

**CITY OF FRASER
PLANNING COMMISSION
WEDNESDAY, NOVEMBER 6, 2019 – 7:00PM
MINUTES**

Present: Chairwoman Czarnecki, Commissioners: Barr, Cook, Farina, Keil, Perry, Warunek

Absent : NONE

Also, Present: Clark Andrews, City Attorney
Doug Plachcinski, Principal Planner
Wendy Caldwell, Associate Planner
Candace Schuver, Building Clerk

1. Call Meeting to Order/ Pledge of Allegiance

Chairwoman Czarnecki called the meeting to order at 7:00 PM

2. Roll Call	Chairwoman	Czarnecki	Present
	Commissioners:	Cook	Present
		Barr	Present
		Farina	Present
		Keil	Present
		Perry	Present
		Warunek	Present

3. Approval of Agenda

PLACHCINSKI reported that in advance of the meeting on November 6, 2019, he had received an email from the applicant under item 7.a. Commercial Fence Request on Commerce Drive. The applicant indicated that they would not be moving forward with the project at this time. PLACHCINSKI requested that this item be removed from the agenda.

Motion by Commissioner: KEIL **Support by Commissioner:** BARR

To: Approve the amended agenda.

AYES 7 NAYS 0 MOTION CARRIED.

4. Approval of Minutes – October 2, 2019

Chairwoman CZARNECKI indicated that the Planning Commission has received copies of the revised October 2, 2019 meeting minutes at the regular meeting on November 6, 2019. Changes were made to item 7a.

FARINA indicated that requests made by City Attorney ANDREWS at the October 2, 2019 meeting related to item 7a., were not included in the minutes and requested that the Commission postpone approving the minutes until the December meeting.

Motion by Commissioner: FARINA **Support by Commissioner:** KEIL

To: Postpone action on the approval of the minutes from the Planning Commission meeting held on October 2, 2019 until the next regular meeting in December to allow item 7a. to be reviewed and compared with the meeting video.

AYES 7 NAYS 0 MOTION CARRIED.

5. Chair's Opening Remarks

Chairwoman CZARNECKI read the formal statement relative to the powers of the Planning Commission and the facts and conditions for granting site plan approval.

**CITY OF FRASER
PLANNING COMMISSION
WEDNESDAY, NOVEMBER 6, 2019 – 7:00PM
MINUTES**

PLACHCINSKI introduced Wendy Caldwell, an Associate Planner with McKenna, to the Planning Commission.

6. Public Hearings:

a. Special Land Use Public Hearing - #19-06

Background Statement provided by Chairwoman CZARNECKI. 34865 Utica Road, Meijer Outlot Phase II, Verus Development Group, LLC. – Stonefield Engineering & Design.

PLACHCINSKI provided a brief overview of the request.

A portion of Meijer's frontage on Utica Road is currently under development with a small strip center that was approved last year. The purpose of this application is to move forward with Phase II of the outlot development for the approximately 0.7-acre area to the south of the current construction (between the construction site and Meijer's main east entry drive off Utica Road). The applicant proposes a 2,046 square foot fast food restaurant, Taco Bell, on the second outlot development. At this meeting, the Planning Commission should evaluate the Phase II Special Land Use, Phase II Site Plan, and Phase I Site Plan amendment.

With this second outlot development, 30 additional parking spaces will be removed from the Meijer parking program. Meijer had previously received a variance from the Zoning Board of Appeals to reduce its parking spaces in 2018. This out-lot development would require the removal of 30 additional spaces, necessitating the applicant to request the additional variance. Any approvals granted at this meeting should be conditioned on not only the requirements for special land uses, site plans, and site plan amendments, but also on the applicant's receiving that additional variance to remove the 30 additional parking spaces from the Meijer parking total.

QUESTIONS FOR THE ADMINISTRATION: FARINA inquired about the reduction of four (4) spaces for Phase II development. PLACHCINSKI confirmed that the total number of parking spaces on both outlots (1 & 2) is 99 spaces. The ZBA required Phase I to have 69 spaces. Phase II must have 30 spaces. Meijer will lose 30 spaces. Although Phase II is removing six (6) spaces to adjust the parking, they add four (4) spaces. WARUNEK expressed concerns about traffic flow around the entrance of the driveway near the proposed Taco Bell drive-thru where headlights from opposing traffic would disturb the drivers' vision. FARINA inquired about whether this development has been examined by Public Safety. PLACHCINSKI confirmed that the City Engineer reviewed this site plan. WARUNEK added that this may be an issue unless something is added to block the lights and should be added under the special land use approval. PLACHCINSKI confirmed there is adequate room for landscaping along the drive.

CZARNECKI requested that PLACHCINSKI confirm the outlot building as shown on the north part of the site, currently under construction, and Phase II is Taco Bell to the south. FARINA inquired about Phase III of this project. PLACHCINSKI responded that he is not aware of whether or not there is a Phase III. FARINA expressed concerns about Meijer's overall parking program including obligations to Fraser Hockeyland. PLACHCINSKI responded that this will require an assessment of parking demand and that the applicant should bring that information when Meijer requests their parking variance.

Applicants Present: Reid Cooksey, Stonefield Engineering & Design and Frank Arcori, Verus Development Group

The applicants presented a project overview and submitted a letter from Meijer indicating that the parking present was more than twice what the site needed and demanded. CZARNECKI read the letter into the record.

BOARD QUESTIONS FOR THE PETITIONER: FARINA inquired about and the applicant explained snow removal on the site. ANDREWS advised that the easement agreement contained no shared parking with Meijer.

**CITY OF FRASER
PLANNING COMMISSION
WEDNESDAY, NOVEMBER 6, 2019 – 7:00PM
MINUTES**

CZARNECKI asked the applicant to explain the exterior finishes and signage, which they did. PLACHCINSKI added that McKenna will work with Meijer and the applicant to determine appropriate sign placement.

Public Hearing OPENED: 7:49 pm

PUBLIC COMMENT: None

Public Hearing CLOSED: 7:49 pm

7. Site Plans and Other Reviews:

a. (Removed from the agenda)

b. Special Land Use #19-06 and Site Plan #19-11

34865 Utica Road, Meijer Outlot Phase II

Verus Group, LLC – Stonefield Engineering & Design

PLACHCINSKI provided a report from McKenna which went through the items A-H that the Planning Commission must review when considering a Special Land Use, some of which address nuisance glare with additional landscaping, improve the drive-up use appearance and screening for this fast food restaurant.

Motion by Member: WARUNEK (TO APPROVE W CONDITIONS) **Support by Member:** COOK

To: Approve Special Land Use #19-06 for Meijer Outlot Phase II fast food restaurant with the following conditions:

1. Additional landscape screening along the south property line to shield the main driveway from the headlight glare of the cars in line at the drive-through window;
2. Proper reviews to be completed by reviewing entities (e.g. reviews by Public Safety and Fire) to ensure the Health, Safety, and Welfare of the Community;
3. The applicant obtains all necessary ZBA approvals;
4. The Special Land use meets all eight (8) standards of the Special Land Use criteria defined in the zoning ordinance;
5. Shared parking and cross access easements are reviewed and approved by the City Attorney, executed, and recorded between Phase I and Phase II outlot developments; and
6. All information related to this Special Land Use is filed properly.

AYES 7 NAYS 0 MOTION CARRIED.

Motion by Member: WARUNEK (TO APPROVE W CONDITIONS) **Support by Member:** FARINA

To: Approve site plan #19-11 for Meijer Outlot Phase II with the following conditions

1. Additional landscape screening along the south property line to shield the main driveway from the headlight glare of the cars in line at the drive-through window;
2. Proper reviews to be completed by reviewing entities (e.g. reviews by Public Safety and Fire) to ensure the Health, Safety, and Welfare of the Community;
3. Shared parking and cross access easements are reviewed and approved by the City Attorney, executed, and recorded between Phase I and Phase II outlot developments;
4. The applicant obtains all necessary ZBA approvals.

**CITY OF FRASER
PLANNING COMMISSION
WEDNESDAY, NOVEMBER 6, 2019 – 7:00PM
MINUTES**

AYES 7 NAYS 0 MOTION CARRIED.

c. Site Plan Amendment #18-10

34865 Utica Road, Meijer Outlot Phase II

Verus Group, LLC – Stonefield Engineering & Design

PLACHCINSKI stated that the Planning Commission could approve the Site Plan Amendment #18-10 with contingencies for shared parking and cross access agreements reviewed and approved by the City Attorney, executed by the involved parties and recorded at the Macomb County Register of Deeds so that they run with the land because the parking provided between Phases I and II of the outlot developments meets the Zoning Ordinance standards and previously-granted ZBA variances.

Motion by Member: FARINA (APPROVE W CONDITIONS) **Support by Member:** KEIL

To: Approve the amendment to the Site Plan #18-10 with contingencies for shared parking and cross access agreements reviewed and approved by the City Attorney, executed by the involved parties and recorded at the Macomb County Register of Deeds so that they run with the land because the parking provided between Phases I and II of the outlot developments meets the Zoning Ordinance standards and previously-granted ZBA variances.

AYES 7 NAYS 0 MOTION CARRIED.

8. Unfinished Business: None

PLACHCINSKI provided an update on the St. John's project and the neighbor's flooding concerns.

9. New Business: None

10. Public Communications (Items Not on the agenda): None

11. Commissioners Comments/Concerns

FARINA asked for an update to the Hockeyland development. PLACHCINSKI and ANDREWS indicated that the City is working with the applicant and it is up to them to resolve how to divide their land so the City's approvals and needs remain protected.

COOK shared the Goodfellow report. Papers will be sold on the corners on November 22 and 23 and possibly on the 29th and 30th of November if enough individuals are available to help on those days.

PLACHCINSKI shared an invite on behalf of the business owner, to the Free Play Pinball Arcade Private pre-opening on Saturday November 9 from noon-close at the old Miami Tile on Utica Road.

ANDREWS introduced Alyssa Albright, a recently hired attorney, to the Commission.

12. ZBA Liaison Report

FARINA described last month's Healthmark sign variance, Hockeyland's variance requests, the upcoming Fraser Eyecare screening wall variance, and the ZBA bylaws update.

13. Old Business (Items Not on the Agenda)

PLACHCINSKI shared information related to the brief summary report from the fall Fire Department Open House in Fraser. McKenna hosted a table adjacent to the Clerk's table where the public was engaged. This information is provided in the summary report. Since Sarah Traxler was unable to attend the meeting because of a family funeral, the Planning Commission agreed to postpone further discussion of the Master Plan update until the December meeting.

14. Adjournment

**CITY OF FRASER
PLANNING COMMISSION
WEDNESDAY, NOVEMBER 6, 2019 – 7:00PM
MINUTES**

Motion by Member: KEIL (TO ADJOURN) **Support by Member:** BARR

To: Adjourn the meeting on November 6, 2019 at 8:35

AYES 7 NAYS 0 MOTION CARRIED.

PC Secretary, John Kiel

Recording Secretary, Wendy Caldwell