprint of building and land is approx. 1.5 acres? Aaron deferred the question to Whitney and agreed.
- B.) What are the intentions for the rest of the property? to sell it? Aaron stated the seller does not have plans to sell it at this time. The seller did state he is requesting an access easement agreement to the remaining land so the ingress/egress would be to Plum Grove and not M-50. He has had an offer for a gas station for this property but the seller did not feel that a gas station was supported by the Township and that surrounding residents would not be in favor.

Public Comments:

Chris Schassberger, 4182 S. Custer Rd. lives right across from this parcel and he was under the impression that the C3 zoning was the reason to help with the traffic, noise, lights on late at night, etc. This development might be better than a gas station, but he does not think the rezoning is a positive thing at all for the residents.

Greg Navarre- (owns) 4387 S. Custer, distributed a handout. He wants the parcels as indicated to all be changed from C3 to C1. He thinks changing one would be inconsistent, he'd like to see them all changed.

Lucie Fortin (Planner) went over her review:

- A.) Noted we just updated our Master Plan and this area is the area for commercial development with the C3 zoning. The Planning Commission needs to look at the "uses" allowed and what types of development the commission would

like to see. Compare what C3 allows to what C1 allows: C1- Smaller lots. Access management and creating a unified design are goals of C3.

The Township Future Land Use Map designates this property for commercial/office development. She stated that the retail business proposed for this property can be developed under the C3 zoning district. The Master Plan supports high-quality development design standards and the implementation of techniques incorporating shared access and parking to connect the properties fronting M-50 between Strasburg and Raisinville Roads and limiting direct access to M-50 to alleviate safety concerns. The Master Plan identifies opportunities for commercial development to include the small, low-impact type of commercial development such as grocery stores, agricultural supply stores and garden and nursery centers, as well as small scale retail businesses and personal service establishments such as ice cream stores, bakery, drugstore, convenience store, hardware stores, etc.

The proposed commercial use in that location complies with the Master Plan if the development high-quality designs standards, a provision for shared access and parking, and if the use is to serve primarily local residents.

B.) All the commercial and office land uses permitted in the C3 can be developed on this site.

C.) The site is physically compatible with all of the C3 or C1 potential uses permitted by right of special approval.

D.) This area has been planned and designated for future commercial and office development.

E.) She believes there are sewer taps available; however, it needs to be confirmed by the owner and/or the applicant with the Township.

F.) The retail business proposed, as depicted in the conceptual site plan, will be accessed from Plum Grove Drive, off S. Custer Road (M-50). This addresses our shared access desire for this area.

G.) If approval tonight, this does not constitute Site Plan Approval.

The primary reason for the rezoning request appears to be the ability to divide the parcel under C1 zoning given the smaller minimum lot size allowed.

Her recommendation is to deny the applicant, but discussed the Planning Commission may find a Conditional rezoning from C3 to C1 more acceptable.

Questions to Lucie from the Commission-

A.) Regarding the shared access drive- Why is it going to be better zoned C3 versus C1? Lucie explained that with C1 there are no shared access requirements. So, under C3 the Township can require access from Plum Grove Drive. If rezoned to C1 the Township cannot require access from Plum Grove Drive.

B.) Is there currently sanitary system there? Yes, but there is a sewer tap issue within the Township. At this time, it is unclear how many taps are available and who has them.

C.) What about water run-off plan? Aaron stated they are accepting of conditional rezoning with access to the parcel. This has already been discussed with the seller. In regards to storm water- currently there is a ditch along M-50. They would contain the run-off on site per the County regulations. They would release to the ditch or if that is not in compliance they could do under ground as well.

Lucie clarified how conditional zoning works. It is not based on what they submitted for tonight. It is a formal agreement between the applicant and the Township. Usually attorneys are involved to come to an agreement and it is put in writing. Kerry Bondy (Township Attorney) also commented on the process.

Aaron offered the following conditions:

1.) Get sewer tap run along M-50. Working with the seller and Township to ensure this happens.

2.) Shared access between parcel and "split" parcel with a written easement agreement in place.

3.) To meet design standards set forth in C3

4.) Screen wall with hedge to mitigate effect on surrounding properties.

- would they put the access road in when the building is built? Aaron stated they normally do not lay the asphalt but the agreement would be in place to make sure that when the "other property" develops they have the right to do so.

Aaron stated they are not interested in developing the entire property. He said two scenarios for them would be 1.) build the development and buy the whole property or 2.) to ask for a variance for a lot split.

Lucie asked him to clarify if he was offering to build the access all the way to the adjacent lot. He said yes. The property owner said when he was approached to sell that he wanted an access agreement granted. Craig brought up that not only would the current owner have to give access to the proposed development but also the lots to the west.

Discussion ensued.

Tom explained that based on the survey the residents did not want multiple commercial parcels along M-50. The Master Plan was agreed that this was to be C3 and going down the M-50 corridor changing the C3's to C1 would defeat that purpose.

Craig asked if they checked to see if the property could be split?

Whitney Pizzala (AR Engineering) stated she checked with the Township Assessor regarding a land division.

Aaron said, with Ron Blanks relationship with the neighbors and with his request to rezone it and with the conditions stated earlier, even though it would comply with the C3 zoning, they feel that C1 makes more sense, especially with the conditions. They would make sure that Ron Blank would sign off. Aaron was going to contact Ron via phone call and Chairman Delmotte stated without it in writing in front of them today, he doesn't see the need to contact Ron during the meeting. Attorney Bondy suggested if the Commission were in favor of considering the conditions that they could make a motion to table the request, but if they were going to deny then there's no need to have them go through that. John asked about the sewer taps, if they were part of the purchased land? Aaron understands that the seller (Ron Blank) has 40+ sewer taps & the Township has approximately 7. They would be obligated to get the required taps before rezoning would be finalized.

No further comments from the commission.

Motion to close public hearing by Ann Nickel-Swinkey. **Supported** by Mike Jaworski. **Motion Carried.**

Commission discussion:

John: Gabby's Ladder is on the east side and they are not currently pursuing a rezoning.

Kay Lani Wilson, 4916 Frary Lane, (executive director of Gabby's Ladder) indicates they are not looking to seek rezoning. They can operate their business as the current zoning (C3).

Craig- would rather see the applicant go for a zoning variance regarding the size of the lots resulting from a Land Division.

Aaron asked that if the commission is looking to deny the request, that the Commission table the request instead, to give the applicant more time to review his options. It was explained that the Planning Commission is a recommending body to the Township Board and they do not have the ultimate decision.

Motion to recommend to the Township Board to deny the request by RDA Partners, LLC of 8701 Belleville Road Belleville Mi 48111, Parcel number 5813 127 215 10 to be Rezoned from C3, Restrictive Commercial to C1, Local Commercial District by Mike Jaworski. **Supported** by Kevin Kruskie. **Motion carried 7-0 to deny rezoning request.**

NEW BUSINESS: None

OLD BUSINESS:

Lucie has not prepared anything new regarding old business. The amendments that were recommended by the Commission in October were approved by the Monroe County Planning Commission at their November meeting and final approval request will go to the Raisinville Township Board at their meeting in December.

1.) *Sand Stripping and Related Ordinances, Section 3.15, Section 15.09*

Mike was not at the October meeting and wanted to clarify that the general consensus was that we wanted to allow sand to be removed from a parcel when a pond is dug. He was told that the ordinance still needs a lot of work but it is in discussion.

2.) *Agriculture-Related Commercial Uses, Section 4.02, Section 15.08*

Lucie is still looking at other Townships. John commented about his concerns of how to avoid creating an unenforceable situation.

MISCELLANEOUS: None

PUBLIC COMMENT: None

NEXT MEETING: December 18, 2017

ADJOURN: Motion to adjourn by Gary Nowitzke. **Supported** by Craig Assenmacher. **Motion carried.**
Meeting adjourned at 8:10 pm.

Minutes are preliminary until approved.