

**CHARTER TOWNSHIP OF CANTON  
PLANNING COMMISSION PROCEEDINGS  
July 12, 2021**

A Regular meeting of the Planning Commission of the Charter Township of Canton was held by video teleconference (Zoom) in accordance with Michigan law on Monday, July 12, 2021. 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: Foster, Acharya, Eggenberger, Okon, Weber, Singh, Engel, Greene.  
Each member noted that they were video teleconferencing from Canton Township, Wayne County Michigan.  
Absent: Zuber

**STAFF PRESENT:** Patrick Sloan

**APPROVAL OF THE MINUTES OF JUNE 7, 2021**

Motion by Zuber, supported by Weber, to move to approve the Minutes of June 7th 2021, as presented. Motion passed unanimously by roll call vote, 8-0.

**ACCEPTANCE OF AGENDA**

Motion by Weber, supported by Foster, to move to accept the agenda as presented. Motion passed unanimously by roll call vote, 8-0.

**PUBLIC HEARINGS**

1. 010-PDDA-6754 **HAVENS ORTHODONTICS** – Consider PDD Amendment for parcel nos. 010-99-0013-000 & 010-99-0014-000. Property is located at the southeast corner of Canton Center Road and Joy Road.

Mr. Sloan stated that last year the Township Board of Trustees approved a Planned Development (PD) for the subject 2.2-acre site at the southeast corner of Joy Rd. and Canton Center Rd. The site plan for Havens Orthodontics was recommended for approval by the Planning Commission on April 5, 2021 and approved by the Township Board on April 27, 2021. The proposed use is a Mixed-Use office building. The current building on the site is a former UAW office building which will be demolished as part of the project.

Mr. Sloan stated that the applicant proposes to amend the Planned Development Agreement and PD Plan to allow for two (2) multi-tenant ground signs on the site instead of one. The Ordinance allows for one multi-tenant ground sign. The applicant is proposing one at each entrance, Canton Center Rd. on the west side and Joy Road on the north side. The subject site is a corner lot, and each ground sign is proposed to be more than 200 feet from the intersection of Canton Center Rd. and Joy Rd. Mr. Sloan said the rationale from the applicant is to have visibility at each entrance, and each entrance being very distinct in terms of being on separate roads, they wanted the second ground sign so there would be visibility from the approach in either direction. There are some areas of the Zoning Ordinance where more than one ground sign is allowed for a development site, for example, residential developments are allowed one ground sign per entrance or one ground sign on each side of the entrance, and golf courses are allowed to have one ground sign per road frontage. For non-residential large-scale commercial developments, only developments in the C-4, LI, or LI-R districts that have over 200,000 sq. ft. of building area can have 2 multi-tenant ground

signs. Mr. Sloan stated there are some types of developments in the Township that do allow for two ground signs, so something like this wouldn't be unheard of or look unusual. For that reason, if the proposal is acceptable to the Planning Commission, staff would recommend approval of the Planned Development District Amendment to allow two (2) multi-tenant grounds signs as provided in the Agreement and plan documents, provided the signs are located at least 200 feet from the right-of-way intersection of Canton Center Rd. and Joy Rd., comply with the legibility requirements of the Zoning Ordinance, and that each sign not exceed 42 sq. ft. in area, 8 ft. in height, or 10 ft. in width pursuant to the Ordinance.

Motion by Engel, supported by Acharya, to move to open the public hearing. Motion passed unanimously by roll call vote, 8-0. (7:15pm)

Mr. John Ackerman, Atwell Inc (representing Aaron Havens, applicant), stated that the area of Canton Center and Joy is a unique intersection with the offset, so traffic would see the individual signs at each of the entrances. Mr. Ackerman stated that if they only put a sign at one entrance, then that would probably introduce more traffic into the intersection. The logical location, if they were to do just one sign, would be on the hard corner. Part of the public benefit for this development was to introduce a common landscape element and seating right at that hard intersection, pretty much eliminating the ability to put any entrance signage there.

There were no other public comments from the audience.

Motion by Engel, supported by Acharya, to move to close the public hearing. Motion passed unanimously by roll call vote, 8-0.

There were no comments or concerns from the Commission members.

Chairman Green stated this proposal makes sense, good signage is a key factor in the success of a business.

Motion by Engel, supported by Foster, to move to recommend approval of the Havens Orthodontics Planned Development District Amendment on tax parcel nos. 010-99-0013-000 (8770 Canter Center N) and 010-99-0014-000 (8758 Canton Center N), as provided in the Planned Development Agreement and plan documents, to allow two (2) multi-tenant grounds signs provided the signs are located at least 200 feet from the right-of-way intersection of Canton Center Rd. and Joy Rd., comply with the legibility requirements of Section 6A.25 of the Zoning Ordinance, and that each sign must not exceed 42 sq. ft. in area, 8 ft. in height, or 10 ft. in width.

Commissioner Engel called the vote:

Ayes: Foster, Acharya, Eggenberger, Okon, Weber, Singh, Engel, and Greene

Motion passed unanimously by roll call vote, 8-0.

2. 024-RZ-6682      **ANDERSON** – Consider Rezoning for part of parcel no. 024-99-0010-000 at 49650 Warren Road. Property is located on the north side of Warren Road, between Ridge Road and Napier Road.

Mr. Sloan stated that the applicants propose to rezone a part of their property at 49650 Warren Road, which is located on the north side of Warren Road west of Ridge Road. They propose to rezone it from RR, Rural Residential to R-1, Single Family Residential. Specifically, the portion that is proposed for rezoning is in the southeast corner of the property, which measures 330 ft. by 495 ft. (3.8 acres) and is described in the enclosed Survey dated April 2, 2021. The applicants propose to retain the RR zoning on the west and north

portions of the parcel, which includes their home and accessory structures. The applicants have indicated in their application that the current RR zoning allows for uses not permitted in the R-1 district (for example, keeping of horses as a Special Land Use), and the applicants would like to retain the RR zoning for a 6.26-acre portion of the parcel that contains their home and accessory structures so that they have the option to apply for those uses in the future.

Mr. Sloan stated for the proposed 3.8-acre portion in the southeast corner, the applicants have illustrated in a survey that they propose to have a property split and create two (2) additional parcels that are illustrated in the survey for a future division. The exact configuration would be determined at the time of land division application review. Mr. Sloan stated Staff have reviewed these on a preliminary basis and have worked with the applicants to try to have the zoning and proposed lot lines meet the zoning requirements for the proposed R-1, should it be approved.

The two parcels illustrated in the southeast corner do not extend northward to the north boundary of the current parcel because the R-1 district does not allow a parcel to be more than 3 times its width. As a result, if the proposed parcels are 165 feet wide, then the maximum depth is 495 feet. To extend the depth of the 2 proposed parcels all the way to the north parcel line, both parcels would have to be widened to a point that would require the removal of the sport court on the applicant's property, which the applicants want to avoid. Therefore, the proposed configuration of both the proposed rezoning and the proposed lot splits may look unusual but is designed with the specific intent of meeting the dimensional requirements of the Zoning Ordinance.

Mr. Sloan went through his report that addressing Section 27.06(D)(4) of the Zoning Ordinance, which includes 10 standards of review to be considered prior to action on a rezoning. The rezoning proposal would be a recommendation by the Planning Commission, and it would be an action by the Township Board. Mr. Sloan reviewed some of the criteria.

- The proposed amendment is in accordance with the Master Plan. The Master Plan recommends a residential density of one unit per acre, and the R-1 District allows for one unit per acre. So, the proposed zoning district of R-1 in that southeast corner would fulfill the density goals of the Master Plan.
- The site is surrounded by the R-1 District on all sides. The north is R-1 with Arbor Glen to the north, and to the south is the R-1 District with Westchester. To the east is also Arbor Glen and to the west is Hampton Ridge. There are single-family residential developments that surround the parcel, and all are zoned R-1. The site, if it is rezoned to R-1, would be consistent with the surrounding land uses and surrounding zoning districts.
- The amendment will not set any kind of inappropriate precedents because it is consistent with the Master Plan and surrounded by the R-1 District.
- If the proposed rezoning is approved, it does appear that all the requirements of the proposed zoning classification can be complied with on the subject site for both the RR district portion that remains and the proposed R-1 portion. The topography and the exact lot lines would be something to be determined, but based on the numerical requirements of the Ordinance, it appears that the proposed R-1 areas would comply.
- The subject property will be serviced by an adequate road system, Warren Road is paved in this area, and water and sanitary sewer service is available in the area.

Because the standards of the Zoning Ordinance are met including compliance with the Master Plan and

consistency with the surrounding zoning and development, Staff's recommendation for the proposed rezoning is for approval.

Motion by Weber, supported by Engel, to move to open the public hearing. Motion passed unanimously by roll call vote, 8-0. (7:27pm)

Paul Anderson, property owner, stated that he and his wife Rita Anderson are available to answer any questions.

Chairman Greene asked Mr. Sloan about the portioning off the zoning. It is usually an all-encompassing type of thing when going from RR to R-1. They would be limiting themselves to the R-1 Zoning criteria if they did that, right? They are not grandfathered in.

Mr. Sloan asked if Chairman Greene is referring to the southeast corner where they propose R-1.

Chairman Greene said, if they just did the whole property since that is part of the Master Plan. Normally, wouldn't they just do the whole thing? Chairman Greene understands limiting it to just that one area if the RR contains features that are beneficial to them. He would not want to deny them of that, is that what's going on here?

Mr. Sloan stated that typically if somebody wants to rezone a piece of property, they will propose just to rezone the entire site/parcel without necessarily a plan in mind of how they will ultimately divide it. They want to get the zoning across the board done first. This situation is a little unique because it does not look like they want to sell the entire property; it sounds like they want to stay there and continue with what they have. To do that in the current RR Zoning District, they need to minimize the chance of any kind of non-conformities. To draw the lines in such a way where they get the best of both worlds, where if they want to stay in RR and meet the 5-acre minimum lot size, they can design that on the property they want to retain as well as to allow for some splits in an area that is currently vacant.

Chairman Greene asked Mr. Anderson if he had any further comments.

Mr. Anderson stated he had no comments, Mr. Sloan has addressed it appropriately.

Mr. Weber mentioned that the Commission members had received an objection letter today.

Mr. Sloan stated the letter came from Tracy Duenas on Sylvania Lane. Ms. Duenas had written an email recommending opposition of the rezoning. Mr. Sloan forwarded this email to the Planning Commission earlier that afternoon.

Ms. Beth Vaughn, 49780 Hanford, stated they have lived here for years and have several acres. When she first was going to attend the meeting, her intention was to not voice her support for this rezoning. But now that it was explained by the landowners as well as Mr. Sloan, it does make perfect sense to consider that parcel as R-1. Had it been the whole parcel, she might have said something like the applicants could do a little bit better in terms of planning and density in the northwest section of Canton. Ms. Vaughn appreciates being allowed to speak. When and if there is another proposal of a similar nature, she will attend and voice her concerns at that time.

There were no other public comments from the audience.

Motion by Weber, supported by Foster, to move to close the public hearing. Motion passed unanimously by roll call vote, 8-0.

Commissioner Acharya asked Mr. Sloan, if there are precedents where a particular parcel is split into two and the outcome is that a part of it is R-1 and the remaining part remains RR? Is that common?

Mr. Sloan stated that something like that is not rare, but its not very usual. The reason is that most of the time, somebody will want to rezone an entire parcel, or they may split a larger parcel and then rezone that entire piece. There are occasions where someone will rezone part of their property and it could be for many reasons. In this case they want to eventually split it. Sometimes in other cases there may be another land use that is proposed or a land use in a different district that the applicant wants to have on the site. Mr. Sloan stated that in cases like that where somebody wants to rezone part of a parcel, one of the first things he looks at as a planner is that a surveyor or someone with the precision and skill to describe the boundaries of the proposed rezoning. Mr. Sloan explained that if it's approved and is then put on the zoning map, he wants to be very precise in terms of how the line is drawn in the event that the split doesn't happen, or they decide not to divide the property. That southeast corner would still be zoned R-1 if the zoning is approved, regardless of if they end up splitting property there. Mr. Sloan said Staff looks to be precise both in the resolution and in drawing the lines just so that if sometime later, if the lots are not split and they have to go back and find the bona fide boundary of this rezoning, they can always go back to the case and see how it was described. In other words, Staff can go back to the actual survey that was proposed with the documents to see how those lines go. So, it is fairly uncommon, but if it is appropriately described then it is just like any other rezoning where we describe a portion of a parcel like we are here.

Chairman Greene stated that in all his years on the Commission, he has never seen this. That is why he questioned this earlier about the precedent of this. Usually, project owners would just do the entire property and then later on, there might be a split. Chairman Greene stated he is okay with this.

Commissioner Singh asked Mr. Sloan, the east side of this proposed new zone, is that RR Zone or R-1 Zone?

Mr. Sloan explained that the east side of the lot currently is RR Zone. The east side is proposed to be split with most of the southern part rezoned to R-1 and then the northern portion would be retained as RR.

Commissioner Singh asked if the new proposed lots are going to be R-1 between two RR zones?

Mr. Sloan explained that the proposed lots would be two R-1 lots and they would be side by side in that southeast corner of the property. Mr. Sloan displayed the plan on screen and explained the layout of the property and the proposed lots. The surrounding properties are zoned R-1.

There were no further comments from the Commissioners.

Chairman Greene stated his only concern would be the little panhandle above the two parcels remaining RR. If there is not a sale of the two lots, or there is a proposed sale of the entire site, he doesn't see any reason why the remaining portion couldn't go R-1 if need be. He is okay with this proposal.

Motion by Engel, supported by Singh, to move to recommend approval of the request to rezone a 3.8-acre portion of parcel no. 024-99-0010-000 from RR, Rural Residential to R-1, Single Family Residential, which is described in the enclosed Proposed Parcels Survey dated April 2, 2021 as an area measuring 330 ft. by 495 ft. in the southeast corner of the subject parcel, for the reasons stated in this staff report:

Commissioner Engel called the vote:

Ayes: Foster, Acharya, Eggenberger, Okon, Weber, Singh, Engel, and Greene

Motion passed unanimously by roll call vote, 8-0.

Chairman Greene stated this will now move forward to the Trustees.

3. 115-SLU-6714 **KAMILLIA BAGLEY DAYCARE** – Consider Special Land Use for a Group Child Care Home for parcel no. 115-02-0053-000. Property is located at 49090 Fifth Ave. which is north of Geddes Road, between Beck Road and Denton Road.

Mr. Sloan stated the applicant proposes to conduct a Group Child Care Home in a personal residence at 49090 Fifth Ave. Ms. Bagley presently has a license for a Family Child Care Home, which allows for up to 6 children, which is a permitted use under the Michigan Zoning Enabling Act. The Act requires that any childcare use for more than 6 children is a Special Land Use. Group Child Care Homes licensed in the State of Michigan allow for up to 12 children, although the specific number allowed between 7 and 12 is determined by the State and its licensing. The Special Land Use criteria for Group Child Care Homes are established in the Michigan Zoning Enabling Act which is the State Act that regulates zoning throughout Michigan and provides local governments standards on rezoning. The Act also has some standards that are applicable to specific land uses like group daycare homes.

Mr. Sloan went over six items that are addressed in the Act:

1. **4(a). Separation:** The Act requires a minimum 1,500 feet from another licensed Group Child Care Home, Adult Foster Care Small and Large Group Home, substance abuse treatment facility, correction facility, and/or halfway house. Based on the information provided and our review of state facility locations, these minimum separation requirements are met.
2. **4(b). Fencing:** The Act requires appropriate fencing as determined by the local unit of government, although Canton Township does not have specific fencing requirements for group day care homes. Ms. Bagley has submitted a plan that shows the outdoor playground, which is enclosed by a retractable barrier that is 3 feet high. Any proposal to install permanent fencing would have to comply with the Township Ordinances and association rules.
3. **4(c). Visible Characteristics of the Neighborhood.** The existing home maintains consistency with the visible character of the neighborhood, and allowing a group childcare home for 7-12 children does not appear to alter the consistency with the visible character.
4. **4(d). Hours of Operation.** Ms. Bagley proposes the hours of operation to be from 6:00 a.m. to 6:00 p.m., which is consistent with the allowable hours stated in the Act.
5. **4(e). Signage.** Only one sign is approved for a home occupation per the Ordinance - one (1) sign not illuminated and not more than one (1) square foot. There is no sign proposed in the application materials, but if the owner ends up proposing a sign, the standard is in the Ordinance for a home occupation standard.
6. **4(f). Parking.** The driveway at the site has sufficient width for 2 cars and is long enough for additional cars. Also, on-street parking is available adjacent to the home on the north side of Fifth Ave.

Mr. Sloan stated that based on compliance with the six criteria, Staff's recommendation is approval of the Special Land Use for a Group Child Care Home at 49090 Fifth Ave. The Planning Commission's recommendation will be a recommendation and the Board will make a final determination on a Special Land Use application.

Motion by Eggenberger supported by Acharya, to move to open the public hearing. Motion passed unanimously by roll call vote, 8-0.

Ms. Kamillia Bagley, owner/applicant, stated she is available this evening to answer any questions.

Mr. Sloan stated he received an email from Mike Latvis, one of the neighbors. Mr. Latvis had written an email of support of the Special Land Use and was in support of the proposal. He stated in the email that he had never experienced any issue caused by the current daycare operation. Mr. Sloan forwarded the email to the Planning Commissioners this afternoon.

There were no other public comments from the audience.

Motion by Weber supported by Engel, to move to close the public hearing. Motion passed unanimously by roll call vote, 8-0.

Commissioner Acharya asked if Mr. Sloan could go over the fencing requirements once again.

Mr. Sloan explained that the Act requires what it calls appropriate fencing as determined by the local unit of government. The Act calls it out without necessarily making it a requirement beyond what the local unit of government would require. This is something that Staff has ran into on other group daycare homes applications. There is nothing specific in the Zoning Ordinance that requires fencing for group daycare homes, and some associations prohibit fences, which makes it a case-by-case basis. In this case, the applicant has a playground in the northwest corner of the lot. The applicant has also included a description of a temporary retractable fence barrier. It wouldn't be a formal fence structure but a retractable barrier for when there are children out there to create an enclosure around that outdoor play area. Mr. Sloan stated that because the Act is broad in terms of deferring to the local unit of government, and because there are no specific fencing standards for group daycare homes in the Zoning Ordinance, it's basically up to the Planning Commission whether to accept a fencing proposal from an applicant or to modify it.

Commissioner Acharya stated that the fencing is primarily to keep the kids safe, that's the general idea.

Mr. Sloan stated that is correct. They look at this on a case-by-case basis. Sometimes if there is something nearby that could be hazardous like a corner lot or a water feature, something like that, then they may look to see if something more permanent or durable is necessary.

There were no further comments from the Commissioners.

Motion by Engel, supported by Foster, to move to recommend approval of the request for Special Land Use for a Group Child Care Home on tax parcel no. 115-02-0053-000 (49090 Fifth Ave.).

Commissioner Engel called the vote:

Ayes: Foster, Acharya, Eggenberger, Okon, Weber, Singh, Engel, and Greene

Motion passed unanimously by roll call vote, 8-0.

Chairman Greene stated this proposal will now move forward to the Trustees.

4. 052-VCON-6791 **CHERRY HILL PRESERVE** – Consider Variances to Condominium Ordinance for parcel nos. 052-99-0042-000, 052-99-0044-001 & 052-99-0044-002. Property

is located on the north side of Cherry Hill Road, between Lotz Road and John Hix Road.

Mr. Sloan stated that at the previous Planning Commission meeting on June 7, 2021, the Planning Commission recommended approval of the site plan for Cherry Hill Preserve to the Township Board of Trustees. Cherry Hill Preserve is a proposed residential development of twelve (12) 2-unit attached residential buildings. The site is zoned R-4, Single Family Residential, which allows 2-unit attached residences via Special Land Use. Mr. Sloan stated the property previously had a Special Land Use approval by the Township Board, which was also recommended for approval by the Planning Commission.

Mr. Sloan stated that in reviewing the proposal for the Special Land Use in the site plan, Staff has primarily looked at the requirement that cul-de-sacs can't be more than 1,000 feet long, and that has been the general standard applied. Once it is over 1,000 feet long, then a second entrance is required. That is not just a Condominium Ordinance requirement, but it's also something that Staff looks at from Engineering and Fire as well for that second access. Because this particular project is a condominium form of development, the condominium standards also apply in addition to the Zoning Ordinance. The Condominium Ordinance requires a cul-de-sac to be a maximum length of 1,000 feet and the proposed cul-de-sac is well short of 1,000 feet. So, the length is not an issue. The Condominium Ordinance requires a cul-de-sac to provide a secondary access if it's over 20 units. Also, the Condominium Ordinance requires a boulevard for a cul-de-sac.

Mr. Sloan explained that in looking at the standards in the Zoning Ordinance and in the Condominium Ordinance, Staff looks at how practical the standard is and how it impacts the development, whether it enhances the development or it doesn't. The proposed development doesn't have the boulevard in the cul-de-sac, it's just the entrance and cul-de-sac that goes into the site. As a result, the applicant would be required to apply for variances from those standards of the Condominium Ordinance.

The Condominium Ordinance includes procedures for granting variances and unlike the Zoning Ordinance, the Condominium Ordinance variances are reviewed by the Planning Commission and the Township Board. Mr. Sloan stated the Planning Commission holds a hearing and makes a recommendation to the Township Board on the variances. So, it's a different procedure and there is no role for the Zoning Board of Appeals for a variance from the Condominium Ordinance. Additionally, the standards for variances in the Condominium Ordinance are different than the standards in the Zoning Ordinance, and different from the standards in the Zoning Enabling Act.

Mr. Sloan stated there are four (4) criteria in the Condominium Ordinance that are addressed for variances

1. The variance cannot be detrimental to the public health, safety, and welfare or injurious to other property.
2. The conditions underlying the variance request are unique to the property and are not applicable to other property generally.
3. Because of the particular physical surroundings, shape or topographical conditions of the property, there is a particular hardship to the owner that would result, as distinguished from inconvenience.
4. The variance would not vary the provisions of the zoning ordinance, the comprehensive plan, or the Condominium Act.

The applicant has included in the application materials a letter that addresses these standards. The letter cites unusual characteristics that include the presence of wetlands on the site, narrowness of the site where the road may be placed, and required location of the stormwater basin.

Mr. Sloan stated there are a considerable amount of wetlands on the site and the filling of wetlands has been

minimized as part of the site development. The Michigan Department of EGLE has either issued wetland permits or is close to issuing wetland permits, and has given feedback to the applicant and developer on its desired layout of the site, and the site has been designed accordingly.

Mr. Sloan stated that Staff supports the variance request for the non-boulevard cul-de-sac that serves the proposed 24 units for the practical difficulties stated by the applicant and also for the following five reasons:

- The length of the cul-de-sac is under 1,000 feet, which is the maximum length permitted in the Condominium Ordinance and the length at which a secondary access is typically required.
- The number of units served by the cul-de-sac is less than 30, which is the number of units at which the Fire Marshal would require a secondary access.
- The Township Engineering Division and Fire Marshal do not object to the non-boulevard cul-de-sac as designed.
- The proposed road entrance is directly across from Buckingham Rd., which is a non-boulevard subdivision road directly to the south. Therefore, the roads are proposed to align, whereas left turn lanes of boulevards do not always align with a left turn lane on the opposite side of the road.
- There are several cul-de-sacs in Canton Township that serve more than 20 units, many of which do not have a boulevard. So, this particular development would not be unique and wouldn't stand out as different than many other similarly designed developments.

Mr. Sloan stated that for those reasons, Staff recommends approval of the variances to Section 82-124(4) and Section 82-124(6) of the Condominium Ordinance to permit the non-boulevard cul-de-sac road of Cherry Hill Preserve to access 24 residential units on the parcels stated.

Motion by Eggenberger, supported by Acharya, to move to open the public hearing. Motion passed unanimously by roll call vote, 8-0. (8:04pm)

Bruce Michael, project sponsor, stated he is available this evening to answer any questions.

There were no other public comments from the audience.

Motion by Weber, supported by Engel, to move to close the public hearing. Motion passed unanimously by roll call vote, 8-0.

Commissioner Foster stated as long as the Fire Marshal is okay with this, she has no issues.

There were no other comments or concerns from the Commissioners.

Motion by Engel, supported by Weber, to move to recommend approval of variances to Section 82-124(4) and Section 82-124(6) of the Condominium Ordinance to permit the non-boulevard cul-de-sac road of Cherry Hill Preserve to access 24 residential units parcel nos. 71-052-99-0042-000, 71-052-99-0044-001, and 71-052-99-0044-002.

Commissioner Engel called the vote:

Ayes: Foster, Acharya, Eggenberger, Okon, Weber, Singh, Engel, and Greene

Motion passed unanimously by roll call vote, 8-0.

Chairman Greene stated this will now move forward to the Trustees.

5. 072-PDDA-6774 **UPTOWN APARTMENTS** – Consider PDD Amendment for parcel no. 072-99-0003-715. Property is located north of Cherry Hill Road, between Ridge Road and Denton Road.

Mr. Sloan stated that the project sponsor is in the process of constructing the fourth phase of Uptown Apartments, which consists of 8 buildings totaling 152 units located on the west side of Denton Road north of Cherry Hill Rd. The buildings are a combination of 2- and 3-story buildings, and they were approved in 2018. The approved site plans include a design for a dumpster enclosure that included masonry walls on 3 sides pursuant to the requirements of the Zoning Ordinance. The project sponsor proposes a Planned Development amendment to modify the material requirements of the Zoning Ordinance to allow wood material for the dumpster enclosures in Uptown Apartments Phase 4. Although there are 14 existing dumpster enclosures in the previous phases of Uptown Apartments that have wood material for the walls, the material of these dumpster enclosures was permitted during the course of site plan review without a formal modification in the PD Agreement. Section 2.14 of the Zoning Ordinance requires dumpster enclosures to be masonry and it includes standards for how those enclosures are to be constructed. This section does not allow administrative modifications to the wall material requirements. The proper course to get relief from that requirement would be to either seek a variance or to propose an amendment to the Planned Development. Because there is an existing Planned Development, the applicant has proposed an amendment to the Planned Development agreement and plans.

Mr. Sloan stated that there are currently 14 dumpster enclosures in previous phases of Uptown that have wood material for the walls. It appears, based on reviewing the files of the previous phases, that an alternative wood wall material was approved many years ago during the course of plan review of those phases without a formal modification to the PD Agreement.

Mr. Sloan stated that Planning Staff and the Planning Interns have gone out to look at each of the enclosures, take pictures, and make some observations. Mr. Sloan said that based his observations and those of the rest of the Planning Staff, there were many durability concerns observed with the dumpster enclosures. The existing wood dumpster enclosures include horizontal wood siding that matches or is compatible with the existing wood siding for Uptown Apartments. So, in appearance, it does have the same siding so it looks more natural than if it were just a standard wood fence or slat siding. The siding, being consistent with the wall materials, is designed to make the dumpsters appear compatible with the buildings in the development.

Mr. Sloan stated however, their major concern is that based on Staff's analysis of the existing 14 dumpster enclosures that have that wood wall material, many of these enclosures are rotted, chewed, discolored, and damaged. Therefore, it is clear that the enclosures have not been durable to the elements over time. Mr. Sloan stated this is the reason they require masonry, and many other communities require masonry for the same reasons. More concerning is a number of these enclosures have exposed nails on the inside where wood was attached, and the exposed nails are sharp and rusted which presents a major safety concern for anyone using the dumpsters. For those reasons, Staff does not recommend wood as an acceptable material for the enclosures. Based on that, Staff's recommendation for a PD amendment is denial. If the project sponsor would like to propose an alternative material and design such as a composite material that is resistant to the types of damage that is common to wood material, then Staff would recommend postponing a recommendation on the application request to allow the applicant time to prepare and submit designs for review. There are some vinyl composite enclosures that he has seen that are not as good as masonry, but they are at least professionally done where the material is resistant to the elements and can be constructed in a way that is not hazardous with the exposed nails. Even if there was a composite or vinyl composite material proposed, it's still not going to match against the durability of masonry or brick.

Mr. Sloan stated that based on the plans that are submitted, Staff's recommendation is denial for allowing

the wood dumpster enclosure material. Mr. Sloan displayed a map of the 14 enclosures on screen.

Motion by Weber supported by Engel, to move to open the public hearing. Motion passed unanimously by roll call vote, 8-0. (8:15pm)

Mark Highlen (Beztak Corporation) explained that Uptown Apartments is a phased private apartment development which began about 20 years ago. The architect, Looney Ricks Kiss, designed the overall appearance for the residential/commercial districts of the Uptown PDD including the architecture, road designs, landscape, fencing, everything. Then with the input also from landowners, the public, and also the Township Staff and officials at that time back in the early 2000's. Mr. Highland stated that his copy of the Phase I site plan and civil plans are dated June of 2003, and in October 2013, and the details contain not only a masonry dumpster which was constructed as part of the mixed-use area and the performing arts center back where there's a little bit more truck traffic. But based on the dates, that detail was included just for this initial phase of the mixed-use areas. The remainder, as it appears by date, included the wood dumpster detail which they have used throughout the project. Mr. Highlen stated they are now down to the final area that is designated for residential use in the original plan. They have 14 dumpster enclosures that were made according to that detail, and the basic thought behind this is- why change now with only three more remaining? They would like the dumpsters to match and it was specifically designed to match the buildings. There is brick and siding on the buildings, but the brick faces are primarily road fronting where the dumpsters area primarily located in between buildings, and the rear of all the buildings are siding with occasional accents of brick on just a few of the buildings. Mr. Highlen stated that some of the dumpsters do need some repairs and they have been talking with their operations folks about that. But realistically, some of the original dumpsters were installed over 16 years ago so he feels this shows a good level of durability. They have done some maintenance and repairs but they're still going strong. They will look at further maintenance on some of them, but 16 years later they are still good so he thinks that it's a durable product. Mr. Highlen said they do understand Mr. Sloan's concern about the nails and such, and they have provided him with a detail whereby they would place a wooden sheathing over the inside as well to protect people from getting scratched. He is not aware of any incidences to date, but he does understand that that is a reasonable request. The dumpsters are all internal to the site, so they are not readily available from the public. Mr. Highlen stated that they strongly believe the wood dumpster enclosures fit best with the aesthetics of the development, that is what was originally planned. There are already 14 on site and they are only asking for three more to finish this out. There is limited visibility from the public, the upkeep is the owner's responsibility and they have been talking about that with their operations folks. For this reason, they respectfully request the Township recognize the circumstances and the long-term use of the current wooden enclosure detail that is based on the original plans for the entire area, and then to allow them to continue using that detail for just this remainder of the Uptown PD.

There were no other public comments from the audience.

Motion by Weber, supported by Foster, to move to close the public hearing. Motion passed unanimously by roll call vote, 8-0.

Commissioner Weber asked, if the Ordinance calls for the enclosures to be masonry, he is a bit confused on how these got changed to wood.

Mr. Sloan stated Staff had spent a considerable amount of time trying to find out how wood was approved because it wasn't in the Ordinance or the Planned Development Agreement, and they couldn't find it in any amendments to the Agreement and there were several amendments to the Uptown agreement. Staff started looking through the Site Plan files and reading all the minutes. They looked at all the Staff reports and the only thing they came up with was a comment during one of the Planning Commission meetings where a Planning Staff member noted that the wood material would be acceptable and there wasn't much more in

the meeting minutes regarding deliberations, and he thinks the wood material proposal at that time was just generally accepted during the course of Site Plan review. Mr. Sloan said he did not see anything where it should have been approved outside of a variance or a Plan Development Amendment though.

Mr. Weber stated he has a big problem with that. The original enclosures were masonry and the Ordinance says they were supposed to be masonry, and there doesn't appear to be any formal procedure to approve the wood. Mr. Weber said he greatly disagrees with Mr. Highlen on the durability of the wood. He thinks throughout Wayne County now, whether visible or not, rodents are becoming a bigger and bigger problem around developed areas. The Planning staff have seen areas where the wood has been chewed, and that tells him that this could be a problem here, maybe not now but eventually. Also, Mr. Weber feels that the maintenance of the wood in the long run would be more costly. Mr. Weber stated he agrees with Staff's recommendation that the proposal be denied.

Commissioner Engel stated he agrees that the enclosures should be masonry. He is a little disappointed that the applicant said he is talking people about fixing it, and he recommends they move forward immediately with repairs.

Commissioner Singh agrees that this should be denied, as the Ordinance says it should be masonry and the quality of wood withstanding the elements is not comparable to masonry.

Commission Okon stated he agrees with the previous statements from the Commissioners.

Commissioner Acharya stated he also agrees with the Commissioners. Safety tops everything else, so the motion should be denied.

Commissioner Foster stated she agrees with what the Commissioners have said so far. She also wanted to add that since some of other containers have been compromised, she would love to see a plan moving forward to get that addressed.

Mr. Weber asked if there is no documentation to say that wood was ever approved for this development, is there any recourse from the Building Department to make them go back and replace those with masonry?

Mr. Sloan said he did ask the Building Department what kind of records they may have had. Building did not have anything readily available in terms of any formal approval of the wood enclosures. There was a design back in the early to mid-2000's of a wood enclosure and that does take place on some of the plans on file. It did eventually make its way onto the plan documents and those plan documents were approved by the Planning Commission. In terms of any recourse, because it should have been either a variance or a PD Amendment to formally approve those dumpster enclosures, he is not sure what the recourse would be. Mr. Sloan stated, however, that the current site plan that was approved in 2018 for this subject phase of Uptown does show masonry enclosures.

Mr. Highlen wanted to remind the Commission that this is a PDD and exists outside of the Ordinance. The purpose of the PDD is to create a set of standards for a specific development that may not fit within the normal Ordinance structure. The paperwork that creates approval for this is on approved plans that were referenced in the original agreements that basically say based on the attached set of plans. So, it was approved, it is authorized. It's not just something that snuck on there. It happened as part of the overall PDD review and approval process. Mr. Highlen wanted the Commission to know that these aren't illegally installed, they are part of the original PDD Agreement and details contained thereafter.

Commissioner Weber asked if Mr. Highlen is saying the wooden enclosures are shown on the PDD Agreement?

Mr. Highlen responded they are shown on the plans that are attached with the PDD Agreement.

Commissioner Weber asked then what are the plans in 2018 that are showing masonry enclosures?

Mr. Sloan stated those are the approved plans for 2018.

Commissioner Weber asked if those would be part of the PDD Agreement?

Mr. Highlen stated that detail was added by mistake because they were asked to add the dumpster detail and that was attached accidentally without the proper one for the whole site. That is why they are here. They would like to use the same detail as used on the entire site as opposed to switching on the last portion of the development.

Commissioner Weber stated before he would consider that, he would like to see the entire PDD Agreement.

Commissioner Eggenberger stated she agrees with the other Commissioners. They brought up a lot of good points, and she agrees with denial.

Chairman Greene stated that when he was reading this packet, he was disgusted. He saw a failure on the part of Ordinance. Ordinance should be on top of this. As for the new enclosures, if a mistake was made in the past, there is nothing wrong with the Commission correcting a mistake. Chairman Greene said if they are going to go with wood, they have to have strong maintenance with strong follow-up on the maintenance.

Chairman Greene expressed there is nothing more disgusting than having dumpsters in shoddy maintenance and all that goes along with that. As Commissioner Weber brought up, the idea of rats and rodents is a health issue. Chairman Greene stated Canton has to be better than this. Chairman Greene stated he does not see anything wrong with enforcing what should have been all along, which would have been the masonry enclosures. The two that are not included in the 14 by the theatre, those the brick ones. Obviously, there was a precedent there and somehow this got away from Canton, either through the Commission or the Trustees. He said we don't need to be establishing blame, but let's move forward in a positive direction and correct this. Chairman Greene cannot go along with the "same old same old" when there are such poor results. He disagrees with Mr. Highlen about being proud that these things have lasted this long. Obviously, they haven't fulfilled the obligation of keeping the trash areas neat and clean. Chairman Greene stated that unless they can come up with an alternative material, he is in favor of denial because now there is no guarantee that wood is ever going to be maintained to satisfaction.

Mr. Highlen stated he would like this to be tabled, to come up with an alternate detail.

Chairman Greene asked how the Commission members feel about that.

Commissioner Engel stated he has no problem as long as they come up with something that should be masonry.

Commissioner Weber stated that right now it would be masonry or nothing. But if there is an alternative material that he is not aware of, he would be open to listening to it.

Chairman Greene stated that if the Commission tables this and give sufficient time for an alternative and then decide from there, is that feasible?

Mr. Sloan stated yes, it sounds from the applicant that they want the opportunity to submit an alternate design. The comments from the Planning Commission are clear about both the proposed design of wood as well as the Ordinance standard for masonry. The only issue may be in terms of time for how soon the applicant is looking to put up the structures, but the applicant is proposing to be tabled so depending on when the designs come in, we may be able to get this on the August 2<sup>nd</sup> agenda. If not, then by the September agenda depending on the timing of the plan submittal.

Commissioner Acharya stated he is of the opinion that the Commission should only consider this proposal once the dumpsters that are in bad condition are repaired and maintained to the satisfaction of the Planning Department. That should be a pre-condition.

Mr. Weber stated he is in agreement with that. The Building Department or Ordinance officials need to go out and look at these. If they are not in compliance, they need to be brought into compliance. And until those are brought into compliance, he does not feel the Commission should be considering any others at this point.

Chairman Greene clarified that what Commissioner Acharya and Commissioner Weber are saying is that as a contingency of tabling, to not even bringing back to the Commission until a resolution of the existing dumpsters has been addressed. Chairman Greene stated he would also be in agreement because it does give the project sponsor an opportunity to do something a little bit better.

Commissioner Foster stated she is in agreement with this.

Chairman Greene asked Mr. Highlen what he thought about that.

Mr. Highlen stated they will table and then discuss what to do about the rest. Because this is a separate property and ownership, he would like to at least have one through the Township Building Department and the other be dealt through the Planning Department. This is a request on a site plan, and Mr. Highlen would like the opportunity to table it and bring it back with a detail to talk about as well.

Chairman Greene asked Mr. Highlen, if this is tabled, would he work with Patrick Sloan on a timing of this. It's going to take some time to get those repaired and up to standard before the Commission can go ahead and approve these new ones, which is going to slow things down a little bit.

Mr. Highlen stated they will take the time with the tabling to create the detail, and he will work with Mr. Sloan on an appropriate plan. It will take a while to do that but he would like to at least get a plan in place with timing schedule everything else, and then bring it all back to the Commission.

Chairman Greene asked the Commissioners if they were ready for a motion to table this with conditions.

Motion by Weber, supported by Engel, to move to table the matter of amending the Uptown Apartments Planned Development District no. 6 until such time that the petitioner can work with the Planning Department to come up with a feasible alternative for the dumpster enclosures on Phase IV and in addition working with Township officials to upgrade and repair the existing dumpster enclosures in the entire Uptown Apartment development.

Mr. Highlen asked, before they move on the motion can it say that they will come back with the detailed plan for the repair of this. What he doesn't want to do is have brand new construction being completed sitting and waiting. As everyone knows, materials are at a premium and workers are short in demand for construction. What he wants to do is get Phase IV completed and approved, but not have it sit for months uninhabited while they are working on dumpsters around the site. They would like to come up with some

sort of a plan for the maintenance and start on it, but not to have it to be completely done by the time we get occupancy of the new buildings.

Chairman Greene stated he is not sure how they could proceed because obviously Phase IV dumpsters could not be done. We don't know what the materials are going to be.

Mr. Highlen said they have bonded over them to get to this point. He said they would leave the bond in place depending on how they are approved.

Mr. Sloan stated that this has been done before. The approved site plan has the masonry dumpster enclosures there, so if there is a building that's completed that they want occupancy for and there is no enclosure, Planning would take a bond for the cost of constructing the enclosure pursuant to the site plan. Planning would hold that bond until the enclosure is constructed.

Chairman Greene asked, so regardless of the materials or the design?

Mr. Sloan stated they would have a couple of options. If they are not approved for an alternate design, they have to build the enclosure according to the plan to get their bond money back. If they are approved for an alternate design, Staff would still hold a bond for the construction of that particular enclosure.

Commissioner Singh asked regarding the alternate design, are there any examples of that design being approved in Canton Township.

Mr. Sloan stated there are none that he could think of. Other communities have allowed vinyl composite types of material with mixed success. Canton might have them, but Mr. Sloan has not seen any.

Commissioner Singh stated that if they come up with a design for an alternate material, the Commission would be setting a precedent for others to apply in a similar way.

Mr. Sloan stated there may be a case for precedent in Cherry Hill Village with the recurrence of the design. Outside of Cherry Hill Village, he would hope not.

Chairman Greene stated that because this is a PDD, if the Commission approved something different for this particular site, it does not mean that we have to approve it going forward with new projects, correct? It doesn't negate anything in the past if we were to approve an alternative to the masonry.

Commissioner Weber stated he would agree with that. And this is not a commitment from the Commission to approve it. This is just saying we will consider an alternative.

Commissioner Engel stated that Mr. Highlen should know what we want. If he comes back with masonry, that might be okay, but the Commission hasn't seen anything but masonry that we would want in Canton Township.

Chairman Greene stated that the wording that Commissioner Weber put out there for the motion is sufficient and asked if the other Commission members were good with this.

There were no further comments from the Commissioners.

Motion by Weber, supported by Engel, to move to table the matter of amending the Uptown Apartments Planned Development District no. 6 until such time that the petitioner can work with the Planning Department to come up with a feasible alternative for the dumpster enclosures on

Phase IV and in addition working with Township officials to upgrade and repair the existing dumpster enclosures in the entire Uptown Apartment development.

Commissioner Engel called the vote:

Ayes: Foster, Acharya, Eggenberger, Okon, Weber, Singh, Engel, and Greene

Motion passed unanimously by roll call vote, 8-0.

Chairman Greene said he hopes Mr. Highlen can come to a resolution that is happy for everybody and looks forward to hearing from him.

### **NEW BUSINESS-SITE PLANS**

6. 072-SFP-6739      **THE MEADOWS OF CHERRY HILL** – Consider Final Site Plan on parcel nos. 072-99-0005-704 & 072-99-0009-002. Property is located on the west side of Ridge Road, between Saltz Road and Cherry Hill Road.

Mr. Sloan stated the applicant proposes to locate 38 single-family residential site condominiums on the approximately 15.8 acres located on the west side of Ridge Road between Saltz Road and the ITC Corridor. The proposed development will be detached single-family homes on individual lots. The proposed density is 2.41 units per acre which is less than the maximum density of 4 units per acre permitted in the Village Edge area of the Cherry Hill Village Overlay District. There is one (1) entrance is proposed on Ridge Road and a connection to Westridge Estates to the west via an extension of Hesperus Drive. So, there will be two points of access into the proposed development.

The project sponsor proposes to maintain just under 34% of the site as open space, preserve trees along the existing watercourse, and preserve existing trees around the perimeter of the site.

Mr. Sloan stated the proposed Final Site Plan is based on the approved Planned Development (PD), which the Township Board of Trustees approved on August 25, 2020. The Final Site Plan is also based on the previously approved Preliminary Site Plan, which the Township Board of Trustees approved on November 24, 2020. Since Preliminary Site Plan was approved, there have been minor changes to the pond on the southwest corner of the site, and some minor changes to the orientation of some of the lots on the southwest side of the development as a result of the pond changing shape. These changes have slightly changed some of the lot areas but also slightly increased the open space areas.

Mr. Sloan stated that the Schedule of Regulations in the development show that most lots are at least 7,800 sq. ft., with lot areas ranging from just over 6,700 sq. ft. to just under 14,000 sq. ft. The Cherry Hill Village Overlay District standards in the Ordinance require compliance with the Cherry Hill Village Design Guidelines, which are as follows:

- **Lot dimensions** can be from 50-90 feet wide and 85-150 feet long. The approved PD requires lot widths of at least 60 feet and lot depths of at least 130 feet.
- **Front yard setbacks.** The Cherry Hill Village Design Guidelines require front yards to vary between 10-20 feet and the approved PD allows for setbacks of 20 feet, although 15 feet was approved on some non-access sides of corner lots as illustrated on the plans.
- **Side yard setbacks** in the overlay district allow 0-10 feet and the side yard setbacks in the approved PD are 5 feet.
- **Rear yard setbacks** are not prescribed in the Cherry Hill Village Design Guidelines, but the minimum rear yard setback called for of 30 feet.

Mr. Sloan stated that in some cases the setbacks exceed the standards of the Cherry Hill Village Design Guidelines and are written into the Planned Development Agreement, and the Final Site Plan is based on those standards.

Mr. Sloan said there are three modifications to the Zoning Ordinance that were approved in the PD Agreement:

- No horizontal offsets along the rear sides of the façade;
- Road easement width will be 55 feet instead of the 60 feet required. The Cherry Hill Village Design Guidelines allow for right-of-way widths of 55 feet, so the right-of-way will be consistent with the guidelines.
- Road location within the required stormwater protection buffer is allowed, but for the road location only

Mr. Sloan stated that the rest of the items in the review letter mostly recite standards that were brought up during the Planned Development review and Preliminary Site Plan Review for architecture, lot layout, traffic impact, natural features, landscaping, lighting, and signage. He won't go through all those now, but will go through them if there are any follow-up questions.

Mr. Sloan stated Staff's recommendation is for the approval of the Final Site Plan, subject to all State, County, and Township requirements.

Chairman Greene asked the Commissioners for their comments.

Commissioner Okon had no questions or comments.

Commissioner Engel had a question on the Traffic Impact as to the intersection of Ridge/Denton/Saltz. Is there any talk with Wayne County or MDOT about addressing that area?

Mr. Sloan stated those intersections are under the jurisdiction of Wayne County and there are discussions about doing something with that intersection to approve the safety and the operation of that intersection. Mr. Sloan does not know what the long-term plan is but knows it is an intersection that is frequently discussed between the Township and Wayne County. It is on the County's radar.

Commissioner Eggenberger had no questions or comments.

Commissioner Singh had no questions or comments.

Commissioner Foster had no questions or comments.

Commissioner Weber had no questions. He agrees with Commissioner Engel regarding the traffic in this area, but it's not in the Commission's purview so it is hard to do anything about it. As far as the development itself, he is okay with it.

Commissioner Acharya had no questions or comments.

Chairman Greene stated he is also okay with this project, and asked if the Commissioners were ready to make a motion.

Motion by Weber, supported by Singh, to move to recommend approval of The Meadows of Cherry Hill Final Site Plan on tax parcel nos. 072-99-0005-704 and 072-99-0009-002, which includes 38 single-family residential site condominium units on approximately 15.8 acres, subject to all State, County, and Township requirements.

Commissioner Engel called the vote:

Ayes: Foster, Acharya, Eggenberger, Okon, Weber, Singh, Engel, and Greene

Motion passed unanimously by roll call vote, 8-0.

Chairman Greene stated this will now move forward to the Trustees.

7. 129-SPC-6613      **CANTON CROSSINGS-CAR WASH** – Consider Site Plan on parcel no. 129-99-0002-710. Property is located north of Michigan Avenue and east of Canton Center Road.

Mr. Sloan stated the project sponsor proposes to construct an automobile wash establishment (a.k.a., carwash) on the east side of the vacant portion of the subject parcel. The site is located between Canton Center Road and Old Canton Center Road, just north of Michigan Ave. (north of 7-Eleven and Comerica Bank). The site is zoned C-3, Regional Commercial, and automobile wash establishments are special land uses in the C-3 district. The Planning Commission recommended approval of the Special Land Use on March 1, 2021, and the Township Board of Trustees approved the Special Land Use on March 23, 2021.

Mr. Sloan further stated that although the plan shows multiple commercial buildings on the site, this site plan application is for the car wash use only; therefore, the other buildings shown on the plan are illustrative only and the proposed site development will be considered on a future Site Plan Review application. The project sponsor has applied for Special Land Use review for fast food restaurants on the west part of the site, but that application is not yet ready for Planning Commission review.

So, in terms of the site plan itself of just those proposed portions and part of the development, it is designed to stand on its own in the event that the remainder of the site is not developed and is reviewed in that light. Mr. Sloan stated that when Staff looks at site circulation when looking at emergency services circulation, they look at how will the site work as it's designed in just this first phase without looking at the other phases there.

**Schedule of Regulations:** For the schedule of regulations of the site and the site design, it meets the minimum site size and maximum building height. The proposed building and vacuum structures are located within the required 85-foot front yard setback from the right-of-way of Old Canton Center Road. A variance was approved on December 21, 2020 by the Zoning Board of Appeals (ZBA) to grant an 18-foot front yard setback variance to allow the building to have a 67-foot front yard setback from the right-of-way of Old Canton Center Road. The variance was also for a 40.5-foot front yard setback variance to allow the vacuums to have a 44.5-foot front yard setback from the right-of-way of Old Canton Center Road.

**Development Standards for Automobile Wash Establishments** are in Section 6.02(D)(2) of the Zoning Ordinance, aside from the variances that were approved for the vacuum facilities, being in the setback, there was a variance approved to allow the vacuum facilities in the front yard of Old Canton Center Road (on the east side). The ZBA granted that variance, the reasons being that the site is a triangular configuration. there are two (2) front yard setbacks on the west and east sides which are the

longest sides of the site. Old Canton Center Road is seen as a secondary type of frontage.

**Traffic Impact and Access Management:** There are four (4) points of public access proposed, two (2) of which are proposed to an existing internal access drive to the south, which has existing direct access to Michigan Ave., and also proposed access to Canton Center Road, and Old Canton Center Road. The two (2) new access points are proposed on Canton Center Road (aligned with driveway at Kroger) and access onto Old Canton Center Road. Both Canton Center Road and Old Canton Center Road are under the jurisdiction of Wayne County, so the new access points are subject to Wayne County review and approval. There is one (1) additional access in the southeast portion of the site, which will be a gated proposed access for emergency vehicles only. The site is designed so that cars using the vacuum facilities have to go through the carwash first. Due to the number of one-way drives on the site, the applicant has added several “Do Not Enter” signs and “One Way” signs to assist with circulation.

**Parking:** The parking calculations comply with the requirements of the Zoning Ordinance, which requires 25 stacking spaces for the wash lane, 1 space per 20 linear feet of wash operation, and 1 per employee. There are 25 stacking spaces and 18 parking spaces proposed (excluding the drying stations). The Ordinance allows the number of parking spaces to exceed the minimum number of required spaces by more than 10% if approved by the Planning Commission. The proposed number of parking spaces do exceed the minimum number of spaces by more than 10%, but because some of the parking spaces on the north end will also be used by future buildings, Staff recommends approval of the proposed number of parking spaces.

**Loading:** There is the required loading area on the Site Plan. It encroaches slightly into the front yard of Canton Center Road. A variance for the front yard encroachment of the loading area was approved by the Zoning Board of Appeals at its May 13<sup>th</sup> 2021 meeting.

**Architecture:** The building includes a minimum of 50% face brick on the proposed carwash building. Typically, there have been alternative masonry materials considered to meet the brick requirement. The applicant proposes a half high concrete masonry unit, a C-Brick product. This product has been used on other buildings in the Township and is basically a concrete brick product made to be smooth-faced so it has the appearance of a clay brick. The applicant proposes the C-Brick material as the predominant building material which has the appearance of brick.

Mr. Sloan stated Staff’s recommendation is that this C-Brick product be a smooth-faced product and not a split face. There are some split-face products on the building, that’s separate from the masonry material.

Also, Staff has previously recommended to the applicant that they add window features around the higher elevations, similar to the current car wash (Quick Pass) on Canton Center Rd. between Ford Rd. and Warren Rd. We will defer to the Planning Commission regarding the architectural design, whether to require a window unit or some other architectural unit on those higher elevations.

**Landscaping, Screening, and Tree Preservation:** The landscape plan is designed to comply with the Ordinance for frontage landscaping, parking lot landscaping, detention pond landscaping, and general site landscaping. The Ordinance requires a 10-foot deep foundation landscaping area adjacent to any side of building that faces a road or parking area, Although the Zoning Ordinance also allows the Planning Commission to modify this requirement. While the required foundation landscaping is not proposed on the east side of the building due to the depth of 6.5 feet and the potential parking overhang into this area from the dryer stations, the required foundation trees and shrubs are proposed in other areas of the site to make up the difference. Therefore, Staff recommends modifying the foundation

landscape requirements to not require the foundation landscaping to be adjacent to the east side of the building.

**Sidewalks:** The sidewalks are shown along the frontages of the public roads as well as internal sidewalks from Old Canton Center Road to the building.

**Lighting:** There is lighting on the site that complies with the Ordinance. Staff's only recommendation or condition on the light pertains to a blue LED accent illustrated on the plans along the top line of the building. Staff's recommendation is that this light source be concealed and downward-facing. LED lights can be an accent but they can also be quite bright. If concealed and shining downward, it can have the glow effect of accenting the feature without having glare or the light source being visible.

**Signage:** Wall signage is illustrated on the plans and no monument sign is proposed on the plans at this time. The monument sign is something that is under the purview of the Building and Inspections Division so they can propose the monument sign separately through a permit. It would still have to meet the requirements of Article 6A of the Zoning Ordinance. The wall signage appears to comply with the requirements of the Zoning Ordinance, but that determination is also made by the Building and Inspections Division.

**Dumpster Enclosure:** The dumpster enclosure is on the north side of the site. That encroaches into the front yard area of Old Canton Center Road, and the Ordinance requires dumpsters to not be located in front yard areas but because of the triangular configuration and the limited locations of a conforming dumpster and having two large front yards, the ZBA approved a variance to allow the dumpster enclosure to be located in the front yard as designed, and which was approved at the May 13, 2021 ZBA meeting.

Mr. Sloan stated that if the Planning Commission approves the architectural design of the building, Staff's recommendation would be to approve the Site Plan for a carwash establishment on the subject parcel, subject to the concrete brick product being smooth-faced, the LED accent lighting being concealed pursuant to Section 2.13 of the Zoning Ordinance, and the landscape modification pursuant to Section 5.07 of the Zoning Ordinance to not require the foundation landscape area on the east side of the building, and to allow the required foundation trees and shrubs to be placed elsewhere on the site.

Mr. Dan LeClair (Project Engineer), stated this has been a tough project given the geometrics with it having most of its frontage is front yard due to the configuration of the lot. They had to make a couple trips to the Zoning Board of Appeals to get setbacks and dumpsters, vacuums and things like that approved. Mr. LeClair said they feel they are in a good spot right now where they can comply with the Ordinances. He wanted to note Mr. Sloan had referenced a loading area encroachment into a front yard setback. That actually is for one of the future buildings. That was part of one of the variances that was granted by the ZBA, but that would be for one of the future buildings. With respect to the brick, they sent a sample of a smooth-faced product over to Mr. Sloan's office via email, they do intend on doing that as opposed to a split-faced brick. Mr. LeClair stated they will certainly shield all of the accent lighting from direct glare or direct light exterior of the property or exterior of the site. With respect to the windows, the other site in Canton Township has a similar building to this. They are choosing to not do any windows up high in the building. It is a big maintenance issue especially with all the water, steam, soap, dust, everything that happens inside a carwash building. That is an item they have decided they want to stay away from on all future buildings. What they would prefer to do is maybe some type of an accent in the brick. Either change a pattern, do something different up on the tower on the face of the building as opposed to putting glass up there just for maintenance purposes. Scott Griffin and Jamie Burke are also in attendance tonight to answer any questions.

Commissioner Acharya had no questions or comments.

Commissioner Singh had no questions or comments.

Commissioner Eggenberger stated she has no concerns. She is just wondering about the diagram of the building where it says Car Wash. Will the letters look just like that, because they look a little funky. It may just be the drawing.

Mr. LeClair stated he believes those are generic at this point, and they will come in specifically once the lettering and the signs are completely designed.

Commissioner Okon stated his biggest concern is there's a lot of stuff on this parcel and as much as he would like and encourage different interconnections, he has concerns. Looking at sheet 9, there are all these "do not enter" and "one way" signs. Commissioner Okon said he almost wishes the carwash wasn't connected to a retail because it just seems like if you are in a retail, you can't get to the carwash without going on the service drive anyway and it seems like there's just so many people cutting through and going the wrong way to go to the vacuums. Signs are one thing but unless you physically prevent people from taking a left turn, it's difficult and signs just don't always work. He would encourage looking at this as two totally different developments and not make any connection. Those internal drives around the left there or in the middle with the retail and carwash-- there's too much going on.

Chairman Greene asked if Commissioner Okon is saying because of the orientation in the site necessitating all of the signage in order to make it work, it doesn't hit you right.

Commissioner Okon said from Old Canton Center, he thinks it's going to be hard for somebody to go in and prevent them from taking a left. There is just a lot going on. He is all for having different retails connecting, but he thinks this one is really confusing.

Chairman Greene asked Mr. Sloan if there is anything that he could propose that could alleviate some of this confusion.

Mr. Sloan displayed sheet 9 of the plan on screen. The sheet is titled Fire Lane Plan, but it has the locations of all the signs. Mr. Sloan stated that since the Special Lane Use was approved about 3.5 months ago and the development of the Site Plans was taking place, Staff had recommended additional signage for the "do not enter" and "one way" for trying to manage the circulation based on the layout that was proposed. Staff shared a lot of the same concerns of traffic running into certain conflicts, especially at and near the proposed entrance at Old Canton Center Road where it is two-way going in and out but from the carwash, it's really one way to exit. So, for someone who is coming in from Canton Center Road, they need to be notified that they need to be turning right. They can't be turning left toward the carwash to prevent going the wrong way. There is proposed signage along that lane to indicate to someone that they are going the wrong way. So, as they enter the site they have to make a quick decision to turn right, so there is a one-way sign there indicating for them to turn right. Mr. Sloan thinks they have gone about as far with the signage as they can just based on the number of signs and number of messages there. Beyond that, it would have to be probably some kind of a design element to physically get people to go in the right direction.

Chairman Greene stated first of all you can't do anything about fire lanes. Fire lanes are necessary and important. But he would agree with Commissioner Okon about the four "do not enter" signs, which indicates a problem when you have to tell someone they are going the wrong way. Is there any other way to corner off where they don't want people to drive? Any kind of barriers or design changes that could be made?

Mr. Sloan stated the only thing he can think of is something physically constructed there. They have been called “pork chops” before, where there is a triangular concrete area that is put at the drive so that it basically demands a right turn in and a right turn out. There are some types of boulevards which probably would mean widening the approach, especially along Old Canton Center Road. The boulevard would be a physical structure there to put the car in that direction, whereas someone coming from the carwash would either have to exit onto Old Canton Center Road or that boulevard allow them to merge into the rest of the site going north and west.

Commissioner Weber stated he likes the idea of the pork chops right there at the double entrance off of Old Canton Center. If you widen the driveway a little, you could probably put it in there in the bend. Otherwise what about at the bend some kind of gate with a sensor that pops up when a car comes up to it, or something like that.

Mr. LeClair stated that with this site being the nature that it is, having so much front yard, it is a very tough site to lay out which is probably why it hasn't been developed yet. But when looking at this, out of the four predominant “do not enter” signs that are on the plan, three of the four are all signing one direction. And that would be somebody that would come in off of Old Canton Center and turning left you are almost hit with several signs, and they were asked to put up all those on there. But they are kind of redundant. Typically, the first one would be the one that somebody would see. Hypothetically, nobody is ever going to see the rest of them on the carwash site itself. Mr. LeClair also wanted to state that all of the driveways, with the exception of the driveway that immediately comes into the carwash, and the one in the driveway that immediately exits the carwash, are all wide enough to allow 2-way vehicles. So, if somebody did make a wrong turn in, there should be ample room for them to turn around. The only other exception to that is the area coming in right before the pay station, there is a driveway that goes between two of the future buildings. Mr. LeClair said that most of those “do not enter” signs are on areas that could go either way. They are not too concerned about it. They have used the pork chop idea in the past, and unfortunately it doesn't work most of the time and can become a little bit of a maintenance issue. They would prefer not to have it. Mr. LeClair said they may get the occasional person who goes down the wrong way of the driveway, but they just deal with it.

Mr. Okon expressed again his concerns. He doesn't know why they need to connect. He would like to see them park on the left side there all the way to the left, and Old Canton Center should be an “out only”. Mr. Okon stated there is just a lot going on here and expressed his concerns with the design.

Chairman Greene asked if Mr. Okon wants to eliminate the two-way scenarios coming off of Old Canton Center, but rather come in one entrance and out another. But then there would have to be signage directing at the proper entrance to come in. Chairman Greene said this isn't like driving the wrong way on an expressway, maybe they don't need as much signage in terms of “do not enter” and “one way”. Most times people use common sense. When they see other people going in, they follow them.

Chairman Greene asked if the Commission approves this tonight, can they look at the idea of pork chops to maybe help direct people physically rather than relying on them to read a sign. Is there more work that can be done as far as that's concerned?

Mr. Sloan stated that the Planning Commission can recommend plan modifications as a condition. The Commission would need to be specific in terms of what modifications, and that those modifications be incorporated prior to the Township Board review.

Chairman Greene stated there are more than four “do not enter” signs, there are multiples on the west side.

Mr. LeClair stated they would be more than happy to work with Staff to eliminate as many of these signs

as possible. They certainly want this to be a carwash in a commercial center rather than a center full of signs. Mr. LeClair understands they need to be a certain number of Fire Lane signs, but they certainly can eliminate several of the “do not enter” signs.

Chairman Greene stated there has to be a better solution to traffic control within the site without all the signage. There has to be a physical function that helps people through where they need to go.

Commissioner Weber stated he does not have anything to say that hasn't already been mentioned.

Commissioner Acharya stated he agrees with the concerns mentioned.

Commissioner Foster stated she agrees with what has been said. She wanted to add that she is happy about the recommendation for the smooth brick on the building.

Commissioner Engel stated he had no questions or comments to add.

Chairman Greene stated he had some other questions on the design. He noticed on the elevations it shows the tops of parapets, but he doesn't see any indication of top of roof. Chairman Greene said he is always concerned when buildings of this nature that are a little bit on the industrial side don't design to shield rooftop equipment from view.

Mr. LeClair stated they do not have any rooftop equipment on this site.

Chairman Greene said he is curious as to why they have the rounded design on the south elevation (exit). And the north elevation is squared off at the top. Why did they not go with rounded on both ends?

Mr. LeClair said he is not an architect, but he suspects that part of the reason for that is this building will be a little bit more visible from Michigan Avenue, so it gives it a little better look. From southbound Canton Center, when the other buildings are built, this building is going to be hidden by quite a bit of landscaping, so it's more of an interior elevation. That may be why they did that.

Chairman Green stated that he has said this many times for projects in Canton: There are no views that are not seen by people. In fact, on this one, the north elevation is the most visible of all the building elevations. Whether they are both flat or both rounded, they should be more consistent. Chairman Greene stated he likes the rounded look on the south, the north side looks more industrial.

Mr. LeClair stated they can certainly bring that back before going to the Board. They can make them consistent one way or the other.

Chairman Greene mentioned the lights on the outside. He likes the fact that they are putting lights on all the pillars and on all sides. He is a little concerned, once this project gets started, about that southern drive through which up until now has been open. Once all the buildings are up, that area will become an alley. Chairman Greene wants to be sure that the whole project there is going to be well lit at night in the future.

Mr. LeClair stated that they meet the requirements of the Township (the photometric plan was displayed on screen). One of the revisions was due to Staff asking to add a couple additional lights adjacent to each of the entry points. Mr. LeClair feels comfortable that they have met the Ordinance requirements.

Chairman Greene asked, when cars come out of the carwash, there is a relatively short distance before they turn. His experience with carwashes is, most of the time people have brought a towel to finish drying, or somebody is standing there drying off cars to make some cash. It doesn't look like there is a lot of room

there for people to stop and do that. Did they take that into consideration with the curvature design of the drive-out?

Mr. LeClair stated, yes. As the vehicles exits the carwash they make a left turn and then head back parallel to the building. That first bank of angled parking are all bays where they will have vacuums. So, they can vacuum and dry off your car there. If you don't want to vacuum, you go past that and then the next bank of bays just before you get to the dumpster, those are all drying stations.

Chairman Greene asked Mr. Sloan if the applicant will be required to fulfill the Ordinance sidewalk requirements for the entire site with this first phase?

Mr. Sloan stated that, based on the plan, it looks like the sidewalk will be built along Old Canton Center Road up to the intersection of Canton Center Road. So that's included along that area.

Mr. LeClair stated there is already a sidewalk on the Canton Center Road side.

Mr. Sloan displayed an aerial view that was taken about a week ago, showing the sidewalk along Canton Center Road.

Chairman Greene asked to hear from the Commission members. Do we want to approve this but maybe with some conditions in terms of eliminating some of the signage, or do we let it go as designed?

Commissioner Weber stated he thought this would be referred to Staff to work with them on coming up with alternatives to the signage.

Chairman Greene asked if that was satisfactory with everyone.

All Commission members present were in agreement.

Motion by Weber, supported by Engel, to move to recommend approval of the site plan for an automobile wash establishment use on parcel no. 71-129-99-0002-710, subject to the concrete brick product being smooth faced, the LED Accent Lighting being concealed pursuant to Section 2.13 of the Zoning Ordinance, and a landscape modification pursuant to Section 5.07 of the Zoning Ordinance to not require the foundation landscape area on the east side of the building and to allow the required foundation trees and shrubs to be planted elsewhere on the site, and for the petitioner to work with Planning Staff to eliminate or come to a better solution to all the Do Not Enter signs on the property.

Commissioner Engel called the vote:

Ayes: Foster, Acharya, Eggenberger, Okon, Weber, Singh, Engel, and Greene

No: Okon

Motion passed by roll call vote, 7-1.

Chairman Greene stated this will now move forward to the Trustees.

**NEW BUSINESS-STAFF REFERRAL**

There were no New Business items to refer to Staff.

**NEW BUSINESS-SET PUBLIC HEARING FOR AUGUST 2, 2021**

- 8. 062-PDP-6757      **MONARK GROVE CANTON** – Set public hearing for review of Final PDD for parcel nos. 062-99-0004-000, 062-99-0005-000, 036-01-0003-003, 036-01-0003-005, 036-01-0003-006, 036-01-0004-001, 036-01-0004-002 & 036-01-0005-000. Property is located south of Ford Road, between Canton Center Road and Beck Road.
  
- 025-PDDA-6803      **RIDGE CREEK** – Set public hearing for review of PDD Amendment for parcel no. 025-99-0004-701. Property is located west of Ridge Road, between Warren Road and Hanford Road.
  
- 132-PDDA-6616      **PANDA EXPRESS RESTAURANT** – Set public hearing for review of PDD Amendment for parcel no. 132-99-0003-701 (part of). Property is located south of Michigan Avenue and west of Belleville Road.

Motion Engel, supported by Eggenberger, to set the Public Hearing for August 2, 2021. Motion passed unanimously by roll call vote, 8-0.

Commissioner Weber asked if there is any talk of when the Commission will be going back to in-person meetings.

Mr. Sloan stated that the resolution or the declaration from Wayne County Health Department that allows for virtual meetings was extended through the end of the year. Any in-person meetings would just be at the determination of the body that’s meeting. Mr. Sloan mentioned that the ZBA met in-person at its last meeting. The ZBA has five members so spacing wasn’t an issue, and it wasn’t a heavily attended meeting. So, it will be up to the Planning Commission when everyone is ready to come back in person, then we can work out the logistics. Mr. Sloan said the Public Notices for the August meeting were due last week and that meeting is advertised as being via Zoom. Come September, we could make the decision to go back to in-person if we would like to. Mr. Sloan believes the Board is going back to in-person in August. Commissioner Foster could speak more to that.

Commissioner Foster stated that the Board is planning to go back in August. She is not sure if it will be the first meeting date in August or the second. The Board has approved some AV equipment which would allow the Board Meetings to be live-streamed, and for residents to be able to participate remotely if they were not able to make it into the Township Board Offices for a meeting.

Commissioner Eggenberger mentioned she is on the Canton Library Board and they are meeting in person this Thursday.

Chairman Greene said the Commission would not be expected to go to the Village Theatre for the meetings, but go back to the Township Board Room. Would that be correct?

Mr. Sloan stated he believes so, especially if there are not the distancing requirements. There may still be mask requirements in the Township facility for those who are not vaccinated. There may be some pre-screening.

Chairman Greene mentioned there may also be the possibility of a second meeting. The Commission used to meet on the 1st and 3<sup>rd</sup> Monday of the month a long time ago. It looks like there may be a possibility for

this again.

Mr. Sloan stated he does not see any issues with this. If it's a public hearing, they would need to know a month in advance for publication purposes; but if it's an item that doesn't require a public hearing, they could certainly schedule an additional meeting in the month. Typically, it would be the 3<sup>rd</sup> Monday.

Chairman Greene said he would leave that up to Mr. Sloan to determine if a second meeting is needed.

**ADJOURN**

Motion by Engel, supported by Weber to adjourn the meeting. Motion passed unanimously by roll call vote, 8-0. Meeting adjourned at 9:40pm.

Melanie A. Sherwood  
Recording Secretary