

**CHARTER TOWNSHIP OF CANTON
PLANNING COMMISSION PROCEEDINGS
February 6, 2023**

A Regular meeting of the Planning Commission of the Charter Township of Canton was held at 1150 South Canton Center Road, Canton, MI, 48188 on Monday, February 6, 2023. Chair Zuber called the meeting to order at 7:00 P.M. and led the Pledge of Allegiance to the Flag.

ROLL CALL:

Members Present: Cruz, Eggenberger, Foster, Janowski, Okon, Weber, Zuber

Absent: Singh, Watkins (prior notice given from both)

STAFF PRESENT: Patrick Sloan, Community Planner and Erin Schlutow, Senior Planner

TOWNSHIP CONSULTANTS PRESENT: Sarah Gabis, Attorney with Foster Swift Collins & Smith PC

APPROVAL OF THE MINUTES OF JANUARY 11, 2023

Motion by Eggenberger, supported by Foster, to approve the Minutes of January 11, 2023, as presented. Ayes all present on a voice vote.

ACCEPTANCE OF AGENDA

Motion by Weber, supported by Eggenberger, to approve the agenda as presented. Ayes all present on a voice vote.

COMMUNICATIONS

No additional communications were received.

PUBLIC HEARINGS

1. 061-PDDA-7644 **BERKSHIRE APARTMENTS** – Consider PDD Amendment for parcel no. 061-99-0007-707 (1315 Waterside). Property is located on the north side of Saltz Road between Canton Center Road and Beck Road. Proposal is an amendment to some of the modifications previously granted for the multi-family residential PDD.

Mr. Sloan summarized the staff report, dated February 6, 2023, Item #1.

Mr. Sloan said based on existing underground infrastructure and the current Berkshire design, developers have discovered there is space to relocate internal sidewalks and provide better pedestrian access to the units. Mr. Sloan stated Staff recommends approval.

Motion by Weber, supported by Foster, to open the public hearing. Ayes all present on a voice vote.

Public Hearing opened at 7:10 P.M.

Mr. Mark Kassab (Berkshire Apartments, 31550 Northwest Hwy., Farmington Hills, MI, 48334) stated the addition of the sidewalks is an improvement to the development.

Mr. Greg Rosinski (1779 Hendrie, Canton, MI, 48187) asked what the approximate starting cost per unit will be.

Mr. Kassab stated this is a for-rent project and the monthly rent will be approximately \$3,000.00 per unit.

Chair Zuber asked for additional public comments and there were none.

Motion by Weber, supported by Foster, to close the public hearing. Ayes all present on a voice vote.

Public Hearing closed at 7:44 P.M.

Mr. Cruz stated there are some areas that have ADA parking spaces that do not lead to a nearby sidewalk and specified Building 2 as an example.

Mr. Kassab stated Building 2 has an ADA parking space without a sidewalk because of an existing driveway configuration. Mr. Kassab stated the current redesign is constrained because of existing underground infrastructure, road patterns, and buildings.

Mr. Cruz asked if the walkway could be extended by the ADA parking spaces located at the community center.

Mr. Kassab stated a connection might be able to be added.

Further discussion took place regarding the layout of walkways near the community center.

Mr. Sloan said when a PD plan or site plan is approved by the Planning Commission or the Township Board, an in-depth review is then completed by Canton Township's Engineering Services Division and Building & Inspection Services Divisions. Mr. Sloan stated ADA requirements are administered and applied by Canton Township's Building & Inspections Services Division and Engineering Services Division to ensure compliance is being met.

Mr. Weber stated he likes the proposed sidewalk design. Mr. Weber asked if screening could be added between the parking lot and Building 2 because of the close proximity between the parking lot and the building.

Mr. Kassab stated it is common for them to add additional landscaping to areas similar to this one.

Chair Zuber stated she is happy with the proposed sidewalk design.

Mr. Sloan showed the approved landscaping plan sheet from 2020 that shows screening in areas of concern. The landscaping will likely be relocated accordingly.

Motion by Weber, supported by Foster, to move to recommend approval of Amendment Number 1 and associated site plan changes to the Berkshire Apartments PDD on tax parcel no. 061-99-0006-707, as provided in the Planned Development Agreement and plan documents, subject to all State, County, and Township requirements.

Ayes: Cruz, Eggenberger, Foster, Janowski, Okon, Weber, Zuber

Nays: None

Absent: Singh, Watkins

NEW BUSINESS

2. 040-SPC-7608 **BJ'S WHOLESALE CLUB GAS STATION** – Consider Site Plan on parcel nos. 040-99-0006-709 (43690 Ford Road.) and 040-99-0006-708 (43690 Ford Road). Property is located on the north side of Ford Road between Morton Taylor Road and Sheldon Road. Proposed use is an automobile filling station.

Mr. Sloan summarized the staff report, dated February 6, 2023, Item #2.

Mr. Sloan stated Staff recommends approval of the site plan for an automobile filling station, subject to all State, County, and Township requirements and subject to execution of the PD Agreement prior to Township Board review of the site plan

Mr. Sloan explained the process for site plan review and approvals. Mr. Sloan said the Planning Commission will review the site plan and make a recommendation based on the standards of the Zoning Ordinance and the terms of the Plan Development Agreement, which has previously been approved by the Township Board of Trustees for this development. Mr. Sloan said if the Planning Commission recommends approval of the site plan with conditions, the Township Board of Trustees will review the site plan and take final action. If approved, the Township Clerk will then sign the approved plans. Mr. Sloan stated once plans have been approved by the Planning Commission and Township Board of Trustees, the Township's Engineering Division will complete an in-depth review. Mr. Sloan said once the Engineering plans have been reviewed and approved, the Township's Building & Inspection Services Division will complete an in-depth review and permits will be issued if all requirements are met. Mr. Sloan stated Planning Services, Engineering Services, and Building & Inspection Services work together to ensure plans are meeting all requirements necessary.

Mr. Bryan Amann (Bryan Amann, PLLC., 1777 Stonebridge Way Ct., Canton, MI, 48188) stated he is representing the applicant and others are in attendance representing BJ's Wholesale. He stated Mr. Sloan was thorough in presenting the project, and he is available to answer questions.

Mr. Janowski stated he has concerns with traffic flow into specific spaces that he pointed out on a

displayed plan sheet.

Mr. Amann stated in conjunction with BJ's experience with other store layouts and the Township's Engineering review, all parties concerned thought that the layout being proposed is the most efficient.

Mr. Cruz asked why the fueling station was not proposed at the time the warehouse club was.

Mr. Amann stated the property for the fueling station was negotiated after the process for the warehouse began.

Mr. Cruz asked how long the warehouse has been open.

Mr. Amann stated it has been open since October.

Mr. Cruz stated he has concerns regarding traffic flow and asked questions about the Traffic Impact Assessment report and how traffic will flow at the location.

Mr. Amann stated they will continue to work with the Township's Engineering Division throughout the site plan review process.

Further discussion took place regarding the Traffic Impact Assessment data.

Ms. Foster stated she doesn't have concerns about excessive traffic at the site. Ms. Foster stated she has concerns about the condition of the access road being maintained.

Mr. Amann stated BJ's recently rebuilt and resurfaced much of this access drive. Additionally, BJ's strengthened the terms in the lease agreement to ensure the road is maintained.

Mr. Weber stated he is concerned with the stacking of cars on the site and referenced Costco and the stacking at that site backing up.

Mr. Amann stated BJ's has an excess of stacking spaces compared to what Costco has.

Ms. Eggenberger asked if the gas station has one entrance.

Ms. Zuber stated the gas station has two entry points.

Further discussion took place regarding the one-way directional traffic flow at the pumps and directional signage.

Mr. Amann stated they will add a "Do Not Enter" sign and any additional signage the Building Division requires when they do their final plan review.

Ms. Eggenberger asked for clarification about the foliage that will remain at the site.

Mr. Amann stated a lot of the foliage is staying and one tree being removed is required to be replaced.

Ms. Eggenberger asked where the electric car charging stations will be located and if they will be available to people without BJ's Warehouse memberships.

Mr. Amann stated the charging stations will be located by the main store and will be available to everyone.

Mr. Okon stated he would like to see internal sidewalks added to future site redevelopments when possible to accommodate non-vehicle traffic.

Further discussion took place regarding detention pond review and the tree permitting process.

Ms. Eggenberger asked why this project is called a filling station.

Mr. Sloan stated the Zoning Ordinance refers to gas stations as "filling stations."

Mr. Cruz asked for clarification regarding an ADA space at the subject site.

Mr. Amann stated that space would be used for employees when necessary.

Motion by Eggenberger, supported by Okon, to move to recommend approval of the site plan for an automobile filling station on parcel no. 71-040-99-0006-708 at 43690 Ford Rd., subject to all State, County, and Township requirements and subject to execution of the PD Agreement prior to Township Board review of the site plan.

Mr. Cruz stated he is in favor of the project but suggested a new Traffic Study be completed.

Further discussion took place regarding Canton Township's Engineering reviews of Traffic Studies, whether to amend the motion, and voting on the current motion.

Ayes: Eggenberger, Foster, Janowski, Okon, Zuber

Nays: Cruz, Weber

Absent: Singh, Watkins

Mr. Sloan stated the project will proceed to the Township Board of Trustees for final action once the executed PD Agreement has been received.

3. **ZONING ORDINANCE TEXT AMENDMENT** – Fences, Walls, and Borders

Mr. Sloan summarized the staff memorandum, dated January 6, 2023, Fences and Walls.

Discussion took place regarding likes and dislikes of the side yard fencing pictures supplied in the Planning Commission packet, the current fence ordinance language, model ordinances, types of

fence variances being requested, and language to be included in the amended ordinance. Staff will make revisions to the ordinance per the Planning Commission's discussion. The subject of discussion was regarding whether to allow fences in the front yard setback of corner lots along major roads, provided the fence is located in the side street (i.e., non-primary) front yard setback only and the lot is not accessed through the major thoroughfare. These lots are commonly referred to as the entrance lots into a subdivision from the adjacent major road. The Planning Commission discussed amending the ordinance to allow 6-foot-high fences along the non-access road side (i.e., major road side) of corner lots at the intersection of a major road and internal subdivision/site condominium street. Planning Commissioners recommended allowing 6-foot high fences along these lot lines but to not be permitted anywhere in front of a point located 15 feet behind the front corner of the house. Staff will work on preparing text and graphics to this effect.

4. **ZONING ORDINANCE TEXT AMENDMENT** – Site Plan Review

Ms. Schlutow summarized the staff memorandum, dated February 6, 2023, Site Plan Review.

Further discussion took place regarding the process for amending Zoning Ordinance text.

Chair Zuber stated the Commission will send any feedback they may have to Ms. Schlutow.

5. **ZONING ORDINANCE TEXT AMENDMENT** – Electric Vehicle Charging Stations.

Ms. Schlutow summarized the staff memorandum, dated February 6, 2023, Electric Vehicles.

Mr. Janowski asked if Canton has an electrical engineer on staff to provide guidance.

Mr. Sloan stated Canton Township has electrical inspectors on staff and has several contacts with DTE.

Ms. Foster stated the Township Board has had discussions regarding level 2 and level 3 chargers, requiring businesses to provide one charger over another, and the infrastructure needed for each type of charger. Ms. Foster said providing the Township Board with information regarding this topic will be helpful.

Mr. Cruz asked who would pay for the electricity provided to customers for the charging service.

Ms. Schlutow stated the ordinance would not require a private business or property owner to offer the charging services at no cost to the consumer.

Ms. Gabis stated it would not be legal to require free charging services.

Mr. Sloan stated a single-family home with a level 3 charger providing charging services would be considered a commercial use of residential properties and the ordinance should contain language to prevent situations similar to this.

Mr. Cruz asked if the public survey regarding electric vehicles has been completed.

Ms. Schlutow stated the survey submissions will conclude at the end of February and the data will be compiled afterward.

Mr. Janowski stated demand for the batteries is very high.

MISCELLANEOUS

6. Annual Report

Ms. Schlutow summarized the staff memorandum, dated February 6, 2023, 2022 Annual Planning Commission Activity Report and 2023 Work Plan.

Motion by Eggenberger, supported by Foster, to move to approve the Annual Report. Ayes all present on a voice vote.

7. Discuss Master Plan

Ms. Schlutow summarized the staff memorandum titled, Canton Township Master Plan, dated February 6, 2023.

Discussion took place regarding scheduling special meetings to discuss Master Plan items or to combine Master Plan discussion items with regular Planning Commission meetings, and content that will be discussed at the Master Plan meetings.

The Commission decided to hold a special meeting to review Master Plan items on the third Monday of the month if large scale discussion items arise; otherwise, Master Plan discussion items will be combined with regular Planning Commission meetings. The Master Plan meeting format will be in person and located in the Canton Township's Board Room.

PUBLIC COMMENT

None.

ADJOURN

Motion by Weber, supported by Cruz to adjourn the meeting. Ayes all present on a voice vote.

Meeting adjourned at 9:18 P.M.

Kelly Dandy
Recording Secretary