

**CHARTER TOWNSHIP OF CANTON
PLANNING COMMISSION PROCEEDINGS
October 18, 2021**

A Special meeting of the Planning Commission of the Charter Township of Canton was held by video teleconference (Zoom) in accordance with Michigan law on Monday, October 18, 2021. Chairman Greene called the meeting to order at 7:05 P.M. and led the Pledge of Allegiance to the Flag.

ROLL CALL:

Members Present: Eggenberger, Engel, Foster, Weber, Zuber, Greene.

Each member noted that they were video teleconferencing from Canton Township, Wayne County, Michigan.

Absent: Acharya, Okon, Singh

STAFF PRESENT: Patrick Sloan

APPROVAL OF THE MINUTES

None

ACCEPTANCE OF AGENDA

Motion by Weber, supported by Zuber, to move to accept the agenda as presented. Motion passed unanimously by those present by roll call vote, 6-0.

PUBLIC HEARINGS

1. 057-RZ-6917 **ALEXANDRA & ARIANA LLC (Dogology University)** – Consider Rezoning for parcel no. 057-01-0013-301 (Dogology University site). Property is located south of Ford Road, between Morton Taylor and Sheldon Road.

Mr. Sloan stated that the property owner is proposing to rezone a part of the parcel at 44125 Ford Road from OSP, Off-Street Parking and Central Business District (CBD) Overlay to C-2, Community Commercial with the Central Business District Overlay on the same property. The parcel is located on the south side of Ford Road and the east side of Brookline Rd. The subject property proposed for rezoning is an area of approximately 40 feet by 127.5 feet, which includes the southern 10 feet of the building and the area located about 30 feet south of this building. Specifically, the subject property proposed for rezoning is described as the south ½ of the vacated alley adjacent to Lot 404 and the north 30 feet of Lot 404 of McIntyre Manor Subdivision.

Mr. Sloan explained that the proposed rezoning is because the tenants (Dogology University, an indoor pet boarding and training facility) were recently granted a Special Land Use to occupy the building and it was recently discovered that the building is not entirely within the C-2 zoning district. The southern 10 feet of the building is in the Off-Street Parking District (OSP). The Off-Street Parking District does not allow specific land uses beyond parking, so it is a very limited district. So, it is appropriate to have that southern 10 feet of the building out of the OSP and into the C-2 District so that the entire building can be used for commercial use.

At the previous Planning Commission meeting, the Commission had discussed some of the proposed operations that the applicants would be applying for. One was they eventually plan to have an outdoor

fenced-in bathroom area for the dogs. At that time, it was still conceptual because they were at the point of rezoning for a piece of property. So, no proposed plan goes along with it, outside of the regular zoning plan. Additionally, the southern 30 feet of this rezoning are in the off-street parking district and currently contains mostly parking spaces. It is on the north side of the access drive so it is far away from any residences. Mr. Sloan said the purpose of rezoning that southern 30 feet of the building is so the applicants can propose eventually to have an outdoor bathroom facility for the dogs. Right now, that facility would not be permitted in OSP because it's an accessory to the commercial district. OSP is for parking only. In some cases, dumpster enclosures are allowed in OSP but nothing that is use-related. The purpose of the OSP is to serve some of the shallow commercial properties farther north along Ford Road.

Mr. Sloan stated some of the review considerations that Staff looks at when deciding whether a property is rezoned is in Section 27.06D-4 of the Zoning Ordinance. There are 10 criteria that apply:

1. The first is whether the proposed amendment is in accordance with the basic intent and purpose of the Zoning Ordinance. Staff's finding is that the C-2 zoning as proposed is within the intent. The southern 10 feet of the building should be rezoned C-2 because it is the current commercial use and the building was built for commercial uses. As for the southern 30 feet of the request, that area is currently in the Central Business District Overlay. Not all OSP parcels are in the overlay. But the subject site proposed for the rezoning is in the CBD Overlay which is a commercial zone. Also, that subject area for the rezoning is in the Downtown Development Authority, so there are some commercial indicators for the intended use of that property.
2. The second is regarding the relationship to the Master Plan. As designed, the proposed rezoning can be consistent with the Comprehensive Plan of the Township. The subject area of the site is classified as Medium Density Residential on the future land use map, which is the density of up to four dwelling units per acre. However, residential zoning and residential use for this 40-foot wide subject area would be inappropriate given its proximity to the commercial use and the associated traffic and parking on the site. At the same time, any rezoning to a district not explicitly recommended by the Future Land Use Plan should be carefully considered in the context of the overall Comprehensive Plan and the written policies in the plan. Some policies that speak to commercial land uses and their expansion:
 - Objective 1.2 of the Master Plan: Canton Township shall provide adequate land for commercial uses and direct new commercial uses to areas which are compatible with established land use patterns which can be supported by public facilities
 - Policy 1.2.2: Establish a Community Shopping Land Use designation on the Future Land Use Map for community retail uses and personal and professional service which serves a larger segment of the residential community. These are located along primary arterials, and just north of the site is the community shopping future land use.
 - Policy 4.2.3: Canton Township discourages future "strip" commercial development and physical isolation of adjacent uses. The Township requires, wherever practical, the use of marginal access connections, joint access agreements for ingress and egress. There is an existing joint access drive south of the subject area for the proposed rezoning, so this is joint access that already exists south of the subject area for the rezoning.
3. The third is whether conditions have changed since the Zoning Ordinance was adopted. One of the changes has been the SLU and the demand for use at the site for an indoor pet boarding and training facility. For most commercial uses to be feasible on a site the entire building needs to be in the C-2 Zoning. Additionally, if the tenants proposed to locate a small outdoor bathroom area for dogs in the current C-2 portion of the site, the front yards adjacent to Ford Road or Brookline Street and the side yard adjacent to the bank to the east area raise concerns about proximity to the roads, bank traffic, and pedestrians. So, in terms of any kind of accessory use to that on-site commercial use, the south side of the building is the more appropriate area to put an accessory use.

4. The fourth is that the amendment will correct an inequitable situation created by the Zoning Ordinance rather than grant special privileges because the southern 10 feet of the building should be the same zoning district as the rest of the building. Additionally, the proposed rezoning of the 30-foot wide area south of the building does not grant a special privilege because this area contains parking accessory to the commercial use and is located in the CBD Overlay and the DDA.
5. The fifth is that there is no exclusionary zoning related to this.
6. The sixth is that the amendment will not set an inappropriate precedent, as it is adjacent to an existing C-2 zone, will occupy an existing building and parking area, and is designed to be no larger than necessary to occupy the building and the 30-foot wide area south of the building. The remaining OSP area proposed on the site will include the driveway from Brookline St., the parking area to the south, and the landscape buffer around the property.
7. The seventh is that the proposed rezoning is consistent with the existing land uses of surrounding property. The adjacent uses to the west and east are commercial. Although there are some residential to the southwest and south which are single-family residential, Brookline St. separates the residential district to the west and the residential district to the south will be 145 feet from the proposed C-2 boundary. It is common in many areas of the township for a C-2 district to abut a residential district, and the Zoning Ordinance includes appropriate provisions for screening, noise, lighting, and other related factors.
8. The eighth is that all requirements of the C-2 District must be met if the property is rezoned. Based on the information provided, it appears that these requirements can be met.
9. The ninth is that it be consistent with the trends in land development in the general vicinity. As previously noted, Brookline St. separates the residential district to the west and the residential district to the south is 145 feet from the proposed C-2 boundary. So, beyond the setbacks of the residences, it's also adjacent to an existing C-2 district which makes it compatible.
10. Finally, the subject property is served by an adequate road system and sanitary and water sewer systems so there is enough infrastructure in place to service the use.

Mr. Sloan stated that if the criteria are adopted by the Planning Commission, Staff's recommendation would be approval. Sloan thought that there might be a correction to the model motion and stated the proposed correction. That minor correction can be made when the motion is read.

Motion by Engel, supported by Zuber, to move to open the public hearing. Motion passed unanimously those present by roll call vote, 6-0 (7:22pm)

Chairman Greene asked for clarification as to how this happened. The C-2 designation has been on this property for a long time. The Planning Commission changed that zoning to the south to allow parking for another commercial use that was going to go there. At that time, how come the designation included the building? Why wasn't that addressed back then, the building should always have been in C-2. How did that part of the building get into the off-street parking designation?

Mr. Sloan stated that when the zoning line was placed, it was placed to follow the center of the alley. Previously there was a 20-foot alley that has since been vacated. Mr. Sloan thinks the line was intended to go through the center of the alley although the building occupies the whole alley. From a parcel line standpoint and bisecting the alley, the zoning line was probably drawn to match.

Mr. Sloan stated he reviewed the notes one more time and the model motion is written correctly. It is the south ½ of the vacated alley adjacent to Lot 404 and the north 30 feet of Lot 404.

Chairman Greene asked if there is anyone in the audience who wished to speak.

Mr. Matthew Lamarand (project applicant) thanked Mr. Sloan and the Commission for their time and for understanding the mix-up in how this is being laid out and allowing them to use it for its intended purposes.

Mr. Sloan said there were no other attendees from the audience wishing to speak. Also, Staff did not receive any comments, emails, or letters about this proposed rezoning.

Motion by Zuber, supported by Weber, to move to close the public hearing. Motion passed unanimously by those present by roll call vote, 6-0. (7:26pm)

There were no comments or concerns from the Commission members.

Motion by Zuber, supported by Eggenberger, to move to recommend approval of the request to rezone the south ½ of the vacated alley adjacent to Lot 404 and the north 30 feet of Lot 404 of McIntyre Manor Subdivision at 44125 Ford Road (parcel no. 71-057-01-0013-301) from OSP, Off-Street Parking and Central Business District (CBD) Overlay to C-2, Community Commercial and Central Business District (CBD) Overlay, as the proposal meets the standards of Section 27.06(D)(4) of the Zoning Ordinance as stated in the staff report.

Commissioner Zuber called the vote:

Ayes: Eggenberger, Engel, Foster, Weber, Zuber, and Greene

Motion passed unanimously by those present by roll call vote, 6-0.

Chairman Greene asked if this zoning change was holding up something else on the project.

Mr. Sloan stated that partially with the southern 10 feet of that building. When reviewing the Special Land Use, there was a restriction that they would not have been able to use that southern portion because it wasn't in the proper zone. So, at that time, they weren't even eligible to apply to use that southern 10 feet for the indoor pet boarding facility. This rezoning will grant quite a bit of relief there. If they want to propose an outdoor bathroom area and this area of the property is rezoned to C-2, then the 30 feet south of the building will be an upcoming Special Land Use application to the Planning Commission for that use.

Chairman Greene stated, so technically speaking there was a part of the building that they would not have been able to use for their business.

OLD BUSINESS

2. 126-SPP-6651 **ANAND VILLAGE** – Consider Site Plan Amendment on parcel no. 126-99-0008-701, including changes to architecture. Property is located at the southeast corner of Geddes Road and Denton

Mr. Sloan stated the Commission previously reviewed the site plan at the September 13, 2021 and October 4, 2021 Planning Commission meetings. At those meetings, the primary focus was the architectural elevations. On a prior occasion in 2019 the preliminary site plan was approved by the Planning Commission and the Township Board, but that expired on August 27, 2020. Therefore, the application has to start at the very beginning with preliminary site plan review. The layout of the preliminary site plan is much the same as it was in 2019 with a couple of exceptions: The surface of the emergency access from Denton Road on the north side of the site has been changed from grass paver to pavement, which is a requirement of the Fire Department. Another change is that the number of units has increased from 42 to 43, with the 43rd unit

occupying the area in the northwest part of the site that was previously proposed as a clubhouse. The density of 43 units is still within the density of the current R-4 zoning district.

Mr. Sloan stated that at the meetings on September 13, 2021 and October 4, 2021, there was discussion about the elevations and wanting more detail from the applicants. There have also been some minor site plan revisions which include the removal of the previously proposed emergency access connection and breakaway gate on the south side of the site that connected to Hawksbury Ct. in Crystal Village. This emergency access was originally proposed due to some previous access limitations of the emergency access drive from Denton Road; however, with the substitution of the clubhouse with a smaller residential unit and the paving of the emergency access from Denton Road, an additional emergency access is not expected to be required. So, the proposed connection that was previously shown to Hawksbury Ct. has been removed from the plan. The associated gate is still on some of the sheets, but that is mostly a “cleanup” thing for the applicant to remove prior to the next plan submittal.

Mr. Sloan explained that at preliminary site plan review, the purpose is mostly to establish the layout, the architectural elevations, and the overall project scope. If the preliminary site plan is approved by the Planning Commission and the Township Board, the applicant will then have to go through the engineering review and get all the permits and bonds in place. Once they have done that, they will return to the Planning Commission for final site plan review.

Mr. Sloan stated that since the last meeting the applicant has updated the architectural elevations and included more detail. These are more professional renderings and examples, and there is more consistency between the elevations and the floor plans, including the 4-foot rear horizontal offset and adding a rear walkout and deck. The applicant’s letter states that they have an Elevation Floor Plan A and an Elevation Floor Plan B which are their formal submittals for this evening. They also have an Elevation Floor Plan C that is still in the design phases, but they submitted just for information purposes.

Mr. Sloan stated that if the architectural elevations are acceptable to the Planning Commission, Staff’s recommendation would be approval of the preliminary site plan subject to any conditions necessary, including renaming Heather Place to another name as well as any additional conditions for elevations prior to final site plan review.

Motion by Zuber, supported by Weber, to remove the Anand Village item from the table. Motion passed unanimously by those present by roll call vote, 6-0. (7:35pm)

Bob Vora and Mark Mahajan (Engineer, Fairway Engineering) stated they have submitted plans according to the Commission’s previous comments, with illustrations and some minor revisions to the site plan. They are looking forward to hearing from the Commission, and request approval.

Chairman Greene asked Commissioner Zuber for her opinion, as an architect, on the revised elevations.

Commissioner Zuber stated that they look great. This is a huge improvement over what was presented last time and she thanked the team for putting together a much nicer looking set of elevations.

Chairman Greene asked if Commissioner Zuber had a preference between Plan A, B, or C.

Commissioner Zuber said it is nice to have a mix, and they all look nice. The one thing she wanted to say was that the Elevation C Craftsman style doesn’t go as well as the others, but she understands they just submitted this for informational purposes at this time.

Mr. Vora said they are still working on that and changing that one.

Commissioner Foster agrees the elevations look very nice. She mentioned that a resident had a question on when the plans would be updated to reflect the removal of the gate access.

Mr. Sloan stated he received that message today and did not have time to formally reply. The removal of the gate will be a condition and will have to be done prior to final site plan review. By the time the final site plan comes back to the Planning Commission, the final engineering will be complete. It will be very detailed, everything would have been reviewed by County Engineering and Township Engineering by that time. One of the items in terms of a cleanup item will be removing the gate from all the sheets.

Commissioner Engel stated the elevations look good.

Commissioner Weber stated this is a thousand percent improvement over what they saw before. He just wanted to clarify, the Commission is not picking an A or B elevation necessarily. This is what they expect to offer to potential purchasers.

Chairman Greene said he just wanted some feedback if the Commission members had a preference of one over the other, anything they liked or disliked.

Commissioner Weber said he really likes the Craftsman-style, but he agrees with Commissioner Zuber that it doesn't really fit with the other elevations. Overall, he thinks they are all fine.

Commissioner Eggenberger agrees there is much improvement, and she does not have a problem with any of them.

Chairman Greene concurs with the comments from the other Commissioners. The only thing he wished to add was to not even bother with C. He likes the look of A and B in this neighborhood, and he cannot see C being in the mix. Chairman Greene said he likes C, but he can't see it being part of the choice selection.

Mr. Vora stated they will definitely keep that in mind.

Commissioner Weber stated regarding C, the Craftsman style, there is also an option with partial stone and siding. Is that an alternative to the Craftsman?

Mr. Vora stated they will redo it and it will be a different option. Eventually it will be modified to suit with the other ones in the development. They are working on it and it might be offered as a different option.

Chairman Greene stated that for tonight, if the Commission proceeds, we are not telling them A, B, or C, we are just giving an opinion as to what we think is acceptable. So, if the applicants come back with a modified C, that would be something they would work out with Staff, correct? Chairman Green said he could see the second C option being modified with brick or at least 50% brick, and being a third choice. He likes the idea of three choices.

Mr. Vora stated there might be more minor modifications to each elevation, but the C is still in the development stage. They like some of the Craftsman-style, but they have not developed it any further. They will see how it goes in the mix, and it will be done properly if they decide to proceed with it.

Commissioner Zuber had a question about the fact that there is a third option that isn't fully developed.

Mr. Vora stated that was a choice they made. They could have just not submitted it, they just wanted to share information that they are working on it.

Commissioner Zuber asked Mr. Sloan, if the Commission approves this packet, what are they saying about C?

Mr. Vora said they can just take it right out if it is a not ready for preliminary approval at this time.

Mr. Sloan stated that if the Commission is satisfied with A and B, and it sounds like the applicant is satisfied to go forward with just A and B, the model motion could be revised to explicitly state that models A and B are included with the preliminary site plan because those are the ones that even the applicant's letter states are in final form. If something that looks like C comes back at Final Site Plan review and they've tweaked the designs, the Planning Commission can consider it at that point. But the motion could be explicit with models A and B.

Chairman Greene asked if the Commission is explicit tonight with A and B, they could come back later with an amendment on C, correct?

Mr. Sloan said they could come back with either an amendment, or when they come with the final site plan, they could have A and B and then C or any other number of elevations and put those before the Planning Commission to consider at that time.

Commissioner Weber said that's what he wanted to know, if the Commission could look at those during final site plan if they come in with more elevations.

Mr. Sloan stated yes, they could do that.

Chairman Greene stated one of the things that concerns him in terms of the quickness of the last time around is, when the clubhouse was eliminated and changed to a regular house, why wasn't the numbering changed on the units?

Mr. Mahajan stated that was on his part. They were having a short turnaround time and would have to revise all the construction plan sheets. But he will do that, and he can renumber these.

Chairman Greene stated that construction contractors will not be happy when they can't find Unit 43 when trying to deliver materials. That was one of his concerns, but his big concern was the slapdash nature to get it done. Chairman Greene stated he is okay with it if the applicant is, or they can change it.

Motion by Zuber, supported by Foster, to move to recommend approval of the Preliminary Site Plan for Anand Village including Elevations A and B, on tax parcel no 126-99-0008-701, which includes 43 single-family detached residential condominium units on 11.51 net acres, subject to the applicant renaming Heather Place to a name that is not duplicated elsewhere in the township, and subject to continuing to work on scheme C.

Commissioner Zuber called the vote:

Ayes: Eggenberger, Engel, Foster, Weber, Zuber, and Greene

Motion passed unanimously by those present by roll call vote, 6-0 (7:49pm)

Chairman Greene stated the applicant's next step will be to take this to the Trustees.

Mr. Vora stated he has been in Michigan for 56 years and they will do right by Canton. The original

architectural submittal was a bad judgement on his part because he thought they were just coming for an extension and giving new information might create more confusion. They have been working on this alternate plan for months now and will improve it, and the Commission will be very happy with it.

NEW BUSINESS-SITE PLANS

3. 073-DIR-6961 **ZAHR PLAZA** – Consider Developer Instigated Revision on parcel no. 073-99-0005-713. Property is located south of Cherry Hill Road between Denton Road and Ridge Road. Proposal façade and architectural changes.

Mr. Sloan stated the Zahr Plaza site is a Planned Development District (PDD) in Cherry Hill Village that consists of 2 commercial buildings comprising approximately 9,000 square feet on a 0.62-acre parcel. It is located on the southeast corner of Cherry Hill Road and Roosevelt Street. The PDD and site plan were approved in 2016. The site improvements are nearly completed, and the Planning Division conducted an inspection on August 26th this year to review the landscaping and other site improvements. During this inspection, it was apparent that the architecture of the buildings was inconsistent with the approved plan. There were several noticeable differences between the approved plans and the as-built construction which include: replacement of EIFS cornice around the building perimeter with brick and metal coping; replacement of stone columns with brick; replacement of stone base with brick and concrete; and replacement of the limestone window casing and lintels with brick. As a result, the constructed buildings are only a passing resemblance to the approved plans.

In some cases where there are architectural modifications, whether it's an approved plan or if there's a renovation to a long-standing existing building, those cases can sometimes be reviewed by Staff. But when they are considered major, we often refer them to the Planning Commission. In this case, there is really no question because it is so drastically different. The building has not received a Certificate of Occupancy yet, and there is an approved Planned Development and a site plan for the property that the Planning Commission was expecting to see. This application is most decidedly with the Planning Commission in terms of the scope of changes.

Cherry Hill Village Overlay District Design Guidelines. There are a number of design guidelines that the design building complies with but the constructed building does not. There are four major ones that are called out in the review letter:

- Massing: The Guidelines state that the top should have an upper cornice or parapet, and the approved site plan included a cornice. The cornice provides a more decorative finished appearance at the top of the buildings, especially from Cherry Hill Road, Roosevelt St., and the neighboring residences to the south.
- Building Materials: The Guidelines recommend different materials to divide the foundation, building walls, and roof. The approved elevations accomplished this with the use of stone for the foundation, brick and limestone for the walls, and a decorative cornice for the roof. While the stone foundation might not be possible at this point, the exposed concrete foundation must be repaired and we recommend a stone or brick veneer siding to cover the exposed concrete.
- Windows: The Guidelines recommend various window components that should be used including sills, exterior casing, lintels and moldings. The approved plans included limestone sills, casing, and lintels with a keystone. However, only the sill and keystone were constructed. The limestone would have been a very effective way of creating an attractive facade but now the façades are simply uniform. To improve the façades, awnings could also be considered.
- Columns: On the approved site plan, the use of stone columns created much more attractive buildings, and they broke up the mass along the buildings' elevations to be pedestrian scale. By using the exact same brick for the columns, the buildings look very uniform with the same expansive feel along the entire building.

Mr. Sloan stated that Staff's recommendation is that, because the constructed buildings are only a passing resemblance to the approved plans and do not comply with the Cherry Hill Village Overlay District Design Guidelines noted in this report, Staff recommends that the Planning Commission postpone action on the Site Plan amendment subject to receipt of revised architectural elevation plans that are consistent with the Design Guidelines and the previously approved plans. Also, that would be in addition to any comments tonight by the Planning Commission in terms of any design criteria or recommendations.

Chairman Greene asked if there should even be a discussion on this, would it do any good?

Mr. Sloan noted that Mr. Zahr, the property owner, and his architect Mona Hammoud are in the audience tonight.

Anwar Zahr (Owner) asked if there is a way to share a presentation or pictures through Zoom. Mr. Zahr gave some background. During construction, they had two masons leave the job, it was during COVID, they were under timelines to finish the project and it was difficult to find labor. So, given the time crunch and the unprecedented circumstances, they deviated from the approved plan trying to stay consistent with the Cherry Hill Overlay Guidelines. They are also open to further revisions to try to be more consistent per Mr. Sloan's recommendations. Mr. Zahr noted the guidelines provide recommendations as well as guidelines, they are not hard and fast rules, as stated by Mr. Sloan during his reading of the guidelines using words like "should" and "recommend." Those are not requirements, those are recommendations and things that should be considered for the overall architectural look. One of the things he wanted to show the Planning Commissioners is the townhouse development across the street which do not contain the features described, which further kind of shows that the intent was not here to not comply with the guidelines, the intent was to deviate in a way that did comply with the guidelines under unprecedented hardship circumstances in conditions that existed during construction. So, with that background, they are here to work with the Township and complete this project. They have people who would like to at least start getting their plans reviewed and approved so that they can serve the neighborhood, and construction is substantially completed pending the landscaping items which are in the building waiting to be put out. Mr. Zahr asked if it is okay if he shows the pictures of the theatre and other developments across the street that do not contain the features discussed by Mr. Sloan but are also subject to the Cherry Hill Village Overlay.

Mr. Sloan said that unfortunately, Zoom doesn't allow a non-panelist to share, only the host or a panelist can share the screen. Mr. Sloan said that he can put up anything that was submitted with the application materials. In terms of the architecture of the Downtown Cherry Hill, he can go to the Google street view.

Mr. Zahr said that would help. There isn't a cornice or parapet there. The windows don't have limestone around them. The brick quoins that they used to replace the stucco quoins, those are also present on the townhouses across the street.

Commissioner Weber stated that the fact of the matter is, this is what was approved by the Planning Commission. If they were going to deviate from it, why not just come in to Patrick Sloan's office and discuss it with him, rather than just taking it upon themselves and assuming it was okay. The plan that is approved by the Planning Commission is not a recommendation. That is the plan that is supposed to be built. If there are changes, there are procedures to follow to make a change.

Mr. Zahr said he does not have a good explanation of that other than to apologize and say certain decisions were made on the fly given the hardship, and that shouldn't have happened. Mr. Zahr said that is why they are here, to request the review of the revised plan and make further modifications per the judgement of the Commission and Mr. Sloan.

Chairman Greene stated he is concerned with the lack of communication between the applicants and the Planning Division. There is a method by which the Commission operates successfully, and that was not done. Judgements were made without communicating with the proper authorities. There could have been some input by the Commission or Mr. Sloan and his staff that could have helped all along.

Commissioner Zuber stated that yes, the guidelines are guidelines, but the applicant came to the Commission with this drawing and it was approved. They obviously spent a lot of time and money putting that design together, and the design they presented was approved by the Commission. The Commission did not impose that.

Mr. Zahr agrees. There should have been more communication. He does not want to give excuses, he wants to move forward and communicate more now that they are past those difficult times and try to resolve the issue.

Commissioner Weber stated the feeling is that the Commission has no choice but to approve it because it is there. By all rights, we could say “no”, and the applicant would have to go back to the drawing board. Commissioner Weber said he would defer to the architects and to Mr. Sloan and ask if there is a way to modify this as it sits now to more closely resemble what was approved without having to go back and reinvent the wheel.

Commissioner Zuber stated that would be challenging.

Chairman Greene commented that he wants everyone who comes to Canton to do business to be successful. However, he thinks that when someone makes these kinds of deviations without going through the proper channels, it's very risky. Can this be modified to get to where this product was going initially?

Mr. Sloan stated that is a question for the applicants and their architect. The same four items that are noted here in the Staff report have been noted to the applicant in terms of areas where it didn't comply with the design guidelines and previously approved plans. They need to try to see what can be done, what's feasible in their opinion and what is not feasible, and to provide an explanation. That would be something for the applicant to address. A detailed reason as to if something can't be done, why? And if something can be done, what and how?

Chairman Greene asked if the Commission should table this to allow them to go back to the drawing board and tell us what they can do to get back to the design that was expected.

Commissioner Eggenberger stated that when she reads the model motion, that's what it sounds like. The Commission is postponing an action on it while they come up with some revised architectural plan.

Mr. Sloan said in the absence of anything specific for the applicant, he thinks at least a detailed explanation on these points in terms of, if they don't think something can be done, they should thoroughly explain in a letter from the architect as to why it's not feasible at this point. Or, if something can be done, some modification can be proposed on the building to make it look a little more like the approved version from 2016, that is something that he thinks the Commission should expect to see.

Commissioner Zuber said she would like to hear from the architect in this case. If Ms. Hammoud was involved during the construction, wouldn't she have noticed that things were deviating from the construction documents and maybe have pointed that out to the owner that they might need to go back before the Planning Commission?

Ms. Hammoud (Architect) stated that unfortunately, she was not involved in that construction process. She

wanted to mention that with the elevations that were submitted, they were actually proposed without having to go back and demolish the top of the building, or around the windows to go back to the original design. They could probably add the decorative elements such as decorative canopies above some of the windows and doors. They are just trying to figure out some things. These are little things that might make a difference and break the look of the massiveness on the façade. One of the other concerns was to paint the exposed footing on the bottom. It was suggested to add brick to it, but the problem with that is that exposed foundation aligns with the face brick, so if anything is added to the footing it is going to extrude out of the façade. That will not look good, so the only thing she can think of would be stucco or paint. Even stucco there in the wintertime with snow and salt is not going to be good. So, the only solution she can see is just painting at this point. Also, this is not very different from some of the buildings that she has seen around the plaza. Some of the buildings did something similar.

Chairman Greene asked if she is proposing to paint the brick?

Ms. Hammoud said not the brick, it's just the very top of the footing that is exposed below the face brick.

Chairman Greene said there is quite a bit more to be done to give them what was originally proposed. Chairman Greene suggests the Commission sends the applicant back to the drawing board and tell us what they plan to do to make this better. It does not have to be exactly as before, but come back with a proposal of what can be done with an as-built situation.

Commissioner Zuber wanted to add regarding the proposed canopy. She does not think that the proposed canopy complies with Cherry Hill Village, but that is just her opinion.

Commissioner Engel asked, what was the applicant hoping for by coming here tonight. He thought they would come with a proposal to make this more in line, but they have nothing.

Mr. Zahr stated they have had difficulty communicating and will take responsibility for that. He thinks the next step is to communicate with Patrick Sloan to figure out what improvements need to be made. They attempted that by trying to add the canopy and explain how they match up with the overly with the other buildings in the area. Mr. Zahr said he will communicate with Mr. Sloan and try to find a way to get close or in compliance with the Cherry Hill Overlay as possible for the next review.

Chairman Greene said the model motion proposes to "postpone action". Is that the same thing as saying "tabling"?

Mr. Sloan said yes, that is the same.

Commissioner Foster said she agrees with tabling this. She also wanted to note that she is concerned about the precedent that's set if they move forward with this as-is and not see what can be done to make the changes. That sets a really bad precedent for the Planning Commission and for Canton Township.

Commissioner Weber wanted to add that he has been looking at a street view of Cherry Hill Theatre and some of the other buildings on the opposite side. Commissioner Weber is not quite clear on what the petitioner thinks as to how this is being presented as similar to what is across the street. But that can be discussed at another meeting.

Chairman Greene agrees and stated a motion for tabling is in order here and he hopes the applicant is sincere about coming back with a proposal that the Commission will like.

Motion by Zuber, supported by Weber, to move to postpone action on the Site Plan amendment on

parcel no. 073-99-0005-713 subject to receipt of revised architectural elevations that are consistent with the Cherry Hill Village Overlay District Design Guidelines and the previously approved plans of application 073-SPC-3591.

Commissioner Zuber called the vote:

Ayes: Eggenberger, Engel, Foster, Weber, Zuber, and Greene

Motion passed unanimously by those present by roll call vote, 6-0 (7:16pm)

Chairman Greene said he looks forward to seeing what the applicant proposes in the future.

NEW BUSINESS-STAFF REFERRAL (NEW PLANS RECEIVED TO REFER FOR STAFF REVIEW)

4. 141-SLU-6965 **CANTON BANQUET AND CONVENTION CENTER** – Consider Special Land Use on parcel no. 141-99-0027-716. Property is located east of Lotz Road, between Michigan Ave. and Van Born Rd.

Motion by Zuber, supported by Engel, to refer Item #4 to Staff. Motion passed unanimously by those present by roll call vote, 6-0.

Commissioner Weber asked if the Commission reviewed something on this earlier this year.

Mr. Sloan said it got Special Land Use a couple years ago, and then that Special Land Use expired.

NEW BUSINESS-SET PUBLIC HEARING FOR NOVEMBER 1, 2021

5. 057-SLU-6966 **DOGOLOGY UNIVERSITY** – Set public hearing for review of Special Land Use on parcel no. 057-01-0013-301. Property is located south of Ford Road between Sheldon Road and Morton Taylor Road. Proposed expansion of indoor pet boarding and training facility establishment.

Chairman Greene asked why the Commission has to see this again for a Special Land Use.

Mr. Sloan said they had applied concurrent with their rezoning for that southern 10 feet of the building and the 30 feet south of the building, so the rezoning on this evening's agenda item was if that property is rezoned by the Board of Trustees, that will be a newly re-zoned piece of property in the C-2 district, which then would make them eligible to apply to expand the use into those areas.

6. 138-PDDF-6234 **CANTON MARKETPLACE & REDWOOD AT MARKETPLACE** – Set public hearing for review of Final PDD on parcel nos. 103-99-0001-003, 133-99-0001-001, 133-99-0001-002, 133-99-0001-003, 133-99-0002-000 (3700 Morton Taylor), 133-99-0004-000 (43600 Michigan Ave.), 133-99-0006-000, 133-99-0007-000, 133-99-0008-000 (Michigan Ave.), 133-99-0009-000 (43800 Michigan Ave.), 133-99-0010-000 (43820 Michigan Ave.), and 138-99-0004-000. Property is located north of Michigan Avenue between Sheldon Road and Lilley Road. Proposed commercial and residential PDD.

Motion Zuber, supported by Weber, to set the Public Hearing for November 1, 2021. Motion passed unanimously by those present by roll call vote, 6-0.

MISCELLANEOUS – DISCUSSION

None

ADJOURN

Motion by Zuber, supported by Foster, to adjourn the meeting. Motion passed unanimously 6-0.
Meeting adjourned at. 8:21pm.

Melanie A. Sherwood
Recording Secretary