

**CHARTER TOWNSHIP OF CANTON
PLANNING COMMISSION PROCEEDINGS
February 4, 2019**

A Regular meeting of the Planning Commission of the Charter Township of Canton was held at 1150 South Canton Center Road on Monday, February 4, 2019 Chairman Greene called the meeting to order at 7:00 P.M. and led the Pledge of Allegiance to the Flag.

ROLL CALL:

Members Present: Bennett, Eggenberger, Graham-Hudak, Greene, Okon, Perkins and Zuber
Absent: Acharya, Engel

STAFF PRESENT: Goulet

APPROVAL OF THE MINUTES OF JANUARY 7, 2019

Motion by Graham-Hudak, supported by Zuber, to accept the Minutes of January 7, 2019, as presented. Ayes all present on a voice vote.

ACCEPTANCE OF AGENDA:

Motion by Zuber, supported by Eggenberger, to accept the Agenda as presented. Ayes all present on a voice vote.

PUBLIC HEARINGS

1. 009-CJ-5235 **THIRD AMENDMENT TO MOCERI CONSENT JUDGEMENT** 009-
RZ-5234 **AND S&S HOMES - (ABBEY WOODS) REZONING** - Consider rezoning parcel no. 009 99 0001 702 from C-2, Community Commercial to R-6, Single-Family Attached Residential and amendment to the consent judgement for parcel no. 009 99 0001 702. Property is located south of Joy Road and west of Morton Taylor Road.

Mr. Goulet explained that the applicant is proposing to amend the Mocerri Consent Judgement for the remaining 2 acres (known as Commercial Site No. 2) to allow rezoning from C-2, Community Commercial, to R-6, Single-Family Attached Residential. Mr. Goulet stated that the conceptual plan is included with the amendment and it would permit construction of 11 residential units (Five 2-unit buildings and one single detached unit). Mr. Goulet indicated that the layout requires modifications to building separations and site setbacks, as described in Exhibit C of the amendment. Mr. Goulet stated that the existing Abbey Woods required 35 foot setbacks from the site boundaries and the rear to rear separation was 75 feet however, the developer is requesting a rear separation of 58 feet from the new units to the existing units along the north boundary of Abbey Woods, a 33 foot setback from the rear of the units to Joy Road and a 31 foot setback to the west property line. Mr. Goulet explained that the proposed rear separation is much closer than the existing conditions. Mr. Goulet indicated if they maintained the 35 foot setback to the property line, a 70 foot separation would be maintained. Mr. Goulet stated that the setback from Joy would only be 21 feet for a deck.

Mr. Goulet stated that the proposed conceptual plan is developed as a separate condominium, the actual setback from the south property line would be 23 feet, requiring modification from the site boundary distance and from the normal 25 foot deck/patio setback. Mr. Goulet stated that staff is concerned with the building separations between the backs of existing and proposed units and with the setbacks from the backs of units from Joy Road. Mr. Goulet indicated that staff would recommend approval of the request subject to elimination of patios or decks from the proposed units backing to the south property line and that this option would be less intrusive and more compatible than a commercial option on this site.

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

Mr. Bryan Amann, project representative, stated that this project is the last piece of the consent judgement process. Mr. Amann stated that Abbey Woods was a great project and is aware that the residents have concerns which will be addressed. Mr. Amann explained that the provision provides for a commercial development and propose a residential project which would be less intensive. Mr. Amann explained that the design will be identical to Abbey Woods. Mr. Amann explained that it is the Township's decision to amend the consent judgement as it relates to zoning and that currently the consent judgement provides for C-2 zoning on the site. Mr. Amann stated that C-2 zoning would allow commercial uses such as grocery and convenient stores along with a 5 to 6 foot masonry wall on the site. Mr. Amann stated that the commercial component could allow up to 20,000 square feet of commercial development. Mr. Amann explained that a residential development would mirror the Abbey Woods development and that instead of a masonry wall there would be a buffer of 35 feet from property line to property line. Mr. Amann stated that the closest wall would be 58 feet from the wall of the existing units and 34 feet from patio to patio. Mr. Amann stated that ultimately the question is what would the existing residents prefer, a commercial or residential development.

Mr. Amann explained that the consent judgement provides as an exhibit the conceptual site plan which will secure the setbacks, access at Joy Road, not allow access to the existing condominium project along with the basic elements of design. Mr. Amann explained that they are proposing 11 units instead of 12 units. Mr. Amann explained that the new development could expand into the existing Abbey Woods development but it would require a 2/3 vote by the existing owners. Mr. Amann stated that the condominium development could remain separate and its' own entity as this project does not connect to the Abbey Woods development

Mr. Amann stated that he understood that there were concerns as to the proximity of the patios to the existing patios. Mr. Amann stated that the patios along the south line of the site are in fact farther than the patios within the internal part of the project. Mr. Amann stated that the owner of the property will not move forward with the residential project if patios are not allowed. Mr. Amann explained that if the rezoning is approved with conditions relative to not accepting patios then they will move forward with the commercial product.

Chairman Greene asked for comments from the audience.

Wendy White, 43528 Abbey Circle, stated that she would prefer residential development for property value and a cleaner look and does not want to view a cement wall.

Stephen Demeter, 43534 Abbey Circle, stated that he was receptive to the residential zoning.

Harold Shanks, 43542 Abbey Circle, stated that he would rather have a residential development as opposed to a masonry wall with commercial development.

John & Joyce Muscat, 43594 Abbey Woods Ct., stated that he would prefer a residential development than commercial.

Dennis Nowakowski, 43485 Abbey Circle, stated that he would prefer a residential development than a commercial development.

James Samfilippo, 43562 Abbey Circle, stated that he concurred with the request to have a residential development than a commercial development.

Jane Brennan Watters, 43584 Abbey Circle, (letter entered into record) a letter of concern regarding the development.

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

Commissioner Graham-Hudak inquired as to what the master plan reflects regarding the rezoning. Mr. Goulet stated that the master plan reflects medium-high density residential and supports a rezoning to residential. Commissioner Graham-Hudak verified that a wall is not required if a residential development is built and inquired of the utility locations. Mr. Amann explained that utility location is a site plan issue as to location and that landscaping will be enhanced and added to the rear of the site. Mr. Goulet explained that if DTE needs to run a new line behind the units it will depend on the width. Mr. Goulet stated that this is a concern as nothing can be built in the easement area. Mr. Amann stated that he was comfortable that the issue can be resolved.

Commissioner Graham-Hudak inquired of any detention or drainage issues. Mr. Goulet indicated that there are three ponds on the property along with a bio-pond. Mr. Amann explained that they have had preliminary conversations with Wayne County and they are receptive to the design as it is one of the more progressive designs. Commissioner Graham-Hudak inquired if there is a statute to complete the project as Abbey Woods has been under construction for 20 years. Mr. Amann stated that there is a list of perspective purchasers for this project.

Commissioner Graham-Hudak verified if there are issues relative to the retention pond they must be fixed. Mr. Amann explained that the development is entirely self-contained and will not interfere with the existing ponds.

Commissioner Zuber stated that she was impressed with the residents who spoke in favor of the project which speaks well to the cooperation with the community.

Chairman Greene thanked the residents for their participation and that it will be a much better project as residential then commercial. Chairman Greene verified that there will not be an internal physical connection between proposed 11 unit development and Abbey Woods.

Commissioner Okon stated that he was pleased to see a residential proposal versus a commercial development. Commissioner Okon stated that he was happy that the new condominiums will match the existing Abbey Woods development.

Chairman Greene stated that he was happy with the request.

Commissioner Graham-Hudak inquired if there were any plans to expand the intersection. Mr. Goulet stated that he was not aware of any plans currently but the road gets evaluated every few years and will depend on how much through traffic occurs. Mr. Goulet stated that Wayne County will review driveway placement and that appropriate drive deceleration and accelerations are in place. Mr. Amann explained that they have met with Wayne County and a residential project has a reduction of potential traffic as opposed to a commercial development. Mr. Goulet explained that internal fire access will be a site plan review function.

Motion by Zuber, supported by Perkins, to recommend approval of the Third Amendment to the Mocerri Consent Agreement for Commercial Site No. 1 and the proposed rezoning of Parcel No. 009-99-0001-702 from C-2, Community Commercial to R-6, Single-Family Attached residential District.

Ayes: Bennett, Eggenberger, Graham-Hudak, Greene, Okon, Perkins and Zuber
Absent: Acharya, Engel

2. 041-SLU-5215 **FIRE STATION #2 EXPANSION** – Consider special land use for parcel nos. 041 99 0003 000, 041 99 0006 000 & 041 99 0008 701. Property is located north of Warren Road between Lilley and Haggerty Roads.

Mr. Goulet stated that Canton Township proposes to build a new fire station on the property currently occupied by Fire Station #2. Mr. Goulet explained that the property is zoned for single family residential use however, the Future Land Use Map designation is Light Industrial. Mr. Goulet explained that the existing Fire Station is aging and needs modernization to effectively serve the community.

Mr. Goulet stated that:

- All necessary public utilities are available to the site. It is being used as a fire station and will continue to be used for that purpose.
- Traffic impact will be negligible as the number of runs will not be increased by the construction or size of the building.
- The proposed special land use will enhance the welfare of the Township by providing improved access to fire protection for the surrounding area.
- Approval of the special land use will not result in a small residential area being surrounded by non-residential uses. There is a single family home to the east that exists alongside Fire Station #2. Approval of the special land use will not change that circumstance.
- The proposed use is consistent with the Future Land Use Map of the Comprehensive Plan in that the property is designated for Light Industrial use. A fire station is consistent with the Light Industrial classification.

- Any detrimental effects will be mitigated by adherence to Zoning Ordinance standards either literally or by satisfying the spirit and intent of the regulations.

Mr. Goulet stated that the applicant was granted a variance to allow an unspecified encroachment into the 25 foot wetland setback at the Zoning Board of Appeals meeting of 1/10/19. Mr. Goulet explained that a request to modify the required front yard setback for the hose tower portion of the building that exceeds the maximum permitted building height will be considered during the ZBA meeting of 2/14/19. Mr. Goulet stated that recommended approval should be conditioned upon obtaining the requested setback variance.

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

Mr. Michael Malone, project architect, stated that the review was thorough and happy to answer any questions.

Chairman Greene stated that he was pleased with the elevations and asked for any comments from the audience. There were no comments from the audience either in favor or against the project.

Commissioner Zuber stated that she was very impressed with the elevations. Commissioner Graham-Hudak suggested using geo thermal design and renewable energy if at all possible during the site plan stage.

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

Motion by Zuber, supported by Bennett, to recommend approval of the special land use request for Fire Station #2 to be located on parcels identified as 041-99-0003-000, 041-99-0006-000 and 041-99-0008-701 conditioned upon the applicant successfully obtaining the requested variance to the front yard setback from the Zoning Board of Appeals meeting of February 14, 2019 and based upon the findings that:

- The proposed use is consistent with the Future Land Use Map of the Comprehensive plan and with the Zoning Ordinance
- All necessary public utilities are available to the site
- Traffic impact will be negligible because construction of a larger facility will not result in an increased number of runs
- Any detrimental effects will be mitigated by adherence to Zoning Ordinance standards for light, sound, landscaping, etc.

Ayes: Bennett, Eggenberger, Graham-Hudak, Greene, Okon, Perkins and Zuber
 Absent: Acharya, Engel

NEW BUSINESS-SET PUBLIC HEARING FOR MARCH 4, 2019

3. 125-RZ-5320 **OAKWOOD HEALTHCARE FILMORE PLACE REZONING** – Set public hearing date for March 4, 2019 to consider rezoning parcel no. 125 99 0002 709 from LI-R, Light Industrial Research to R-6 Single-Family Attached Residential. Property is located north of Michigan Avenue and west of Beck Road.

Motion by Zuber, supported by Perkins, to set the Item 4 public hearing for March 4, 2019.
Ayes all present on a voice vote.

REPORTS, DISCUSSION AND CORRESPONDENCE

4. **2018 PLANNING COMMISSION YEAR END REPORT**

Mr. Goulet stated that he included a brief overview of the 2018 Planning Commission report of new developments that occurred over the 2018 year.

ADJOURN.

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

Connie Wade
Recording Secretary