

7:00 o'clock p.m. Chairperson Wurmlinger calls the meeting of the Planning Commission to order and opens any Public Hearings on the agenda, then continues with the regular agenda.

1. ROLL CALL

PRESENT: Buechler , Hilton , Koob , Mills , Muir , Oprita , Wurmlinger

ABSENT: Buechler , Hilton , Koob , Mills , Muir , Oprita , Wurmlinger

ALSO PRESENT: Sharon Wilton, Zoning Administrator/Recording Secretary
 John Nowakowski, Representative-Port Huron Golf Course
 Carlo Santia, Applicant-Fabulous FG LLC
 Thomas Paton, Representative-Bluewater Luxury Development
 Jorja Baldwin
 1 Community Attendee

2. APPROVAL OF AGENDA: May 10, 2022

Motion by Buechler, supported by Wurmlinger, to approve the agenda as printed and posted.
 Vote, 5 / 0

3. APPROVAL OF MINUTES: April 12, 2022

Motion by Koob, supported by Buechler, to approve the minutes as presented.
 Vote, 5 / 0

4. REPORT FROM TOWNSHIP BOARD REPRESENTATIVE: Clerk Robert Buechler

Member Buechler shared that work is being done on the Master Plan for the 100 acre project on Parker Rd. Spicer will be presenting 2 options for the Sports Park/Campground and another meeting will be scheduled. An invitation will be extended to the Planning Commission.
 Work will be starting on the beach access at the Keewahdin Rd beach. There will be ADA access. There will be information given at the next Board meeting.
 Work is being done on ordinances for; Solar & Wind power, fences, and adult use of marijuana.
 A work session will be scheduled for Planning Commission to discuss the new ordinances that will be proposed.

5. REPORT FROM ZBA REPRESENTATIVE: Nathan Oprita-Absent

Wilton reported that there has not been a meeting-no agenda items.

6. PUBLIC COMMENT

- Address the Planning Commission Chair only.
- Individual conversations should not be held during the meeting.
- Please stand at the podium; speak your name and address clearly for the record.
- Each person will be permitted to speak one time for 3 minutes until everyone has had a chance to speak.
- If you are speaking to a Public Hearing on this agenda, please hold your comments until the public comment portion for the specific Public Hearing.

7. PUBLIC HEARINGS

Public Hearing continues at this time.

ITEM 7-1: REZONING REQUEST, Parcels 74-20-015-4038-000 and 74-20-015-4039-000 (Keewahdin Rd.)

APPLICANT: Northshore Luxury Development, LLC 3050 Krafft Rd., Fort Gratiot, MI 48059

OWNER: Judith Grinder 3004 Riverside Dr. Port Huron, MI 48060

PROJECT: Northshore Luxury Development, LLC

LOCATION: Vacant Keewahdin Road;

PARCEL#: 74-20-015-4038-000 and 74-20-015-4039-000

LEGAL: 74-20-4038-000 THE E 5.5 A OF THE W 44 A OF THE S 88 A OF THE SW 1/4 EXC N 782.38' SEC 15 T7N R17E 2.5 A

74-20-4039-000 E 5.5 A OF W 38.5 A OF S 88 A OF SW 1/4 SEC 15 T7N R17E 5.5 A

CURRENT: 4038-000 R-1A, 4039-000 O-1

PROPOSED: RM-Residential Multiple

Applicant Presentation: Thomas Paton, representing Shink Engineering gave a review of the project and the need for the re-zoning. The proposed structures would be for senior and/or assisted living. This is the same use as the neighboring parcel for Blue Water Lodge.

Public Comment:

- Address the Planning Commission Chair only.
- Please stand at the podium; speak your name and address clearly for the record.
- Each person will be permitted to speak one time for 3 minutes until everyone has had a chance to speak.
- The minutes will be transcribed from the recording. Please be respectful of the person speaking. Comments made inaudible on the recording by background sounds such as whispering, clapping or interrupting cannot be made part of the official minutes.

Judy Smith lives on Meadowlawn which abuts the parcels and asked if there would be a barrier to the parcels abutting the proposed dwelling units. Mrs. Smith does not like idea of people wandering in her yard.

Thomas Paton stated that yes, the developer would likely propose a berm or fence.

Mrs. Smith stated that she was glad about that as she was relieved to know the proposal is for senior living.

Secretary Wilton stated that the barrier would be part of the Site Plan submittal and review.

Thomas Paton stated that the developer will follow the requirements necessary for the proposed development.

Public Hearing closed at 7:18PM

Motion by Buechler, supported by Wurmlinger, to close the Public Hearing.

Vote, 5 / 0

Roll Call Vote: Buechler , Hilton , Koob , Mills , Muir , Oprita , Wurmlinger

COMMISSIONER DISCUSSION: Planning Commission member discussion only.

Member Buechler stated that he does not have an issue with the re-zoning. He stated further that if the parcels remained the same the township would allow senior living with special use approval (R-1A). The structures would have to remain senior living, with rezoning these can be just apartments. This development is across from the mall and next to a senior living facility.

Chairperson Wurmlinger confirmed the zoning for both, 4038 is R-1A and 4039 is O-1.

Secretary Wilton stated that Member Buechler brings up a great point regarding the use being restrictive if the current zoning remains.

Member Hilton confirms that the R-1A zoning would be locked into Senior Living and more restrictive.

Secretary Wilton stated yes, that the Special Use Approval would restrict the use to remain senior living.

Chairperson Wurmlinger stated that the restrictions would not be a benefit.

Member Hilton asked if the property would revert to the current use.

Secretary Wilton stated that if the rezoning does not get approved, the current zoning remains.

Chairperson Wurmlinger asked if there had been previous zoning changes.

Secretary Wilton stated that the 4039 parcel was previously rezoned from R-1A to O-1.

Member Hilton confirmed that the re-zoning occurred in 2016.

Motion to approve by: Buechler Supported by Koob Vote 5/0

Roll Call Vote: Buechler , Hilton , Koob , Mills , Muir , Oprita , Wurmlinger

ITEM 7-2: Fort Gratiot Place Apartments-Requesting a change to buffering material

APPLICANT: Fort Gratiot Place Apartments, 2300 Krafft Rd., Fort Gratiot MI 48059

OWNER: Fort Gratiot Place Apartments-Rutger Breakey, 321 Woodland Pass, Suite 100, East Lansing MI 48823

PROJECT: Fort Gratiot Place Apartments-change in border materials.

LOCATION: 2300 Krafft Rd., Fort Gratiot, MI 48059

PARCEL#: 74-20-022-4022-001

LEGAL: BEG S 86D 25M 01S W 528' FROM S 1/4 COR, TH S 86D 25M 01S W 374.70', TH N 03D 53M 50S W 433', TH S 86D 25M 01S W 200', TH N 03D 53M 50S W 17', TH S 86D 25M 01S W 110', TH N 03D 54M 49S W 873.77', TH N 86D 26M 23S E 555.97', TH S 03D 45M 59S E 1118.53', TH N 86D 25M 01S E 132', TH S 03D 45M 59S E 205' TO BEG SECTION 22 T7N R17E 14.34A

PROPOSED: Install a 6' black vinyl coated chainlink fence vs. a 6' masonry wall.

Applicant Presentation: John Nowakowski, Superintendent-Port Huron Golf Course, stated that the golf course approves the fence option to be added along the entire fence line vs the masonry wall. The golf course would maintain it as this will be on their property.

Member Hilton asked again of the golf course would maintain the fence since it's on the golf course property.

Secretary Wilton stated that the site plan is from Fort Gratiot Place Apartments and is on that property. Since it was a requirement for Site Plan approval, Fort Gratiot Place Apartments is responsible, and the golf course would maintain their side of the fence line.

Chairperson Wurmlinger asked if the change is for aesthetic purposes?

Mr. Nowakowski stated yes. Also the masonry wall is meant as a barrier to block car lights. This does not affect the golf course.

COMMISSIONER DISCUSSION: Planning Commission member discussion only.

Chairperson Wurmlinger asked if the planning commission approved the masonry wall during site plan review.

Secretary Wilton stated yes and the east property line along the residential area on Velma Dr. would remain a masonry wall.

Chairperson Wurmlinger confirmed this request is for the north property line only.

Secretary Wilton confirmed the change is along the north property line.

Member Koob started a motion to approve with conditions of the 6' black coated vinyl chainlink fence with the topper and to come back to review in a period of 10 years.

Member Buechler stated that the ordinance allows for up to a 5 year time frame. We would come back and review if the chainlink fence could remain or the masonry wall need to be added.

Member Koob asked if the review should be 5 or 10 years?

Member Buechler stated that it should be 5 years and we would need to hold the amount for a masonry wall in escrow so that when the review is done in 5 years and we require the masonry wall at the time, the funds would be available.

Member Koob stated that the Planning Commission could require the masonry wall be added in the event of the change of ownership and/or use.

Motion to approve by:___Koob, Supported by___Buechler_____Vote 5/0; with conditions-developer may install the 6' black vinyl coated chainlink fence with a topper, on the north side of the parcel and remove the existing fence. This change is allowed for a period of 5 years and will be re-evaluated at this time.

Fort Gratiot Township will hold the proposed amount of funds to cover the change in the event there is a lack of funds to revert to the 6' masonry wall, if it is required at the time of review. This will be in the form of Escrow or a surety bond.

ITEM 7-3: Site Plan Approval for Fabulous FG-LLC/Retail Development

APPLICANT: Carlo Santia, 35890 Monterey, Clinton Township, MI 48035

OWNER: Fabulous FG LLC Ralph Kattula (managing member); 19700 Hall Rd., Clinton Township, MI 48038

PROJECT: Fabulous FG LLC Retail Development; 2 retail structures

LOCATION: Vacant Parcels on 24th Ave.

PARCEL#: 74-20-015-4043-000 and 74-20-015-4057-000

LEGAL: **74-20-015-4043-000** BEG ON N LINE OF AVERY & REAM SUBD 60.12' E OF W SEC LINE, TH N 0D 15M E 704.58' TO BEG OF DESC, TH N 0D 15M E 117.43', TH E 270', TH S 0D 15M W 117.43' TH W 270' TO BEG FRAC SEC 15 T7N R17E 0.73 A

74-20-015-4057-000 BEG S 0D 15M W 500.37' FROM W 1/4 COR, TH E 329.90', TH S 0D 15M W 83.76', TH W 329.80', TH N 0D 15M E 83.76' TO BEG FRAC SECTION 15 T7N R17E 0.64 A

PROPOSED: 2 retail structures; 3,196sf and 5,838sf

Applicant Presentation: Carlo Santia representing Fabulous FG LLC gave a brief overview of the proposed project. This will be a retail development on 24th Ave., across from Meijer on the east side.

It is a 2 acre parcel and 2 buildings will be built ; one at about 3,200 and will be occupied by AT&T Wireless. This is the retail space currently in the mall (has been there since 2014). The second building will be about 5,800 square feet and will have 3 units available for rental.

Member Hilton asked if the site would be a drive directly across from Meijer.

Applicant Santia stated that yes they would be using the existing traffic light and then would be a 4-way intersection. The developer will pay for the cost of the changes.

Member Hilton asked if the properties were connected. And will they be combined?

Applicant Santia confirmed that the parcels are connected and will be combined.

Member Koob asked about the Carrigan Branch 2 drain? It is not labeled on the survey?

Application Santia stated that they have spoken to the drain commission and they are in the process of possibly moving this drain which may give them more room. The drain will be shown on the site plan and building permits. That documentation will be provided with final site plans. The development will be using the drain as an outlet. Chairperson Wurmlinger asked if the parcels around the site are vacant.

Applicant Santia stated to the best of his knowledge. They were intended to be a part of a project by the Barrett's. Member Hilton asked if the site is next to the vacant building. And if the development would provide side access to the neighboring parcels.

Applicant Santia stated that that is true and they are providing access to the properties on each side.

Member Koob asked about the storm water detention?

Applicant Santia responded that it will be underground.

Member Koob stated that there were only found irons marked on the front of the parcels.

Applicant Santia stated the remaining irons will be set later and on the final plans.

Member Buechler stated that the only concerns to handle would be the side yard setbacks, which we can waive, and the complete landscaping requirements- that we can also waive. The doors on the dumpster enclosure can not be chainlink.

Member Koob asked if the Fire Chief reviewed the plans?

Secretary Wilton stated yes and he had no concerns.

Member Hilton asked if there are any concerns on the 4 way stop?

Secretary Wilton stated that BMJ included a traffic study request.

Applicant Santia stated that the traffic study will be done with the MDOT recommendations on the signal changes.

Member Koob asked if these would be masonry buildings?

Applicant Santia stated yes.

Rick Mills began a motion to approve with conditions listed in the Zoning Administrators memo.

Secretary Wilton stated that the motion needs to include the parcel combination.

Guest Baldwin added that there is the requirement of the masonry wall on the east property line.

Applicant Santia stated that the developer can do either a wall or a berm. The parcels on the east side are also zoned C-2. If the eastly parcels were sold and commercial uses were established they would not need the wall.

Secretary Wilton asked if the masonry wall would cause issues with the drain?

Member Koob stated yes, the drain will need room.

Guest Baldwin stated that like the screening in the previous agenda item, that resulted from conversations with the property managers. The planning commission has the right to waive the buffering materials requirement.

Secretary Wilton stated that she would get a date out to the members for the upcoming work session. Also the requirement for screening is based on use not necessarily the zoning.

Applicant Santia stated he would have a conversation with any home owners and offer a solution.

Guest Baldwin based on Sec 38-614 (e) (f), the planning commission can decide, we would hold escrow. There previously have been issues with people running through the yards of the homeowners on the east side.

Secretary Wilton stated that the proper buffering needs to be included in the final site plan.

Member Koob asked if there have been issues with the vacant restaurant?

Guest Baldwin stated not to date

COMMISSIONER DISCUSSION: Planning Commission member discussion only.

Motion to approve/deny by: _____ **Supported by** _____ **Vote** ___/___

8. **OLD BUSINESS:** None

9. **NEW BUSINESS:**

10. **COMMISSIONER UPDATES:** Secretary Wilton stated that she would get a date out to the members for the upcoming work session.

11. **ADJOURNMENT**

Motion by Wurmlinger, supported by Buechler, to adjourn. Vote, 5/0. Time, 7:41 P.M.

Fort Gratiot Charter Township complies with the Americans with Disabilities Act. If auxiliary aids or services are required at the meeting for individuals with disabilities, please contact Clerk Robert Buechler, 3720 Keewahdin Road, Fort Gratiot, Michigan 48059 (810) 385-4489, three days prior to meeting date.