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City of Fraser

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AS APPROVED 10/4/2023
CITY OF FRASER PLANNING COMMISSION MINUTES
CITY COUNCIL CHAMBERS
33000 GARFIELD, FRASER, MI 48026
WEDNESDAY, SEPTEMBER 6, 2023 @ 7:00 P.M.

1. CALL MEETING TO ORDER

The meeting was called to order at 7:00 p.m. by Chair Czarnecki

Chair Czarnecki led the pledge of Allegiance.

2. ROLL CALL:

PRESENT: Czarnecki, Farina, Keil, Meyer, Perry, Warunek

ABSENT: Barr

Motion by Farina supported by Warunek to excuse Commissioner Barr from the September 6, 2023 City of Fraser Planning Commission.

AYES: Czarnecki, Farina, Keil, Meyer, Perry, Warunek

NAYS: None Motion Carried

Others Present: City Attorney Ericson, City Planner Sayre, City Clerk Greenia

3. APPROVAL OF AGENDA

Chair Czarnecki added Item 6bi to be Site Plan Review Popeye's Chicken and moved the current Item 6bi to 6bii Site Plan Review 23-03

Motion by Keil supported by Meyer to approve the agenda of the September 6, 2023 City of Fraser Planning Commission Meeting as revised.

AYES: Czarnecki, Farina, Keil, Meyer, Perry, Warunek

NAYS: None

Motion Carried

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4. CHAIR'S OPENING REMARKS

Chair Czarnecki read the formal statement relative to the powers of the Planning Commission and the facts and conditions for granting site plan approval as well as the process for public hearings and Special Land uses.

5. APPROVAL OF MINUTES – AUGUST 2, 2023

Commission Meyer had the following corrections to the August 2, 2023 Planning Commission minutes:

Page 2 under New Business Public Hearings SLU 23-01

First paragraph under discussion should read:

Planner Sayre presented the planners report for 31000 Groesbeck, Auto Repair Special Land Use (add the L to Land).

Page 3 under same discussion paragraph seven (7) should refer to a commissioner noting that no outside storage would be allowed at this property.

There were no other corrections.

Motion by Farina supported by Perry to approve the minutes of the August 2, 2023 City of Fraser Planning Commission as revised.

AYES: Czarnecki, Farina, Keil, Meyer, Perry, Warunek

NAYS: None

Motion Carried

6. NEW BUSINESS

a. Public Notices:

- i. SP Class A Land Use – 31401 Groesbeck, Popeye's Chicken, Non-Conforming Status Which Allows the Use, Alteration or Enlargement Of a Non-Conforming Use, Structure or Land.**

City Planner Lauren Sayre went over her review of the application with the Planning Commission. Public notice had been published in the paper as well as Notices mailed out to the required properties.

She addressed the four considerations that needed to be addressed in order for This property to meet with the Special Land Use Class A designation. Planner Sayre recommended approval of this application.

At this time City Attorney Ericson advised the Planning Commission that changing the non-conforming status to allow use, alteration or enlargement of the site is the appropriate mechanism should the Board want to place any conditions on approval of the

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site plan application, noting such conditions might relate to the parking, screening and lighting standards

Planning Commission discussed what appropriate screening would be.

Phil Ruggeri was present on behalf of the applicant. He reviewed that he and his partners had purchased this property a couple of years ago. It needed substantial improvements. When the site was first approved it was in complete compliance with the zoning and standards that was in effect at that time. He added that this would be a pick-up only, no eating on site restaurant. Commission discussed some of their thoughts regarding screening at this site with the applicant.

The Public Hearing was opened at 7:29 p.m.

There was no public comment heard at this time.

Chair Czarnecki closed the Public Hearing at 7:29 p.m..

Motion by Farina supported by Perry to approve Site Plan Class A Land Use Status for Popeye's Chicken, 31401 Groesbeck Highway, Fraser, Michigan with the following conditions:

- The current parking of 17 spots be allowed if it is determined by the applicant that 18 is not a possible fit for this site and will be approved by the Building Department and McKenna and Associates;
- a. The landscape screening is updated or changed to a more appealing screening and will be approved by the Building Department and McKenna and Associates.
- b. The lighting will be updated to be in compliance with current Lighting Standards as required by the City of Fraser Zoning Ordinance and will be approved by the Building Department and McKenna and Associates and;
- c. The current ingress and egress will be acceptable as it currently is.

Discussion on the motion on the floor.

Chair Czarnecki indicated the screening referenced in the Resolution is not a masonry wall but rather landscape screening or an update to the chain link fence screening.

Vote on the motion on the floor.

AYES: Czarnecki, Farina, Keil, Meyer, Perry, Warunek

NAYS: None

Motion Carried

b. Site Plan and Other Review

i. Site Plan 23-02 31401 Groesbeck, Popeye's Chicken, Fraser, Michigan

Planner Sayre went over her review with the Planning Commission. She indicated that they recommended approval of the site plan.

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Mr. Ruggeria approached Planning Commission to review the Site Plan. Chair Czarnecki indicated that there was not a full Commission tonight and asked the applicant if he still wished to proceed with this review. He stated he did.

Chair Czarnecki asked the applicant to confirm that all planting notations are designated on the landscape plan.

Motion by Farina supported by Keil to approve Site Plan #23-02 Popeye's Chicken, 31401 Groesbeck, Fraser, Michigan noting that conditions regarding parking spaces, landscape screening, lighting plan, and ingress and egress were approved as part of the Special Land Use Class A designation for this property:

AYES: Czarnecki, Farina, Keil, Meyer, Perry, Warunek

NAYS: None

Motion Carried

**ii. Site Plan Review # 23-03 32660 Utica Road, Fraser, Michigan
Proposal to demolish existing car wash on site and replace
it with a new three (3) unit strip mall.**

Planner Sayre went over her review with Planning Commission. She indicated that they recommended tabling this Site Plan at this time. A brief discussion was had regarding the planting at the site.

Sam Thomas, architect, was present on behalf of the applicant. He reviewed that due to the nature of the lot size they were very limited to space. Additional discussion was had regarding building materials being used, landscape screening, the location of the loading space, one parking space that is required to meet parking requirements and directional notations on the site plan. Commissioner Meyer questioned as to whether or not the Planning Commission could ask the applicant to do the loading and unloading during "off hours". Attorney Ericson stated she would check into this.

Chair Czarnecki noted that a dimensional parking setback variance is required prior to consideration of site plan approval. She also asked the applicant to provide a bike rack on the site.

There was no public comment on this matter.

Motion by Keil supported by Farina to postpone a decision on Site Plan #23-03 32660 Utica Road, Fraser, Michigan with the condition that the applicant obtain any and all required variances prior to consideration of approval being granted.

AYES: Czarnecki, Farina, Keil, Meyer, Perry, Warunek

NAYS: None

Motion Carried

7. UNFINISHED BUSINESS

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a. SLU/SP Review #23-01 31000 Groesbeck

To obtain a Special Land Use Approval to Allow an Auto Repair and Service Center in a “CG Commercial General” Zoning District. Public Hearing was held on 8/2/2023 on the Special Land Use.

Chair Czarnecki noted there had been a public hearing on this Special Land Use on August 2, 2023 and there was no public comment on the matter.

Commissioner Farina exited the meeting at 7:59 p.m. and returned at 8:01 p.m.

Planner Lauren Sayre went over her review of this site plan application. She indicated that they were not planning on changing the building size.

Commissioner Warunek stated that the building was an auto repair shop for thirty (30) years prior to the current use. In his opinion the applicant has addressed all concerns that were discussed at the August 2, 2023 meeting.

Planning Commission felt this business was a good use for this site. Further discussion was had on the City Engineer review of the plan relating to an accessible route from the public sidewalk to the building entrance and concerns with maneuverability of the parking spaces as shown on the plan.

Commissioner Warunek suggested angling the parking spaces might alleviate concerns of maneuverability.

Chair Czarnecki asked if the applicant would like to proceed with action on the site plan as there was not a full Planning Commission. The applicant stated that they would like to proceed.

Motion by Warunek supported by Farina to approve SLU/SP #23-01, 31000 Groesbeck, Fraser, Michigan to allow an auto repair facility at that location with the following condition:

1. Provide an accessible route from the public sidewalk to the building entrance.

AYES: Czarnecki, Farina, Keil, Meyer, Perry, Warunek

NAYS: None

Motion Carried

b. Hockeyland Parking Discussion

Randi Hermiz, General Counsel for Big Boy Properties was present on behalf of Hockeyland. He reviewed the history of the site at Hockeyland as well as Big Boy. It had been an ongoing project and the Planning Commission had agreed to let them begin work on it prior to getting all the required parking. The applicant had agreed to get in recordable fashion shared parking agreements with some other businesses in the City.

They were getting anxious to open the Big Boy Restaurant but due to the parking agreements not being ready yet this building was not going to get a Certificate of Occupancy and could not open.

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The parking agreements were to be made for occasions of “Extreme Events” at Hockeyland. Prior to any of these type of events the applicant would have to approach the City for permission to hold them. They were frustrated that they could not move along with the project due to the parking agreements not being completed at this time.

The applicant reviewed the parking agreements and improvements they had made since they came before the Planning Commission originally. They had made an agreement with the school district which would offer them many parking spots. They had not come to an agreement with Total Soccer yet and Meijer was now out of the question as it had filled their parking area up already. He felt the issue of the parking agreements should be separate from granting a Certificate of Occupancy to Big Boy.

Planning Commission and the applicant(s) including Mr. Hermiz, Bud Kowalski and Tom Jablonski discussed the best way to move forward with this situation. It was suggested that the applicant meet with the City’s Attorney and the Building Department to try to come to an agreement that would satisfy the requirements for parking. It was determined that 905 spaces were required in total.

Discussion was had on when the Site Plan approval would expire. Attorney Ericson stated she would check into this.

No public comment was heard on this item.

c. Sign Provisions

Attorney Ericson had presented all members of the Planning Commission with a document prepared by Attorney Don DeNault regarding the beginning work on the update to the Sign Ordinance. The document was a chart of about 20 pages mostly consisting of a chart with three (3) columns, the first was reviewing sign provisions that Mr. DeNault had drafted for other municipalities, the second column pointed out whether or not the City of Fraser had anything comparable in their ordinance and the third column there were notes and comments on the first two (2) columns. Commission would be discussing this at the October meeting.

8. PUBLIC COMMUNICATION ON NON-AGENDA ITEMS

There was no public comment at this time.

9. MONTHLY REPORT FROM McKENNA FOR AUGUST 2023

Chair Czarnecki said the monthly report provided by McKenna is an opportunity for Board members and the administration to address any questions and/or updates on development matters.

Commissioner Farina said the excavation on Utica Road near the Meijer store is now filled. Ms. Sayre stated at this time she is not aware of any proposed development at this site.

10. ZONING BOARD OF APPEALS MEMBER LIAISON REPORT

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Commissioner Farina noted they had two (2) applications on their August meeting agenda. One was for Popeye's Chicken and the other was for a home on Anita. There was no meeting in September.

11. COMMISSIONER'S COMMENTS ON ITEMS OF INTEREST/CONCERN

Commissioner Farina brought up the possible joint meeting for training purposes. He added that he would like to see these training meetings done annually. Planner Sayre was going to see if McKenna would be ready for a Fall Training.

12. ADJOURNMENT

Motion by Keil supported by Meyer to adjourn the meeting at 9:22 p.m.

AYES: Czarnecki, Farina, Keil, Meyer, Perry, Warunek

NAYS: None

Motion Carried

Respectfully Submitted:

Cindi Greenia, Clerk
City of Fraser