

**CHARTER TOWNSHIP OF CANTON  
PLANNING COMMISSION PROCEEDINGS  
April 4, 2022**

A Regular meeting of the Planning Commission of the Charter Township of Canton was held at 1150 South Canton Center Road, Canton, MI 48188 on Monday, April 4, 2022. Chairman Greene called the meeting to order at 7:00 P.M. and led the Pledge of Allegiance to the Flag.

**ROLL CALL:**

Members Present: Acharya, Eggenberger, Okon, Singh, Watkins, Weber, Zuber, and Greene.

Absent: Foster (prior notice was given)

**STAFF PRESENT:** Patrick Sloan and Erin Schlutow

**APPROVAL OF THE MINUTES OF MARCH 7, 2022**

Motion by Zuber, supported by Weber, to approve the Minutes of March 7, 2022, with an amendment to the minutes stating that Zuber said 6 hours is a lot of time for continuing education and suggested lowering the proposed 6 hours of continued education during the discussion on Bylaws. Ayes all present on a voice vote, Ms. Eggenberger recused herself from the vote due to absence at the March 7, 2022 meeting.

**ACCEPTANCE OF AGENDA**

Motion by Zuber, supported by Eggenberger, to approve the agenda as presented. Ayes all present on a voice vote.

Chairman Greene requested that audience members wishing to comment for the Public Hearing complete the sign in sheet with their name and address.

**PUBLIC HEARING**

1. 128-SLU-7184 **ZIPPY CAR WASH** – Consider Special Land Use for parcel nos. 128-99-0005-702 (47725 Michigan Avenue) and 128-99-0006-703 (47575 Michigan Avenue). Property is located on the south side of Michigan Avenue and on the west side of Beck Rd. Proposed use is an automatic car wash.

Mr. Sloan stated the subject site is located at the southwest corner parcel located at the intersection of Michigan Ave. and Beck Rd. and is zoned C-3, Regional Commercial. Mr. Sloan said the Special Land Use plans submitted by the applicant include more details than are typically seen for a Special Land Use Plan, which allows for specific details to be addressed at this time and are contained in the Staff Report supplied to the Planning Commission. Mr. Sloan summarized the main topics from the Staff Report, contained in the April 4, 2022 Planning Commission meeting packet.

Mr. Sloan stated Staff recommends Approval of the special land use for an automobile wash establishment as illustrated on the Special Land Use Plan for the reasons stated in Staff's report, subject to the items noted in the staff review being addressed and corrected at the time of Site Plan review and subject to all State, County, and Township requirements.

Motion by Zuber, supported by Weber, to open the public hearing. Ayes all present on a voice vote.

Public Hearing opened at 7:10 P.M.

Mr. Corey Weaver (Zippy Car Wash co-owner, 233 Ellsworth Rd., Ann Arbor, MI, 48108) stated he co-owns Zippy Auto Wash with his wife, Michelle Weaver, and Vanston/O'Brien is the Zippy Car Wash design firm. Mr. Weaver stated the Commissioners have received their electronic detailed project presentation from Mr. Sloan and that goes into detail about their priorities. Mr. Weaver gave more details about their priorities and gave examples. Mr. Weaver asked Mr. Sloan to show the color renderings to the Commissioners and discussed the proposed layout of the site and what the car wash will offer.

Chairman Greene asked for clarification of the automatic payment system.

Mr. Weaver stated the site will be staffed to assist customers as needed. Mr. Weaver said two pull-up ATM styled payment terminals will be located at the southeast corner of the site and will have a gate system. Mr. Weaver stated at the terminal you will select your service and payment method.

Chairman Greene asked for additional public comments and there were none.

Motion by Weber, supported by Zuber, to close the public hearing. Ayes all present on a voice vote.

Public Hearing closed at 7:18 P.M.

Chairman Greene asked the applicant if there is a formula per population that can determine if their car wash will be successful with other similar establishments in the area.

Mr. Weaver stated yes, items such as traffic count and population density are taken into consideration when choosing a build location.

Mr. Okon had no questions or comments.

Mr. Singh asked if existing similar establishments are notified when a similar establishment is being proposed near them.

Mr. Sloan stated no, the Zoning Ordinance and State Law require notification to be sent out to property owners within a 300-foot buffer of the subject site and Staff adheres to that unless there are special circumstances.

Mr. Watkins asked the applicant for information on capture rate and how many days per year the

car wash would be open.

Mr. Weaver stated the car wash would be open 362 days per year and the hours of operation will be 7 A.M. to 8 P.M. Mr. Weaver said they have found wash quality services over capture rate to be the best predictor of popularity. Mr. Weaver said the industry capture rate is typically 1% equating to an average of 500 to 1,000 cars daily.

Ms. Eggenberger asked if the proposed layout is the same as their other car washes.

Mr. Weaver stated yes, all traffic moves counterclockwise and their other car washes is similar to the proposed.

Ms. Eggenberger stated the drying area is located where cars will be coming into the site and could cause cross traffic issues. Ms. Eggenberger asked if signage is proposed and if cross traffic has created issues in the past.

Mr. Weaver stated there have been no issues. Mr. Weaver stated approximately 95% of customers drive in and out, others will detail their cars further and use the drying area.

Ms. Zuber asked to view a close-up of the building front and stated she would like to see more detail on the elevations, possibly adding quoins at the bump outs of the building in a color similar to the window outlines. Ms. Zuber thanked the applicant for the environmental items being proposed and gave examples.

Mr. Weber complimented the applicant on his presentation. Mr. Weber asked the applicant if market studies have been done regarding other area car washes and if he will be able to sustain the proposed car wash in the current competitive market.

Mr. Weaver stated yes.

Mr. Weber asked why car wash popularity is increasing.

Mr. Weaver stated customers like the simplicity of monthly memberships because it's effective and convenient.

Mr. Acharya thanked the applicant for being mindful of the environment. Mr. Acharya asked Mr. Sloan if the criteria of excessive duplication of use has been applied by the Planning Commission in the past.

Mr. Sloan stated he did not recall a specific situation, and duplication has not been an issue because duplication is fairly customary due to the size of Canton. Mr. Sloan stated applicants consider market data prior to building.

Chairman Greene stated he agrees with prior comments regarding the building façade and agreed with Ms. Zuber's enhancement suggestions. Chairman Greene stated he would like the applicant to work with Staff to enhance the building façade appearance. Chairman Greene asked if the intent

is to split the southwest portion of the parcel.

Mr. Sloan stated there is a potential for a future development in that location.

Chairman Greene asked for further information regarding the requested tree removals.

Mr. Greg Heim (Vanston/O'Brien, 8150 Jackson Rd., Ann Arbor, MI, 48103) stated he is the Engineer that prepared the plans. Mr. Heim stated the majority of the trees to be removed are located along the property line are rated good but are not a preferred species.

Motion by Zuber, supported by Acharya, to recommend approval of the special land use for an automobile wash establishment use on parcel nos. 71-128-99-0005-702 and 71-128-99-0006-703 as illustrated on the Special Land Use Plan, as the request meets the Special Land Use criteria of the Canton Township Zoning Ordinance pursuant to the information and plans provided, subject to specific design criteria noted by staff to be addressed and corrected at the time of Site Plan review and subject to all State, County, and Township requirements.

Ayes: Acharya, Eggenberger, Okon, Singh, Watkins, Weber, Zuber, and Greene

Nays: None

Absent: Foster

2. 050-SLU-7191     **MISTER CAR WASH** – Consider Special Land Use for parcel no. 050-99-0009-003 (2100 Haggerty Rd.). Property is located on the east side of Haggerty Road between Ford Road and Cherry Hill Road. Proposed use is an automatic car wash.

Mr. Sloan stated the proposed car wash is zoned C-3, Regional Commercial, and automobile wash establishments are special land uses in the C-3, Regional Commercial zone.

Mr. Sloan stated buildings should be orientated so that open bays do not face onto adjacent thoroughfares unless screened by an adjoining lot or building; the proposed buildings bay doors face north (a non-thoroughfare access) and south (medical office).

Mr. Sloan said the subject site is east of Haggerty Rd. and south of Ford Rd. and shares a multi-service access drive. Mr. Sloan stated the current Haggerty Rd. curb cut will be removed and will help minimize the number of curb cuts on one of Canton's busiest roads.

Mr. Sloan said an access drive exists between the subject site to the east and a hotel, there is an existing recorded access easement between the two sites. Mr. Sloan stated if the development is approved, Staff recommends a condition be included that there be a written consent to remove the easement between the car wash site and the hotel site prior to the submittal of a Site Plan application.

Mr. Sloan stated the applicant has included details in their Special Land Use plans that typically is addressed at the time of Site Plan Review which gives us the opportunity to address now, one such

item being architecture. Mr. Sloan said the plans show the building meeting the 50% masonry requirement, Staff recommends the concrete masonry unit be smooth-face and half high, which can have an appearance of brick.

Mr. Sloan stated a landscape plan has been submitted and is designed to comply with the Zoning Ordinance and will be addressed further at Site Plan Review.

Mr. Sloan said the proposed car wash meets the Special Land Use criteria of the Zoning Ordinance. Mr. Sloan stated the project is not expected to result in excessive duplication of a use in the community.

Mr. Sloan stated Staff recommends approval of the automobile wash special land use on the subject parcel as illustrated on the Special Land Use Plan for the reasons stated in Staff's analysis, subject to the items noted in this review being addressed and corrected at the time of Site Plan review, including written consent to remove the access easement between the subject site and the parcel to the east, and subject to all State, County, and Township requirements.

Motion by Zuber, supported by Acharya, to open the public hearing. Ayes all present on a voice vote.

Public Hearing opened at 7:44 P.M.

Mr. Chuck Hoyt (Nederveld)/JS3 Investments (Owner), 217 Grandville SW, Grand Rapids, MI, 49503) stated his company is composed of Civil Engineers, Land Planners, Landscape Architects and his client is Mister Car Wash. Mr. Hoyt stated the nearest car wash is approximately 1.5 miles away. Mr. Hoyt summarized the previous land use and zoning of the subject site, and described the layout of the proposed site including the location of the neighboring businesses. Mr. Hoyt said access to the site will come from the access road and not Haggerty Rd. Mr Hoyt stated discussions have taken place with MDOT (Michigan Department of Transportation) and they are aware that the proposed site will not have access from Haggerty Rd. Mr. Hoyt stated the proposed development is consistent with the Future Land Use Map and Comprehensive Plan and meets the necessary criteria of the Zoning Ordinance. Mr. Hoyt said Mister Car Wash is mindful about their environmental impact and gave examples of environmental saving measures they take. Mr. Hoyt stated the operational hours will be 7:30 A.M. to 8:00 P.M. and vacuums will have an automatic shut off. Mr. Hoyt stated the closing process of the subject site property purchase involves the removal of the access easement.

No further questions or comments were received from the audience.

Motion by Weber, supported by Zuber, to close the public hearing. Ayes all present on a voice vote.

Public Hearing closed at 7:53 P.M.

Mr. Acharya asked where the signage would be located.

Mr. Hoyt stated signage will be on the building and possibly ground signage on Haggerty Rd.

Mr. Acharya stated without Haggerty Rd. site access, signage on Haggerty Rd. could cause confusion.

Mr. Hoyt stated he is unaware of the location of the proposed ground signage and would suggest it be placed on the corner of the access road and Haggerty Rd.

Mr. Sloan stated a signage plan will be required at the time of Site Plan review, and the Zoning Ordinance has provisions for directional signage in multi-tenant commercial sites.

Mr. Weber had no questions or comments.

Ms. Zuber stated she likes the building design.

Ms. Eggenberger stated it looks nice and asked about if there is proposed signage for incoming traffic and traffic going to the vacuum area.

Mr. Hoyt stated keeping landscaping low to the ground and back will help to see vehicles coming.

Mr. Watkins asked for capture rate data and days open per year. Mr. Watkins also asked about the elevation of the signs.

Mr. Sloan stated the height of the proposed signage meets the necessary requirements. Mr. Sloan said the Zoning Ordinance prohibits roof signs; however, if they are on the side of a constructed wall they are permitted in terms of sign heights. Mr. Sloan stated the sign ordinance review is administered by the Township's Building and Inspection Services Division typically after Site Plan review and approval. Therefore, the final signage areas are not approved until the Building & Inspection Services Division approves the sign plans.

Mr. Hoyt stated the applicant shared data with him that showed 95,000 in population within 3 miles, 65,000 per day on Ford Rd. and 20,000 vehicles per day on Haggerty Rd. which should be more than enough to substantiate a car wash at the proposed location.

Mr. Singh stated it is a nice project.

Mr. Okon had no questions or comments.

Chairman Greene stated the project looks good and the market data predicts the project to be successful. Chairman Greene said the elevations show a lot of signage and asked for clarification from Mr. Sloan.

Mr. Sloan stated the subject site might be considered a corner parcel because it is located at the corner of the access drive and a major road and could be allowed additional bonus signage as a result. Mr. Sloan stated calculations regarding the signage will be done at the time of Site Plan review.

Chairman Greene stated the car wash site is within the Downtown Development District (DDA)

and would be subject to any ground sign requirements the district has and asked if this has been addressed.

Mr. Sloan stated if the applicant wishes to have a multi-tenant sign they will need cooperation from other business owners to make a joint application and they would need to meet certain criteria, which would take place during Site Plan review.

Ms. Zuber asked for clarification about language in the model motion to request written consent to remove the access easement agreement between the subject site and the parcel to the east.

Mr. Hoyt stated consent from the neighboring property owner to remove the access agreement may not be necessary and is concerned about that being a part of the conditional approval in the motion.

Motion by Zuber, supported by Eggenberger, to recommend approval of the special land use for an automobile wash establishment use on parcel no. 71-050-99-0009-003 as illustrated on the Special Land Use Plan, as the request meets the Special Land Use criteria of the Canton Township Zoning Ordinance pursuant to the information and plans provided, subject to specific design criteria noted by staff to be addressed and corrected at the time of Site Plan review, including removal of the access easement between the subject site and the parcel to the east, and subject to all State, County, and Township requirements.

Ayes: Acharya, Eggenberger, Okon, Singh, Watkins, Weber, Zuber, and Greene

Nays: None

Absent: Foster

Chairman Greene asked if any concerns brought up this evening need to be resolved prior to Township Board action.

Mr. Sloan stated the easement concern can be resolved prior to the Site Plan process.

Chairman Green asked about the signage.

Mr. Sloan stated the signage will be required to comply with Article 6A of the Zoning Ordinance and that will be verified during Site Plan review.

### **NEW BUSINESS-SITE PLANS**

3. 129-ZCSS-7183 **HOME DEPOT – MICHIGAN AVENUE** – Consider Seasonal Sales Permit on parcel no. 129-99-0001-701 (45900 Michigan Avenue). Property is located on the north side of Michigan Avenue between Canton Center Road and Beck Road. Proposed use is seasonal sales.

Mr. Sloan stated Home Depot has applied for (2) consecutive 30-day outdoor seasonal sales permits. Mr. Sloan said at its meeting on June 15, 2020, the Planning Commission adopted the following motion: “I move to approve two 30-day seasonal sales permit for Home Depot on

Michigan Avenue (parcel no. 129-99-0001-701) commencing on May 11, 2020 and ending on July 10, 2020 for sale of live goods, bagged mulch and topsoil as shown on the plans. I also move to authorize staff to re-approve renewal of the permit in subsequent years if there have been no violations or compliance issues and the future plan does not change in any way.” Mr. Sloan stated plans submitted for 2022 contain a slight change from previous years and include an outdoor storage area for assembled wheelbarrows; therefore, requiring the Planning Commission to review. Mr. Sloan showed what the proposed area would look like.

Mr. Sloan stated the Fire Department and Building & Inspection Services Division have reviewed the proposed plans and recommend approval.

Mr. Sloan stated the items the permit pertains to will need to be removed at the expiration date of the Seasonal Sales Permit.

Mr. Sloan stated Staff recommends approval of two (2) 30-day seasonal sales permits for live goods tables, plant racks, storage of mulch, soil, and sod, and assembled wheelbarrows as shown on the plans.

Mr. Chris Leonard (Home Depot, 45900 Michigan Ave., Canton, MI, 48188) stated he is the current store manager at the south Canton Home Depot. Mr. Leonard stated the wheelbarrow assembly area is being requested based on a supply chain demand that is anticipated due to a trucking shortage.

Ms. Zuber asked if the assembled wheelbarrows will be secured by the frames.

Mr. Leonard stated the wheelbarrows will be stacked upright in front of each other with a walking lane within the corrals.

Chairman Greene stated he is not happy with the excessive material being stored outside of the store. Chairman Greene stated when Home Depot was approved for that site there was a stipulation that no material storage to the north side of the building would be allowed except for items that would be moved inside within a one-day timeframe.

Mr. Leonard stated inventory for the spring is tricky and not always anticipated at the time of arrival.

Chairman Greene stated he would like to see it be a priority to have newly arriving stock moved inside within the agreed upon time frame.

No additional comments or concerns from the Planning Commissioners.

Motion by Zuber, supported by Weber, to move to approve two (2) 30-day seasonal sales permits for Home Depot at 45900 Michigan Avenue (parcel no. 129-99-0001-701) commencing on May 5, 2022 and ending on July 3, 2022 for live goods tables, plant racks, storage of mulch, soil, and sod, and assembled wheelbarrows as shown on the plans.



I also move to authorize staff to re-approve renewal of the permit in subsequent years if there have been no violations or compliance issues and the future plan does not change in any way.

Chairman Greene asked for clarifications on the stipulation that Staff can approve this in the future as long as there are no changes going forward.

Mr. Sloan stated yes, that is correct.

Mr. Acharya asked if a citation could be issued regarding the newly arriving merchandise being stored outside the area that Chairman Greene discussed.

Mr. Sloan stated that Staff can contact the Township's Ordinance Officers and discuss details of the subject site regarding outdoor storage and can work together to reach a point of compliance.

Ayes: Acharya, Eggenberger, Okon, Singh, Watkins, Weber, Zuber and Greene

Nays: None

Absent: Foster

4. 040-ZCSS-7199 **LOWES** – Consider Seasonal Sales Permit on parcel no. 040-99-0002-705 (44080 Ford Road). Property is located on the north side of Ford Road between Sheldon Road and Morton Taylor Road. Proposed use is seasonal sales.

Mr. Sloan stated at its meeting on June 15, 2020, the Planning Commission adopted the following motion: “I move to approve two 30-day seasonal sales permit for Lowe’s at 44080 Ford Road (parcel no. 040-99-0002-705) commencing on May 8, 2020 through July 6, 2020 for display of live goods in front of the garden center, and staging of bagged mulch and landscape materials for customer pick-up on the west side of the garden center, as shown on the plans. I also move to authorize staff to re-approve renewal of the permit in subsequent years if there have been no violations or compliance issues and the future plan does not change in any way.”

Mr. Sloan stated although the subject plans for 2022 are similar to the 2020 and 2021 plans, the submitted plans for 2022 include the following two (2) changes: (1) additional storage of mulch and soil in the remaining 15 parking spaces adjacent to the west side of the garden center that are seldom used for parking; and (2) a tree and shrub corral east of the garden center, which will be located in a large concrete sidewalk area adjacent to the building that will not block the fire door or extend to the fire lane. Mr. Sloan showed a picture to the Commissioners of the area being discussed. Mr. Sloan said Staff recommends that a minimum sidewalk width of 5 feet be maintained between the tree/shrub corral and the fire lane.

Mr. Sloan stated the approval is recommended by the Fire Department and Building & Inspection Services Division, subject to conditions for minimum accessibility.

Mr. Sloan said Staff recommends approval of two (2) 30-day seasonal sales permits for live goods, plant racks, storage of mulch and soil, and a tree and shrub corral as shown on the plans,

subject to a minimum sidewalk width of 5 feet between the tree/shrub corral and the fire lane and subject to any conditions required by the Fire Department and Building & Inspection Services Division.

Mr. Don Stump (Lowe's, 44080 Ford Rd., Canton, MI, 48187) stated he is the store manager of the Ford Rd. Lowe's location. Mr. Stump stated this is the first time he has gone through this process, he appreciates the help received from Mr. Sloan, and he has tried hard to comply with all of the Zoning Ordinance requirements. Mr. Stump stated the Seasonal Sales Permit is necessary because of the seasonal demand of soils and mulch being very large. Mr. Stump stated by allowing the seasonal storage this cuts down on the truck traffic necessary to keep items stocked. Mr. Stump said the proposed tree and shrub corral is currently an under-utilized area and will be a better functioning and more aesthetically pleasing location for the corral than other areas.

Mr. Weber referred to a plan sheet and asked if a specific location was planned to be a drive-up area similar to the Westland location.

Mr. Stump stated the area in question would be used for trees and shrubs. Mr. Stump stated other Lowes locations have tree and shrub areas located in parking lots which causes pedestrian and vehicle cross traffic and he wanted to minimize that. Mr. Stump stated customers will be able to drive up to the mulch area and load their vehicles with pallet quantities.

No additional comments or concerns from the Planning Commissioners.

Motion by Zuber, supported by Weber, to move to approve two (2) 30-day seasonal sales permits for Lowe's at 44080 Ford Road (parcel no. 040-99-0002-705) commencing on April 12, 2022 and ending on June 12, 2022 for live goods, plant racks, storage of mulch and soil, and a tree and shrub corral as shown on the plans, subject to a minimum sidewalk width of 5 feet between the tree/shrub corral and the fire lane and subject to any conditions required by the Fire Department and Building & Inspection Services Division.

Ayes: Acharya, Eggenberger, Okon, Singh, Watkins, Weber, Zuber and Greene

Nays: None

Absent: Foster

5. 129-DIR-7120     **QUICK PASS CAR WASH** – Consider Site Plan Amendment on parcel no. 129-99-0002-710 (45420 Michigan Avenue). Property is located on the north side of Michigan Avenue between Canton Center Road and Old Canton Center Road. Proposed changes to landscaping layout.

Mr. Sloan stated in 2021, the Planning Commission approved a Special Land Use and Site Plan for the Quick Pass Car Wash located north of the 7-Eleven store area and an existing common access drive is located to the south of the subject site.

Mr. Sloan stated the Planning Commission considered a proposal to change the building architecture at the March 7, 2022 Planning Commission meeting and, rather than amend the architectural plans, the applicants have opted to proceed with the originally approved architectural plans without changes.

Mr. Sloan stated the applicant proposes to modify the landscaping plans due to the relocation of the sidewalk along Old Canton Center Road. Mr. Sloan summarized the landscaping content from the Staff Report, contained in the April 4, 2022 Planning Commission meeting packet, which includes the following:

**Landscaping:** There is currently no sidewalk along the site's frontage of Old Canton Center Road, and the applicant proposes to install this sidewalk. However, due to the location of the existing drainage ditch, there is insufficient area within the road right-of-way to locate all of the sidewalk. As a result, the applicant proposes to locate most of the sidewalk on the site itself and record an access easement in the affected areas. This proposal will result in two (2) landscaping nonconformities:

1. The width of the landscape frontage berm will be reduced from 20 feet (the minimum width required by Sec. 5.03(A)(1) of the Zoning Ordinance) to 14 feet; and
2. The height of the landscape berm will be reduced from 3 feet (the minimum height required by Sec. 5.03(A)(1) of the Zoning Ordinance) to 2 feet.

To compensate for the narrower berm, the applicant proposes to install 20 additional shrubs along the frontage of Old Canton Center Road, which will result in a denser shrub row and better screening. Also, because there are no parking spaces or vacuum spaces that face Old Canton Center Road, the reduced landscape berm width and height will be less impactful.

Due to the tight site configuration due to the multiple front yards, the building and parking area cannot feasibly be shifted westward to increase the berm width to 20 feet.

Section 5.07 of the Zoning Ordinance allows the Planning Commission to modify the requirements of Article 5, provided that any such modifications are keeping with the intent of Article 5 and the Zoning Ordinance in general. Based on the circumstances of relocating the sidewalk, adding shrubs along the frontage, and not having parking or vacuum spaces face Old Canton Center Road, we recommend approval of these modifications subject to the condition that the access easement for the sidewalk is approved by the Engineering Services Division and the Township Attorney.

Mr. Sloan said Staff recommends approval of the site plan amendment on the subject parcel to modify the requirements of Section 5.03(A)(1) of the Zoning Ordinance based on the landscape plan design submitted, subject to the access easement for the sidewalk being approved by the Engineering Services Division and the Township Attorney.

Mr. Luke Wenger (Green Tech Engineering, Inc., 51147 Pontiac Trl., Wixom, MI, 48393) stated he is the Engineer representing the applicant. Mr. Wenger stated they are requesting to shift the sidewalk from outside the right-of-way to the inside of the right-of-way, doing so will cause the buffer to be 14 feet resulting in the berm height being less than 3 feet tall; therefore, a berm height modification is requested.

Chairman Greene asked if future road improvements were made by Wayne County to Old Michigan Ave. could they move the sidewalk into the right-of-way area.

Mr. Sloan stated if Wayne County made road improvements they could leave the sidewalk as is. Mr. Sloan said for this example, preferably it would be for that sidewalk to be in the public right-of-way.

Chairman Greene ask if any alterations were made could that create a liability concern for the project sponsor.

Mr. Sloan stated other areas in the Township exist where easements are recorded to allow public access over the sidewalks that are on private property. Mr. Sloan said Staff would require the Township Attorney to review and approve. Mr. Sloan said regarding liability he would refer that to the Township Attorney; however, this situation is fairly common.

No additional comments or concerns from the Planning Commissioners.

Motion by Zuber, supported by Eggenberger, to move to approve the site plan amendment on parcel no. 71-129-99-0002-710 to modify the requirements of Section 5.03(A)(1) of the Zoning Ordinance based on the landscape plan design submitted, subject to the access easement for the sidewalk being approved by the Engineering Services Division and the Township Attorney.

Ayes: Acharya, Eggenberger, Okon, Singh, Watkins, Weber, Zuber and Greene

Nays: None

Absent: Foster

6. 132-SPC-7188     **CHIPOTLE** – Consider Site Plan on parcel no. 132-99-0003-701 (45555 Michigan Avenue). Property is located on the south side of Michigan Avenue and west Belleville Road. Proposed use is a fast food restaurant with a drive-through.

Mr. Sloan stated the applicant has proposed a Chipotle fast food restaurant on the south side of Michigan Ave., west of Belleville Rd., specifically the eastern out lot in front of the current Wal-Mart. Mr. Sloan said at a previous Planning Commission meeting an amendment to the Wal-Mart PDD was recommended for approval to allow for the Chipotle restaurant, which was subsequently approved by the Township Board. Mr. Sloan stated Chipotle has prepared a Site Plan in accordance with the Zoning Ordinance and is seeking Site Plan approval which would include a recommendation of approval by the Planning Commission with final action being taken by the Township Board of Trustees. Mr. Sloan stated the major conditions that were approved as part of the Planned Development Amendment have been satisfied on the Site Plan. Mr. Sloan said Site Plan related items that were noted during the Planned Development Amendment review have been addressed on the plan itself and many of the Site Plan design standards were shown on the Planned Development Amendment plans ahead of time for the Board of Trustees review. Mr. Sloan stated the applicant has made a few modifications to the plans to comply with the Zoning Ordinance and any conditions of approval from the Planning Commission and Township Board of Trustees.

Mr. Sloan stated based on the completion of the plans and satisfying the conditions that were

previously required, Staff recommends approval of the Site Plan for Chipotle on the subject parcel as provided in the plan documents, subject to the conditions of Planned Development District approval.

Mr. Michael Gold (Stonefield Engineering and Design) stated he is representing the applicant, Canton Retail Management, LLC. Mr. Gold stated the plans before the Commission tonight are very similar to the PDD Amendment plans, with a few changes. Mr. Gold stated the plans include the request made to close off the northwest access drive, which would give access to the private drive onto Michigan Ave. for the Wal-Mart site and provide cross-access with the Tim Horton's through our site in the south. Mr. Gold stated the Chipotle will have a pick-up window for pick-ups only and will not have on site ordering. Mr. Gold stated all Zoning Ordinance requirements have met.

Ms. Eggenberger stated this is the first mobile pick-up ordering window she has seen.

Mr. Weber asked what the proposed burrito loading zone is exactly.

Mr. Gold stated that is the name of the pick-up window and explained the process of ordering online or calling ahead, you will be given an estimated pick-up time for your order, the app will tell you when your order is ready, and then you will be able drive up to the window and retrieve your order.

No additional comments or concerns from the Planning Commissioners.

Motion by Zuber, supported by Singh, to move to recommend approval of the site plan for Chipotle on parcel no. 71-132-99-0003-701, as provided in the plan documents, subject to the conditions of PDD approval.

Ayes: Acharya, Eggenberger, Okon, Singh, Watkins, Weber, Zuber, and Greene

Nays: None

Absent: Foster

**NEW BUSINESS – STAFF REFERRAL**

7. 133-ZCSS-7226 **STARDUST BUILDERS LLC** – Consider Seasonal Sales Permit on parcel no. 133-01-0001-301 (43415 Michigan Avenue). Property is located on the south side of Michigan Avenue between Sheldon Road and Morton Taylor Road. Proposed use is seasonal retail fireworks sales

131-SPI-7227 **MINI STORAGE DEPOT** – Consider Site Plan on parcel no. 131-02-0015-000 (4985 Research Drive and 4981 Research Drive). Property is located south of Michigan Avenue between Belleville Road and Beck Road. Proposed use is a mini-warehouse facility.

064-SLU-7228 **H2GLOW CARWASH** – Consider Special Land Use on parcel no. 064-99-0011-702. Property is located on the west side of Canton Center Road

between Cherry Hill Road and Saltz Road. Proposed use is an automatic carwash.

004-DIR-7238     **PILZ BUILDING** – Consider Site Plan on parcel nos. 004-99-0008-703 and 045-99-0008-705 (7150 Commerce Blvd.). Property is located south of Koppnick Road between Haggerty Road and Hix Road. Expansion proposed to existing parking lot.

039-DIR-7240     **MATARI COFFEE** – Consider Site Plan on parcel no. 039-99-0009-702 (6124 N. Canton Center Rd.). Property is located on the east side of Canton Center Road between Ford Road and Warren Road. Proposed architectural modifications to existing building.

Motion by Weber, supported by Zuber, to refer Item #7 to Staff. Ayes all present on a voice vote.

Mr. Weber asked what architectural changes are being proposed at Matari Coffee.

Mr. Sloan stated the applicant is proposing to add metal panels to the front of the building, Staff has recommended against it; however, if pursued they would not meet the 50% brick Zoning Ordinance requirement.

## **MISCELLENEOUS**

### 8.     **Bylaws**

Ms. Schlutow stated at the Planning Commission's March 7, 2022 meeting the agenda included updating the Planning Commissions current Bylaws. Ms. Schlutow stated at the previous meeting the Commission tabled the agenda item and requested to be supplied with examples that would meet the proposed 6 hour per year continuing education requirement to be obtained by Planning Commissioners. Ms. Schlutow said the draft Bylaws contained in the April 2, 2022 Planning Commission packet are the same as the previous month, also included is a memo providing continuing education examples as requested by the Commissioners. Ms. Schlutow said additional examples of continuing educational opportunities was supplied to the Commissioners via e-mail on March 22, 2022. Ms. Schlutow stated the continuing education examples supplied are conducted via Zoom, recorded and able to be viewed anytime, and many at no cost; however, if a fee is associated with the continuing education, funds have been budgeted by the Township to pay for the expense.

Ms. Schlutow summarized the Michigan State University Citizen Planner Program that would satisfy the continuing education requirement for a 3-year period contained in the April 4, 2022 Planning Commission packet.

Ms. Schlutow stated many of Canton's Planning Commissioners are currently required for their personal professions to engage in various classes, webinars, etc., that may also satisfy the Planning Commission continuing educational requirement as well. Ms. Schlutow said Commissioners may know of additional continuing education opportunities not supplied by Staff

that could be applicable to the proposed Bylaws requirement.

Ms. Schlutow stated Staff recommends adopting the 2022 Planning Commission Bylaws, pursuant to the Michigan Planning Enabling Act (PA 33 of 2008, as amended).

Ms. Schlutow said the Planning Enabling Act requires updated Bylaws, the existing Bylaws were adopted in 1998 and reference a statute that is no longer applicable. Ms. Schlutow stated updating the Bylaws will be a key task to complete in order for Canton to obtain Redevelopment Ready Communities (RRC) certification.

Chairman Greene asked if the Township Board of Trustee members will also need to take similar classes since Planning Commission actions are often promoted to the Township Board for action.

Ms. Schlutow said class information can be provided to the Township Board Members; however, they are required to adhere to their Board bylaws which may not include this requirement. Ms. Schlutow stated some Township Board members have expressed interest in taking Planning related classes.

Mr. Weber stated dates to attend the MSU Citizen Planner Program information supplied to the Commission have already passed and inquired if additional dates will be added.

Ms. Schlutow stated the in-person classes are typically held in the spring and fall of each year with designated dates; however, if you sign up for the on-line class type that is self-paced.

Mr. Weber asked for clarification on the subject matter regarding the proposed agenda addition, Public Comment section, contained in the drafted Bylaws. Mr. Weber asked if individuals could address the Commission on any item or just items on the agenda for the evening meeting.

Ms. Schlutow stated since the Planning Commission meetings are public, by law, individuals will be allowed to address the Commission about anything.

Mr. Weber stated he feels this would not be a good use of time because even though the public can speak on any topic, the Planning Commission can only act on Planning Commission related items.

Further discussion took place regarding how often the public may possibly address the Commission and about possible items.

Chairman Greene asked if the proposed addition to the agenda, Public Comment section, would be publicized.

Ms. Schlutow replied this section would be on the Planning Commission's agenda for each meeting. Ms. Schlutow stated this section would be treated like Public Hearings and individuals would be given a predetermined amount of time to speak. Ms. Schlutow stated the Open Meetings Act requires a time within the meeting to allow public comment.

Mr. Weber stated the public comment should be limited to subject matter of the body that is having the public meeting.

Ms. Eggenberger stated, maybe it should be that way but the Public Meetings Act requires it.

Chairman Greene asked if the Planning Commission has not been conducting meetings in accordance with the Open Meetings Act by not offering the Public Comment section at meetings.

Ms. Schlutow stated that is correct.

Mr. Weber asked if the Township's Attorney has been consulted on this topic.

Ms. Schlutow stated the Township's Attorney agreed regarding the Public Comment period.

Mr. Weber asked why this has not been implemented prior.

Further discussion took place between commissioners regarding their prior experiences at other townships, cities, and commission meetings, and about a public comment section being included or not as a part of the meeting.

Mr. Sloan stated the public comment section would have a time limit assigned for each individual speaking and the commissioners are not required to have a dialog with the speaker. Mr. Sloan stated if this section is contained at the end of the meeting, the individual would need to stay until the end. Oftentimes, individuals will opt for e-mail communications prior to meetings rather than attending and staying until the end.

Chairman Greene stated a set public hearing time in addition to a set speaking time per individual would be good.

Ms. Zuber stated currently at public hearings, related to meeting subject matter, people are only allowed to speak for 3 minutes which is not currently being adhered to. Ms. Zuber said if the public comment section is agreed to, she would like to see a visible timing system used and gave an example of one being used in Ann Arbor.

Ms. Schlutow stated the venue is used by other meetings and if they agree to a timing system that may be able to be implemented. Ms. Schlutow stated for this commission she could write up information for an individual wishing to participate in the Public Comment portion of the meeting which would include the allotted speaking time and she would take on the responsibility for keeping track of speaking time and keeping the individual within the time allotment.

Chairman Greene asked if the commissioners can establish their own rules.

Ms. Schlutow stated the Chair would be able to set the speaking time limit per person, typically it is 3 minutes, and 5 minutes for an individual representing a group.



Further discussion took place regarding setting public comment speaking time limits, how to address individuals speaking about non-subject matter, and how to comply with the Open Meetings Act.

Chairman Greene asked how the Township Board addresses public comments.

Mr. Sloan stated the Township Board has a public comment section and comments are timed.

Mr. Singh asked how many people show up for the public comment section at the Township Board meetings.

Mr. Sloan stated the amount of people attending the Township Board of Trustees meeting varies based on topic popularity, an average meeting typically has 1 to 2 people speak during public comment.

Ms. Zuber stated she has a strong objection to the proposed 6 hours of continuing education requirement contained in the Bylaws. Ms. Zuber said Ms. Schlutow stated previously that the MSU Citizen Planner Program would satisfy the educational requirement for a 3-year term; however, the language in the proposed Bylaws states that at least 6 hours of continuing education per calendar year and at least 18 hours per 3-year term. Ms. Zuber said this language means you would not be able to only do 18 hours for your 3-year term. Ms. Zuber said the Commission meets for a few hours, 1–2 times per month, and adding a 6 hour per year continuing education requirement is a big increase in time for a volunteer position. Ms. Zuber stated 2 hours would be good and she supports continuing ed. Ms. Zuber stated as a licensed architect she is required to have 12 hours of continuing education per year to maintain a professional license.

Chairman Greene asked to explain how the 6 hours of continuing education was determined and asked if that is standard.

Ms. Schlutow stated a continuing education requirement is not normal but is encouraged and Staff determined the 6 hours of continuing education as being sufficient. Ms. Schlutow stated the Bylaws should read the 6 hours per year or 18 hours per term; and clarified if you do not get 6 hours in a year as long as you have 18 hours during your term you satisfy the requirement.

Ms. Eggenberger stated she was not at the previous meeting and asked if Staff made the decision to require 6 hours and it is not a statewide or national recommendation.

Ms. Schlutow replied no, it is not.

Mr. Sloan stated Staff looked at model documents from MSU's Planning and Zoning Center in terms of recommended best practices, recommended options, and samples of bylaws which include continuing education on a per year or per term basis. Mr. Sloan stated the Michigan Planning Enabling Act requires community Planning Commissions to have bylaws and that is not optional. Mr. Sloan said what is put into the bylaws is what makes it unique for the community and the body adopting the bylaws. Mr. Sloan stated many communities in Michigan have adopted continuing

education requirements in their bylaws. Mr. Sloan said adding a continuing education component to the bylaws is not a reflection on the knowledge that the Planning Commission has; rather, it is because planning and zoning is a changing and evolving field that is subjected to changes in laws, best practices, plant species, etc., and there are a number of educational opportunities to take advantage of these changing practices, which is why continuing education become a part of the bylaws.

Chairman Greene stated continuing education is good; however, the wording, "shall commit," it puts and either/or to the equation which is the objection being felt. Chairman Greene stated the Commission needs to feel comfortable with the 6-hour amount if they are going to commit to it. Chairman Greene stated future commissioners will know the commitment prior to joining but it is a hard change for existing commissioners.

Ms. Zuber stated last year the Township required Planning Commissioners to apply and interview for a position on the Planning Commission and for renewing their position. Ms. Zuber said she completed the process because she enjoys the position; however, if the 6-hour continuing education component is adopted she may have to step away because of the time commitment.

Further discussion took place regarding the continuing education 6-hour time requirement being changed to 2-hours, implementing the continuing educational requirement for new members, and adding the public comment section to the agenda.

Motion by Weber, supported Okon by to table the discussion of the Planning Commission Bylaws. Ayes all present on a voice vote.

### **ADJOURN**

Motion by Zuber, supported by Okon to adjourn the meeting. Ayes all present on a voice vote.

Meeting adjourned at 9:21 P.M.

Kelly Dandy  
Recording Secretary