

**CITY OF FRASER PLANNING COMMISSION
MUNICIPAL BUILDING ~ 33000 GARFIELD ROAD
WEDNESDAY AUGUST 7, 2019 ~ 7:00 P.M.
APPROVED MINUTES**

PRESENT: CHAIRWOMAN: CZARNECKI

MEMBERS: BARR, COOK, KEIL, FARINA, PERRY, WARUNEK

EXCUSED ABSENCE: NONE

ALSO PRESENT:	CLARK ANDREWS	CITY ATTORNEY
	SARAH TRAXLER	CITY PLANNER
	DOUG PLACHCINSKI	CITY PLANNER/ZONING ADMINISTRATOR
	CANDACE SCHUVER	RECORDING SECRETARY

1. CALL MEETING TO ORDER:

Chair Czarnecki called the meeting to order at 7:02PM

2. ATTENDENCE

Chairwoman:	Czarnecki	Present
Members:	Barr	Present
	Cook	Present
	Farina	Present
	Keil	Present
	Perry	Present
	Warunek	Present

3. APPROVAL OF AGENDA ~ Regular meeting of August 7, 2019

Motion by Member: Farina **Support by Member:** Barr

TO: Approve the Agenda of August 7, 2019 as amended:

To move upward and address Site Plan item 7A and Special Land Use item 7C and Public Hearing item 5A thereafter for proposed site retail located at 34400 Utica Rd.

To move upward and address Site Plan item 7B and Special Land Use item 7d and Public Hearing item 5B thereafter for church conversion located at 15215 13 Mile Rd.

AYES: 7

NAYS: 0

MOTION CARRIED

4. APPROVAL OF MINUTES: July 15, 2019

Motion by Member: Keil **Support by Member:** Barr

TO: APPROVE THE JULY 15, 2019 MINUTES AS AMENDED:

On Page 2: To delete first bulleted item in the third paragraph on page two that reads "Applicant's submission meets requirements for Special Land Use"; To correct the second bulleted item to read "ordinance" rather than "variance".

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On Page 3: To correct name in second paragraph from Davis to David Hunter, PEA Civil Engineer; to delete "Public Hearing closed" in fourth paragraph, and delete "Postponed until August with no motion made"; to add Chair opened the floor to public comment. Acknowledging no one was present to speak, Chair closed the floor to public comment. There was no action required at July's meeting. It was announced a Public Hearing is scheduled for the August meeting.

On Page 4: The vote on the resolution should read:

AYES 5

NAYS 1 (Czarnecki)

MOTION CARRIED

Add comment: Chair Czarnecki asked the record to reflect she voted no because she would have preferred to give the applicant the opportunity to come before the Board with an explanation for the request to add the dumpster enclosure.

On Page 5: To include that an attorney will attend September's meeting in Attorney Clark Andrew's absence.

AYES: 7

NAYS: 0

MOTION CARRIED

5A. Public Hearings– 34400 Utica Road Retail Project:

#19-01 SLU SPECIAL LAND USE / JAMES BUTLER ON BEHALF OF A & A MANAGEMENT / PART OF 34400 UTICA ROAD / TO OBTAIN SPECIAL LAND USE APPROVAL FOR TWO PROPOSED FAST-FOOD RESTAURANTS WITH DRIVE THROUGH WINDOWS IN THE "CG- COMMERCIAL GENERAL" ZONING DISTRICT; THESE PROPOSED FAST-FOOD RESTAURANTS ARE PROPOSED TO BE LOCATED IN TWO OUTLOT COMMERCIAL DEVELOPMENT BUILDINGS CONTAINING FIVE TENANT SPACES.

Public Hearing open at 7:18pm.

Public to be heard:

Patrice Schornak – 32352 Crestwood

Public Hearing Closed at 8:21pm

Discussion was held amongst Commissioners, Representatives from Fraser Hockeyland and Civil Engineer, Jim Butler of PEA Inc.

#19-01 SLU SPECIAL LAND USE / JAMES BUTLER ON BEHALF OF A & A MANAGEMENT / PART OF 34400 UTICA ROAD / TO OBTAIN SPECIAL LAND USE APPROVAL FOR TWO PROPOSED FASTFOOD RESTAURANTS WITH DRIVE THROUGH WINDOWS IN THE "CG- COMMERCIAL GENERAL" ZONING DISTRICT; THESE PROPOSED FAST-FOOD RESTAURANTS ARE PROPOSED TO BE LOCATED IN TWO OUTLOT COMMERCIAL DEVELOPMENT BUILDINGS CONTAINING FIVE TENANT SPACES.

City Planner Traxler spoke on item.

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Motion by Cook

Support by Member Keil

TO: APPROVE #19-01 SLU SPECIAL LAND USE / JAMES BUTLER ON BEHALF OF A & A MANAGEMENT / PART OF 34400 UTICA ROAD / TO OBTAIN SPECIAL LAND USE APPROVAL FOR TWO PROPOSED FASTFOOD RESTAURANTS WITH DRIVE THROUGH WINDOWS IN THE “CG-COMMERCIAL GENERAL” ZONING DISTRICT; THESE PROPOSED FAST-FOOD RESTAURANTS ARE PROPOSED TO BE LOCATED IN TWO OUTLOT COMMERCIAL DEVELOPMENT BUILDINGS CONTAINING FIVE TENANT SPACES BECAUSE IT APPEARS ALL SPECIAL LAND USE STANDARDS HAVE BEEN MET

WITH THE FOLLOWING CONDITIONS:

- Applicant must comply with Site Plan Approval and all of the conditions set forth in it, which conditions are incorporated by reference as if fully set forth in this Special Land Use approval.
- One or more bike racks shall be installed and maintained at location(s) approved by the City Planner.
- Hours of operation for the outlot retail uses shall be limited to 6a.m. to 11p.m.

ROLL CALL VOTE:

CZARNECKI – YES
BARR- YES
COOK- YES
FARINA –NO
KEIL- YES
PERRY- YES
WARUNEK- YES
MOTION CARRIED.

#19-02 SP / SCOTT SEIG ON BEHALF OF A&A MANAGEMENT / PART OF 34400 UTICA ROAD / PROPOSED SITE RETAIL

City Planner Traxler spoke on item.

Applicant will be going in front of Zoning Board of Approval for parking variance.

Motion by Cook

Support by Member Warunek

TO: APPROVE #19-02 SP / SCOTT SEIG ON BEHALF OF A&A MANAGEMENT / PART OF 34400 UTICA ROAD / PROPOSED SITE RETAIL

WITH THE FOLLOWING CONDITIONS:

- Applicant must obtain a parking lot variance from the ZBA to allow the proposed reduced parking space count.
- Applicant must provide a 45-day advance notice of significant events (which include Extreme Events) and a plan to handle parking, traffic, and safe pedestrian circulation. A plan for Extreme Events must be submitted by Applicant to the City Development Team at least 45 days in advance of the proposed Extreme Event to be reviewed administratively by the City.

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- Applicant agrees to comply with the Plan for Extreme Event and all additional requirements imposed by the Development Review Team relating to the proposed parking management strategy for large-scale special events.
- Applicant agrees to employ adequate City Public Safety personnel at the Applicant's sole expense to handle traffic congestion and circulation problems, and facilitate orderly parking at Extreme Events and other events where traffic congestion and the need for overflow parking is anticipated in accordance with the past practice reimbursement process.
- Applicant must combine the three (3) subject parcels into a single zoning parcel with City Building and Assessing Departments and agree that they will be maintained and operated as a single parcel.
- All existing Fire Code violations for the integrated site (including the overall Fraser Hockeyland and the new retail portion) must be corrected as a condition of site plan approval.
- Applicant must adhere to the North Parking Lot Improvement plan as submitted by the Applicant.
- Any other City and governmental reviews and approvals must be obtained, including Special Land Use approval.
- Shared Parking and Lease Agreements with Total Soccer, the Lions Club, Meijer, and Fraser Schools must be reviewed and approved by the City Planner and City Attorney, and be recorded to place future owners on notice.
- Applicant must give the City 60 days' advance notice prior to the expiration or termination of any Shared Parking and Lease Agreements, provide alternate shared parking arrangements for review and approval by the City, and be subject to revocation if no suitable shared parking arrangement is provided.
- Cross Access Easements must be reviewed and approved by the City Planner and City Attorney and recorded.

ROLL CALL VOTE:

CZARNECKI – YES

BARR- YES

COOK- YES

FARINA – YES

KEIL- YES

PERRY- YES

WARUNEK- YES

MOTION CARRIED.

5B. Public Hearings– 15215 13 Mile Road Church Conversion:

#19-07 SP / PENTECOSTAL MISSIONARY CHURCH OF CHRIST (FOURTH WATCH) / 15215 13 MILE ROAD / CHURCH CONVERSION

City Planner Plachcinski spoke on Site Plan item as well as Special Land Use.

#19-04 SLU SPECIAL LAND USE / PENTECOSTAL MISSIONARY CHURCH OF CHRIST (FOURTH WATCH) / 15215 13 MILE ROAD / TO OBTAIN SPECIAL LAND USE APPROVAL FOR A CHURCH

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Discussion was held amongst Commissioners, Attorney, City Planners and Applicants Zierwin Zabala (Pastor), Mary Ferriol (Pentecostal Missionary Church) and Alex Termini (Broker).

Motion by Farina

Support by Member Warunek

TO: APPROVE #19-04 SLU SPECIAL LAND USE / PENTECOSTAL MISSIONARY CHURCH OF CHRIST (FOURTH WATCH) / 15215 13 MILE ROAD / TO OBTAIN SPECIAL LAND USE APPROVAL FOR A CHURCH

WITH THE FOLLOWING CONDITIONS:

- Variance approval from the Zoning Board of Appeals for street-side parking and building setback, minimum 2.0 acre property size and yard setback.
- Update barrier free spaces to current Michigan Building Code standards.
- The site must add four (4) internal trees and eight (8) street frontage trees.
- Provide an accessible route to the 13 Mile road sidewalk meeting Americans with Disabilities Act (ADA) requirements.
- Parking lot must be repaired/maintained before Certificate of Compliance is issued.

AYES 7

NAYS 0

MOTION CARRIED.

TO: APPROVE #19-07 SP / PENTECOSTAL MISSIONARY CHURCH OF CHRIST (FOURTH WATCH) / 15215 13 MILE ROAD / CHURCH CONVERSION

WITH THE FOLLOWING CONDITIONS:

- Variance approval from the Zoning Board of Appeals for street-side parking and building setback, minimum 2.0 acre property size and yard setback.
- Update barrier free spaces to current Michigan Building Code standards.
- The site must add four (4) internal trees and eight (8) street frontage trees.
- Provide an accessible route to the 13 Mile road sidewalk meeting Americans with Disabilities Act (ADA) requirements.
- Parking lot must be repaired/maintained before Certificate of Compliance is issued.
- The Planning Commission determines that site plan submission review requirements not shown on submitted plan are not necessary for the review and understanding of the site, therefore those requirements are waived, per section 32-133 of the Zoning Ordinance.

AYES 7

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NAYS 0

MOTION CARRIED.

8. NEW BUSINESS: NONE

9. OLD BUSINESS:

a. Discussion of By-Laws

Discussion held amongst Commission Members and City Attorney.

Motion by Farina Support by Member Keil

TO: APPROVE BY-LAWS AS AMENDED

AYES 7

NAYS 0

MOTION CARRIED.

b. Discussion of Master Plan

Discussion held amongst Commission Members and City Planner.

10. COMMISSIONERS COMMENTS/ CONCERNS / ZBA LIAISON

Chairwoman Czarnecki: Welcome Commissioner Warunek and congrats to Leah on the new baby.

Member Farina: No report from ZBA, Happy 50th Anniversary to his wife, and Festival at St. Malachy the third weekend in August.

Member Barr: Congrats to Leah and Randy.

Member Cook: Congrats to Leah and Randy. Goodfellows made over \$900 during the City Picnic, and Tour De Fraser Bike Tour/Poker Run is August 24th for \$25.

Member Keil: Congrats to Leah and welcome to Randy.

Member Perry: Nothing at this time.

City Planner Sarah Traxler: Introduced new City Planner/Zoning Administrator Doug Plachcinski and his new role with Fraser.

City Attorney Clark Andrews: Congrats to Leah and Frank, and welcome Randy and Doug.

City Planner/Zoning Administrator Doug Plachcinski: Spoke on his background.

11. PUBLIC TO BE HEARD: NONE

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12. ADJOURNMENT:

Motion by	Farina	Support by Member	Keil
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TO: Adjourn the meeting of August 7, 2019 at 10:04pm

AYES **7**

NAYS 0

MOTION CARRIED.

John Keil, Secretary

Candace Schuver, Recording Secretary