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Whereas the proposed rezoning from R-1A, Low Density Residential-Transitional to B-1, Office Business Commercial is supported by the Future Land Use Map, Comprehensive Development Plan and is consistent with the development trend in this area, staff recommends approval of rezoning request Z-2007-01.

Mr. Nichols was present to answer any questions.

Mr. Brucker then asked for public comments in favor or in opposition to the proposed rezoning.

There being no comments, Mr. Brucker closed the public hearing portion of this proposed rezoning.

Discussion followed among the Planning Commission members.

Motion by Mr. Majask, supported by Mr. Anderson, to recommend approval of the rezoning request (Z-2007-01) to the Township Board.

VOTE: 5 YEAS 0 NAYS 1 ABSENT MOTION CARRIED

B. S-2007-23 – AutoZone of Memphis, Tennessee is requesting site plan approval to construct a new 7,382 sq. ft. retail auto parts store to be located at 5545 State Street. (12-4-20-1013-900)

Ms. Smith stated the proposed development will demolish the existing building and reconfigure the site. The existing building was most recently used for North Country Grains Bakery. The reconfigured site will result in closing one of the two existing curb cuts in accordance with the M-58 Access Management Plan. The new building is proposed to be 7,382 square feet.

Whereas the proposed retail development complies with the general development standards of the Township and retail uses are a use by right within the B-4, General Commercial District, staff recommends approval of S-2007-23 with the conditions included in the report.

Mr. Majask stated the drain comment from Spicer Group could be a cause for concern. Mr. Brucker stated it's a technical issue that will be worked out during the storm water management review.

Mr. David Bentley, a representative from AutoZone, along with April Skurka, an architect for ADA Architects, was present to answer any questions. Mr. Bentley stated AutoZone

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would work with the Township Engineer to work out the storm water management plan issues and they have no problems with the sixteen conditions.

Mr. Brucker then asked for public comments in favor or in opposition to the proposed site plan.

There being no comments, Mr. Brucker closed the public hearing portion of this proposed site plan.

Discussion followed among the Planning Commission members.

Motion by Mr. Nolan, supported by Mr. Emmenecker, to recommend approval of the site plan (S-2007-23) upon the following seventeen (16) conditions listed below:

1. Approval of a final site plan by the Community Development Department, Fire Department, Building Department and the Department of Public Services.
2. The Storm Water Management Plan must be reviewed and approved by the Township Engineer prior to construction of the new fields.
3. Issuance of a driveway permit from the Michigan Department of Transportation.
4. An access easement agreement is required between the property and the township ensuring shared access to the properties to the east and the west. The access easement agreement must ensure that future access is provided both near the entry drive to the east as well as toward the rear of the site to the east, depending upon the future development demands of the adjacent property. No actual connection to neighboring parking areas shall be made until an access easement agreement is received from the adjacent property owner(s).
5. Development of a final landscaping plan detailing the type of trees and shrubs in such a quantity as required by the Zoning Ordinance. This includes street trees, the required landscaping in and around the parking area and the building as well as details regarding the storm water detention area.
6. Building lighting shall be shown on the plans and reviewed for consistency by the Township.
7. If a dumpster is provided, with this development or in the future, its location and enclosure shall be specifically approved by the Township. The enclosure shall be consistent with the material used for the building itself.

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Mr. John Damico, a representative from Damico Development, along with Ryan Whiteherse of Wilcox Professional Services, was present to answer any questions. Mr. Damico has no problem with the sixteen (16) conditions.

Mr. Brucker then asked for public comments in favor or in opposition to the proposed site plan.

There being no comments, Mr. Brucker closed the public hearing portion of this proposed site plan.

Discussion followed among the Planning Commission members.

Motion by Mr. Majask, supported by Mr. Anderson, to recommend approval of the site plan (S-2007-24) upon the following sixteen (16) conditions listed below:

1. Approval of a final site plan by the Community Development Department, Fire Department, Building Department and the Department of Public Services.
2. The Storm Water Management Plan must be reviewed and approved by the Township Engineer prior to construction of the new fields.
3. Approval and issuance of a driveway permit by the Michigan Department of Transportation. The entry drive from State Street should be reduced in width. Saginaw Charter Township does not permit drives larger than 39' back to back.
4. Development of a final landscaping plan detailing the type of trees and shrubs in such a quantity as required by the Zoning Ordinance. This shall include a note that details the trees preserved.
5. Installation of a bufferyard and an eight foot tall vinyl fence, the type and color which shall be noted on the final site plan, on the north side of the property adjacent to the residential district.
6. Prior to installing any on-site lighting, a lighting plan will need to be reviewed and approved by the Township Engineer. On-site lighting shall not exceed fifteen-feet (15') in height when located within two hundred (200') feet of a residential district.
7. The dumpster enclosure shall be consistent with the building in terms of type of material and color.

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Mr. Mike Rybicki, a representative from Bartow and King Associates on behalf of Doppco Development, was present to answer any questions. Mr. Rybicki stated that Doppco Development had no problem with the twelve (12) conditions.

Mr. Brucker then asked for public comments in favor or in opposition to the proposed site plan.

There being no comments, Mr. Brucker closed the public hearing portion of this proposed site plan.

Discussion followed among the Planning Commission members.

Motion by Mr. Nolan, supported by Mr. Emmenecker, to recommend approval of the site plan (S-2007-21) upon the following twelve (12) conditions listed below:

1. Approval of a final site plan by the Community Development Department, Fire Department, Building Department and the Department of Public Services.
2. The Storm Water Management Plan must be reviewed and approved by the Township Engineer prior to construction of the new fields.
3. Approval and issuance of a driveway permit by the Michigan Department of Transportation.
4. Development of a final landscaping plan detailing the type of trees and shrubs in such a quantity as required by the Zoning Ordinance, including:
 - Adjustments for the type of trees
 - Adjustments for the quantity of street trees
 - Additional landscaping between the sidewalks and the fencing elements for the Cardinal Square features.
5. Clarification as to which lights are proposed to remain and/or be removed. All light fixtures and poles within the parking area shall be of the same or equal type, design, color, etc.
6. Installation of street lights consistent with the approved corridor streetscape for the area as well as installation of sidewalk along Westbay Drive consistent with the approved streetscape (details to be provided by staff).
7. The dumpster enclosure shall be consistent with the building in terms of type of material and color.

