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2 Green Oak Charter Township  
3 Planning Commission  
4 Regular Meeting Minutes  
5 February 15, 2018

6 Approved: \_\_\_\_\_

7 The meeting was called to order by Mr. Smigliani at 7:00 p.m.

8  
9 Roll Call: Tim Keyser  
10 Keith Lee  
11 Sarah Pearsall  
12 Michael Sedlak  
13 Deborah Sellis, arrived 7:08  
14 Lamberto Smigliani  
15 Michelle Stock

16  
17 Absent: Tim Keyser

18  
19 Also Present: Debra McKenzie, Zoning Administrator  
20 Paul Montagno, Carlisle Wortman

21  
22 Guests: 4  
23  
24

25 **APPROVAL OF AGENDA**

26  
27 **Motion by Pearsall, second by Stock**  
28 **To approve the agenda as presented.**

29  
30 **Voice Vote: Ayes: Unanimous**  
31 **Nays: None**

32  
33 **MOTION APPROVED**

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35 **Approval of the February 1, 2018 Regular Meeting Minutes**

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37 **Motion by Sedlak, second by Pearsall**  
38 **To approve the minutes of February 1, 2018 as presented.**

39  
40 **Voice Vote: Ayes: Unanimous**  
41 **Nays: None**

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43 **MOTION APPROVED**

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45 **CALL TO THE PUBLIC - None**  
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50 **BUSINESS ITEMS**

- 51
- 52 **1. Public Hearing for R02-2018 the Shoppes at Green Oak also known as the**
- 53 **Gateway to the Shoppes at Green Oak. The request is an Amendment to R**
- 54 **01-2018 PUD, Planned Unit Development Agreement. This amendment**
- 55 **would allow an additional drive thru fast food restaurant next to Olive Garden**
- 56 **and GHI Fridays.**
- 57

58 Mr. Montagno referenced the Carlisle Wortman memo dated January 24, 2018. He

59 explained a new site plan has been submitted but he has not had time to review it. This

60 will constitute a 2<sup>nd</sup> fast food restaurant with a drive through and that was not permitted

61 which is why this is before the Planning Commission for a public hearing. He explained

62 there are a number of issues that have been identified with the initial plan submittal. The

63 following outstanding items must be addressed before action is taken on the plans:

64

- 65 1. The PUD agreement must be amended to allow for drive-through, or the proposed
- 66 drive-through must be removed from the development plans.
- 67 2. Update the drawing to indicate the appropriate setback lines and add calculations
- 68 for impervious surface.
- 69 3. The drive-through arrangement should be redesigned or the entry should be moved
- 70 to avoid potential conflicts between the drive-through que and vehicles entering or
- 71 exiting the site, or the applicant should clarify typical operations and wait times.
- 72 4. The Fire Marshal should review this arrangement to determine if the site provides
- 73 appropriate access for the Township's fire apparatus. A turning template should
- 74 be added to the plan.
- 75 5. Provide a pedestrian connection and crossing between the Whitmore Lake
- 76 sidewalk and the building.
- 77 6. Pavement markings or a change in material must be provided where the walkway
- 78 crosses the drive-through lane.
- 79 7. Reduce the proposed parking by 18 spaces.
- 80 8. Provide one loading space at 10 feet by 50 feet.
- 81 9. Calculations must be provided that demonstrate compliance with all required
- 82 landscape standards.
- 83 10. Provide a scaled drawing of the proposed light fixtures on the plan.
- 84 11. Include proposed accent lighting on the site lighting plan.
- 85 12. Provide a scaled drawing of the proposed light fixtures on the plan.
- 86 13. Include proposed accent lighting on the site lighting plan.
- 87 14. Reduce wall signage to no more than 2 building faces.
- 88 15. Reduce signage area to a total of no more than 100 s.f., per the approved PUD.
- 89

90 Mike Houseman

91

92 Mr. Mike Houseman was representing Culvers and explained they are asking for the

93 amendment to the PUD in regard to the site plan items they have all been addressed as

94 well as the Fire Marshal requests. They are planning a mix of stone and siding. They

95 are asking for permission to allow another drive thru within the PUD, they would like to

96 have 4 sign locations with a total of 135 sq. ft. The building has frontage on 3 roads and

97 a parking lot so he felt it was a reasonable request. There is no monument sign. Mr.

98 Montagno explained there are no individual ground signs permitted per the PUD.

99

100 Ms. Stock questioned why was another drive through not permitted? Mr. Montagno  
101 explained this was in 2003 and he believed there was concern about the changing nature  
102 of the area, it was reasonable protection of the area. Clerk Sedlak explained the concern  
103 was they would end up with every brand and a kind of fast food restaurant row.

104

105 Mr. Lee felt it would be tight as far as a traffic standpoint. How much of the business  
106 would be drive through vs. eat in. Mr. Houseman explained they consider themselves  
107 fast-casual and are usually 30-32% drive through and the rest is sit down. Mr. Houseman  
108 stated when corporate reviewed this they were happy with the stacking, they prefer the  
109 fast-casual style and they look at that very closely.

110

111 Mr. Smigliani opened the public hearing at 7:21 p.m. and closed it due to no one wishing  
112 to make comment.

113

114 There was discussion regarding the number of signs being requested. The Planning  
115 Commission felt two signs was sufficient.

116

117 Mr. Houseman confirmed the hours of operation are 10:00 a.m. to Midnight.

118

119 Mr. Lee felt there could be an issue with the drive thru traffic having to go through the  
120 parking lot to exit. Mr. Houseman explained it is a very common setup, and there is a 2<sup>nd</sup>  
121 entrance from the TGI Fridays. The peak hour traffic is very passive.

122

123 Mr. Montagno explained they asked for better crossings and they are doing some striping.

124

125 Mr. Montagno explained adding another drive through at this point would not lead to a  
126 fast food row affect. Ms. Stock explained the dumpster enclosure should be more  
127 consistent with the stone. Mr. Houseman agreed and explained that the plan does show  
128 stone.

129

130 The landscape plan was briefly reviewed and noted the dumpster enclosure was  
131 screened and consistent with the other sites in the PUD.

132

133 Mr. Montagno stated he had enough information to draft a resolution.

134

135 **Motion by Sedlak, second by Pearsall**

136 **To postpone action on 02-2018 until new plans have been reviewed and**  
137 **direct staff to draft a resolution of findings and recommendation of approval.**

138

139 **Roll Call Vote: Ayes: Unanimous**  
140 **Nays: None**

141

142 **MOTION APPROVED**

143

- 144 2. **Dennis Dubuc R 01-2018, Conditional Rezoning of property located at 10638**  
145 **Rushton Road, Dennis Dubuc property, #4716-26-301-036 (4.35 acres)**  
146 **present Zoning R2, Requested Zoning RM Conditional**

147

148 Mr. Montagno explained a public hearing was held and since that time a letter was  
149 submitted dated 2/6/18 in which conditions for rezoning were listed and included the  
150 following:

- 151
- 152 • The existing foster care home will be enlarged to accommodate 12 adult foster  
153 care residents;
- 154 • At no time will any other homes, apartments, duplexes or other forms of domicile  
155 be constructed on the property;
- 156 • The purpose of the conditional RM Zoning request is for one purpose only that is  
157 to permit the existing State licensed adult foster care home which is limited to 6  
158 residents to be enlarged to a small group which has a limit of 12 residents;
- 159 • See attached drawings subject to plot plan and building plan approval.
- 160

161 Mr. Montagno explained there was concern going to RM zoning because of the potential  
162 density that could happen. Based on these limitations the staff feels it limits the use of  
163 the site to just the Adult Foster Care and to 12 residents.

164

165 A resolution was drafted and provided to the Planning Commission.

166

167 Mr. Dubuc stated he has not seen the resolution in draft form. Mr. Smigliani provided the  
168 resolution to Mr. Dubuc so he can read through it. Mr. Montagno briefly reviewed the  
169 findings of fact.

170

171 Clerk Sedlak noted he visited the site and commented it is a really nice site and the  
172 residents are well taken care of, he thought this would be an enhancement.

173

174 Mr. Lee stated this is exactly what they wanted. Ms. Stock agreed.

175

176 **Motion by Sedlak, second by Pearsall**  
177 **Recommendation of rezoning R 01-2018 dated 2/18/18 and accept**  
178 **recommendation on the conditional rezoning with the change in item G) of**  
179 **one mis-spelling.**

180

181 **Whereas, the Township received a petition from Dennis Dubuc for a rezoning**  
182 **from R2- Single Family to RM – Multiple Family on a parcel with parcel ID**  
183 **number 16-26-301-036, otherwise known as 10638 Rushton Rd., and**

184

185 **Whereas, the subject parcel is 5 acres and is currently developed with a**  
186 **single-family home that is used for adult foster care small group home,**  
187 **which can accommodate up to 6 adults based on the current R2 zoning; and**

188

189 **Whereas, the Future Land Use Plan designates the subject site as Medium**  
190 **Density Residential which equate to the R3 – single Family Residential**  
191 **Zoning district based on the Zoning Plan in the Master Plan; and**

192

193 **Whereas, the Planning Commission held a public hearing which was**  
194 **appropriately noticed on this matter on January 18, 2018, and received**  
195 **comments from the public; and**

196

197 Whereas, the applicant has subsequently provided voluntary conditions in a  
198 letter dated February 6, 2018, that limit development of the site specifically  
199 for the expansion of the adult foster care facility to a maximum of 12 resident,  
200 further stating that no other housing units may be constructed on the site;  
201 and  
202

203 Whereas, the Planning Commission has reviewed the proposed conditional  
204 rezoning petition in terms of the standard stated within Section 38-539 of the  
205 Zoning Ordinance and finds the following:  
206

- 207 a) The future land use map in the Master Plan designates this area and  
208 the surrounding area as medium Density Residential. Though RM  
209 would allow for a greater density than what would be consistent with  
210 the plan, the conditions that limit the development of the site would  
211 make the site more consistent with the Master Plan.  
212
- 213 b) The uses of the site for an expanded adult foster care small group  
214 home, which would be allowed under the proposed rezoning, would  
215 be compatible with other uses in the surrounding area based on the  
216 size of the site, existing activity, and expectation of a continued similar  
217 intensity.  
218
- 219 c) Public services and facilities would not be significantly adversely  
220 impacted by a development or use allowed under the requested  
221 rezoning.  
222
- 223 d) The proposed use is an expansion of the existing use which appears  
224 to be well suited to the area.  
225
- 226 e) This site is too small to have significant effect the condition and/or  
227 value of property in the township as a whole or neighboring  
228 communities.  
229
- 230 f) The conditions on this site have changes since the original ordinance  
231 was adopted due to the development of the existing single-family  
232 home that is being used as adult foster care; and  
233
- 234 g) Due to the proposed conditions that limit the use of the site to only a  
235 12-unit adult foster care small group home facility and prohibit the  
236 development of other housing units on the site, the approval of this  
237 petition will not set a negative precedent.  
238

239 Now therefore be it resolved, that the Planning Commission recommends  
240 approval of the Dubuc Conditional Rezoning to the Township Board with the  
241 acceptance and incorporation of the conditions provided by the applicant in  
242 a letter dated February 6, 2018.  
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244 **Roll Call Vote: Ayes: Unanimous**  
245 **Nays: None**

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**MOTION APPROVED**

**REPORTS**

**Chairman** – None  
**Township Board Representative** – None  
**ZBA Representative**- None

**Planning Consultant** – Mr. Montagno discussed the need for the Planning Commission to come up with a plan to make some benchmarks and bring the items back that were discussed at the joint session.

**Correspondence**

Mr. Smigliani reported he had someone ask what kind of community involvement the Township was looking for. Ms. McKenzie stated they are looking for people for the Building Authority, Zoning Board of Appeals and the Historical Society.

**CALL TO THE PUBLIC** - None

**ADJOURNMENT**

Mr. Smigliani adjourned the Planning Commission meeting at 8:00 p.m. due to no further business.

Respectfully Submitted,

*Kellie Angelosanto*

Kellie Angelosanto  
Recording Secretary