

BROWNSTOWN TOWNSHIP PLANNING COMMISSION MEETING

Monday, May 10, 2010

The meeting of the Charter Township of Brownstown Planning Commission was held in the Brownstown Township Hall, 21313 Telegraph Road, Brownstown, MI 48183 on Monday, May 10, 2010. Chairman Zurawski called the meeting to order at 7:00 P.M. followed by the Pledge of Allegiance.

PRESENT: Chairman Zurawski, Members Allen, Armatis, Chapman, Knappmann, Shastal and Taft. Also present were Brian Borden from LSL Planning, Township Attorney Foley and Economic Development Manager DiSanto.

ABSENT: none

AGENDA APPROVAL:

Motion by Chapman, supported by Taft, to approve the Planning Commission Agenda of May 10, 2010

MINUTE APPROVAL:

Motion by Chapman, supported by Armatis, to approve the Planning Commission minutes of April 12, 2010. All voting aye.

Public Hearing for Special Land Use for a Child Care Center, Nursery School, Day Nursery at 19117 Allen Road:

The applicant, Marie Liburdi, was present to give a description of this request. She currently has a Children's Place Montessori on Grosse Ile and intends to open a second location. Brian Borden, LSL, also gave comments on his review.

Motion by Chapman, supported by Allen, to open the Public Hearing. Ayes: Allen, Armatis, Chapman, Knappmann, Taft, Zurawski. Nays: none. Abstain: Shastal. Motion carried.

Ms. Liburdi stated that this facility would be for up to 60 children. Hours of operation will be 6:00 AM to 10:00 PM; therefore, the traffic from drop off and pick up would cause any traffic concerns. She expects enrollment of approximately 20 Preschool children, 12 toddler, and 12 infants.

No one in the audience had questions or comments on this item.

Motion by Chapman, supported by Allen, to close the Public Hearing. Ayes: Allen, Armatis, Chapman, Knappmann, Taft, Zurawski. Nays: none. Abstain: Shastal. Motion carried.

Motion by Knappmann, supported by Armatis, to recommend approval for use as a Child Care Center, Nursery School, Day Nursery in a B-2 Zoning district for Marie Liburdi, Children's Place Montessori, at 19117 Allen Road, 70 035 99 0015 701. Ayes: Allen,

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Armatis, Chapman, Knappmann, Taft, Zurawski. Nays: none. Abstain: Shastal. Motion carried.

Public Hearing for Special Land Use for a Group Child Care Home use in a R-1 zoning district for Terri Perry, 24656 Blanche Street 70 058 01 0046 000:

Terri Perry, the applicant, was present regarding this request. She is currently licensed by the State of Michigan for 6 or fewer children. The State of Michigan requires zoning approval prior to increasing her license to allow up to 12 children. Mrs. Perry submitted a letter of support from Michael Richardson, 24670 Blanche and another letter of support, signed by 12 neighbors.

Motion by Chapman, supported by Allen, to open the Public Hearing. Ayes: Allen, Armatis, Chapman, Knappmann, Taft, Zurawski. Nays: none. Abstain: Shastal. Motion carried.

A letter of opposition from Michael Grier, 24673 Alicia, was read by Zurawski.

The following people were in attendance and expressed various concerns:

Grace Hoye, 24718 Blanche, Brownstown Township

Michael Turner, 24701 Blanche, Brownstown Township

Michelle Turner, 24701 Blanche, Brownstown Township

Motion by Chapman, supported by Allen to close the Public Hearing. Ayes: Allen, Armatis, Chapman, Knappmann, Taft, Zurawski. Nays: none. Abstain: Shastal. Motion carried.

Motion by Chapman, supported by Allen to deny the request. Ayes: Allen, Chapman, Taft. Nays: Armatis, Knappmann, Zurawski. Abstain: Shastal. Motion failed.

Motion by Armatis, supported by Knappmann, to recommend approval contingent upon approval of sketch plan, state license approval and additional information. Ayes: Armatis, Knappmann, Zurawski. Nays: Allen, Chapman, Taft. Abstain: Shastal. Motion failed.

Motion by Chapman, supported by Allen, to table this item for additional information. Ayes: Allen, Armatis, Chapman, Knappmann, Taft, Zurawski. Nays: none. Abstain: Shastal. Motion carried.

Public Hearing for proposed Zoning Ordinance amendment, in accordance with Ordinance #141, Section 11.05 Motor Vehicle Uses:

Borden gave a summary on the review that was submitted to the commissioners.

Motion by Chapman, supported by Allen, to open the Public Hearing. All voting aye.

Michelle Turner, 24701 Blanche, Brownstown, questioned where to find this ordinance on the website.

Motion by Chapman, supported by Armatis, to close the Public Hearing. All voting aye.

Motion by Chapman, supported by Taft, to recommend approval of the Zoning Ordinance amendment, in accordance with Ordinance #141, Section 11.05 Motor Vehicle Uses.

Ayes: Allen, Armatis, Chapman, Knappmann, Taft, Zurawski. Nays: Shastal. Motion Carried

Public Hearing for Conditional Rezoning to allow a Self-Service Gas Station in a B-2 zoning district for Kroger at 23849 West Road 70 064 99 0006 702 in a zoning district that is currently zoned TC:

Jack Knowles, Dietrich, Bailey & Associates and Tom Frank, Kroger Real Estate Department, were present, representing Kroger. Mr. Knowles gave a brief presentation which included the Zoning Agreement as described in part D of the LSL review.

Tom Frank stated that Kroger gas stations exceed both the state and federal requirements for environmental concerns. For safety reasons, the kiosk would never be left unattended during operational hours; the kiosk employee would be relieved by store employees for any necessary breaks.

Borden reminded the Commission that the Township cannot request or suggest modifications to these conditions. Per the Michigan Zoning Enabling Act, such conditions must be made voluntarily of the applicant.

Motion by Knappmann, supported by Armatis, to open the Public Hearing. All voting aye.

The following people voiced opposition for various concerns, including but not limited to traffic issues such as ingress and egress, space/size, environmental risk, drainage, :

1. Richard Curylo, President of Ashley Oaks, 23668 McCort
2. James Jorgensen, 23763 McCort
3. James Knappmann, 22496 Woodcreek
4. Linda Zukowski
5. Fred Moseley
6. Brian Summerstone, representing the Abbas Citgo, 22800 Telegraph
7. Albert Abbas, 22800 Telegraph – submitted a petition with over 370 signatures and a copy of an agreement between Shell (I-75 and West Rd) and Kroger Corp.
8. Gareth Henkel, 23657 McCort
9. Joe Ochab, 20175 Telegraph
10. Bob Gillie, 23537 Ashley

Motion by Chapman, supported by Allen, to close the Public Hearing. All voting aye.

Mr. Knowles and Mr. Frank addressed some of the concerns presented in the Public Hearing. Members discussed the concerns presented in the Public Hearing and other concerns that they had.

Motion by Armatis to deny this request. No support was given.

Motion by Allen, supported by Knappmann, to table this item for Parking and Traffic study or assessment and to gather as much information as possible from the Township staff regarding possible impact on the property values of the neighboring and attached residential properties. Ayes: Allen, Chapman, Knappmann, Shastal, Taft, Zurawski. Nays: Armatis. Motion carried.

Staff Report:

The submission for Woodberry is for the review of the commissioners and will be included on an agenda in the near future.

Administrative Review: (none)

Public Forum: (none)

Adjournment: Motion by Chapman, supported by Allen, to adjourn meeting at 10:04 P.M. All voting aye.

David G. Zurawski Sr., Chairman

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