

SUMMIT TOWNSHIP PLANNING COMMISSION

May 21, 2013

MEMBERS PRESENT: Raymond McQuillan, Chairman; Robert Simmons, Vice Chairman; Jack Shelby, Secretary and Zoning Board of Appeals Liaison; Todd Emmons, Township Board Liaison; George Gancsos Jr., Stephen Artz; Allan Hooper

MEMBERS ABSENT: Natalie Stopyak, Richard Erhardt, and John Worden, Summit Township Zoning Administrator

The meeting was called to order by Raymond McQuillan, Chairman, on Tuesday, May 21, 2013 at 7:00 p.m. in the Township Hall meeting room at 2121 Ferguson Road.

A motion was made by S. Artz, supported by G. Gancsos Jr., to approve the Tuesday, March 19, 2013 minutes as written. The motion carried unanimously.

Case #13-05-0009 – 2000, 2002 and 2018 Spring Arbor Rd. – From Urban Residential (RU-1) and Office (O-1) to General Commercial (C-2) – Summit Point, LLC Applicant (Owners same)

History - On September 20, 1988, the applicant requested the rezoning of the property at 2000 Spring Arbor Road from Urban Residential (RU-1) to Office (O-1) to permit construction of a new medical professional office building. There was a tie vote at that Planning Commission meeting, so the request was forwarded to the Township Board without a recommendation. At the November 22, 1988 Township Board meeting, the rezoning request received a majority of votes, and the rezoning request was granted.

On March 21, 2006, Case # 06-03-0002, the applicant requested the rezoning of the property at 2018 Spring Arbor Road from Urban Residential (RU-1) to Local Commercial (C-1) for the uses of Office, Retail Center and Dance/Gymnastic Studio. Upon review of the request, the Region 2 Planning Commission recommended denial of the request. The Planning Commission recommended to the Township Board of Trustees denial of the rezoning request.

A public hearing was held on the request of Dave and Mary Garcia, Summit Point, LLC, of 2195 Spring Arbor Road. Dave Garcia spoke on behalf of the applicant requesting the rezoning from Urban Residential (RU-1) and Office (O-1) to General Commercial (C-2) for the properties at 2000 Spring Arbor Road, 2002 Spring Arbor Road and 2018 Spring Arbor Road. The applicant proposed the zoning change in order to accommodate his expanding business and to develop Spring Arbor Road, like Summit Point, LLC did on Horton Road, by creating an environment where employees can dine or grab a cup of coffee while remaining in the same area as they work. The applicant proposed the use of this site be changed to Commercial and Office, noting the Township Land Use Plan has this area Office & Low Density Residential.

Applicant, Dave Garcia, expressed his property is land locked with Polly's and 5th 3rd Bank, and the site does not allow for the required number of parking spaces. The parking situation would remain if the applicant was to build up. He would like his business to remain in Summit Township, and continue generating thousands in tax dollars for the township and employing township residents. If the rezoning is not granted, he will be forced to move to the former Hudson Grill location in Blackman Township.

A. Hooper questioned how many sites the applicants business covered.

Applicant, Dave Garcia, responded 350 sites.

T. Emmons questioned how much of the business was walk-ins.

Applicant, Dave Garcia, responded 15% of business is walk-in, and the remaining business is received via UPS.

A. Hooper questioned why a laboratory business would need commercial zoning.

Applicant, Dave Garcia, responded expressing his need to provide services for his employees, like a family restaurant and coffee shop. These services would also be a draw to retain employees in the township.

R. McQuillan, Chairman, discussed the township Master Plan, sighting the corridor study performed by Region 2 for best uses for future plans in the township that took place in March 2006. The master plan does not reflect commercial zoning on Spring Arbor Road.

R. McQuillan, Chairman, 2128 Spring Arbor Road, has lived on Spring Arbor Road for numerous years and enjoys his neighbors and the residential setting of his neighborhood. He also noted the great office developments on Spring Arbor Road.

Applicant, Dave Garcia, questioned why the board was choosing to represent the views and opinions of five (5) families and not the township as a whole. He reiterated that the complex which he proposes would benefit the township monetarily and would create additional jobs for township residents.

R. McQuillan, Chairman, noted the recommended land use from Region 2 Planning in the March 2006 corridor study.

Applicant, Dave Garcia, commented that the corridor study is out of date, and that it does not account for the seven (7) years of changes that have since taken place. At present, he feels that Spring Arbor Road is best described as a four lane highway, not a residential street. He also commented, previous business ventures for these properties were suspended due to a failing economy. Summit Point, LLC hopes to develop Spring Arbor Road in the same manner that was done with Horton Road.

R. McQuillan, Chairman, expressed the township appreciation for the applicants' goals.

Applicant, Dave Garcia, questioned why the property directly across the street is zoned commercial.

R. McQuillan, Chairman, responded the corridor study recommended a buffer between commercial zoned property and residential, and the street acts as a natural buffer.

Applicant, Dave Garcia, questioned where his employees could go for lunch, stating the township needs to have services available for people in the township. These services could then be used to attract tenants to his location. As a business owner in the township the applicant felt he pays a tremendous amount to the township, and the township should in return assist developers. He offered to bring in other developers like The Walton and The Crafts who would support his claim.

T. Emmons questioned the size of the office space.

Applicant, Dave Garcia, expressed a growing business' need for additional space, and his desire to stay in Summit Township. He reiterated that if he is unable to obtain the needed rezoning, for tenant(s) that he already has lined up, then his business will move to the prior Hudson Grill location in Blackman Township. The applicant was unwilling to divulge names of the future long term tenant(s) and he expressed that his business, Summit Point, LLC, listens to and tries to accommodate the neighborhood surrounding his property.

Public Comment:

Diane Rappleye, 913 Thomas Court, objects the rezoning and expressed her concerns on the character of the neighborhood being reduced; is unable to find a benefit that the township would gain if the rezoning occurred; finds employees not having a place to go for lunch not a compelling argument for rezoning and feels that this rezoning request is similar to the denied request the applicant made six (6) years ago.

Alicia Abby 2038 Spring Arbor Road, lives next to the property in question and strongly objects to the rezoning. Mrs. Abby, who is the daughter of Marcia Mase, the previous owner, addressed the Commission by reading a letter she had written to address her concerns, but was unable to complete the letter because she began to cry.

A. Hopper, asked Alicia Abby to approach the board and point out the location of her house.
(Mrs. Abby approached the board and showed house, swimming pool, bus stop)

Alicia Abby, continued expressing that the rezoned property was immediately next to her children's bus stop, her family swimming pool, the children's swing set. The rezoned property is able to see in her window, and she feels that if passed her family will be living in a bubble, always on display. Additionally, she provided the board with a handout of a drug testing order that was in her yard, and it was not the first time Garcia Lab trash has ended up in her yard.

Dr. John Abby, 2038 Spring Arbor Road, objects to the rezoning and expressed the same concerns as his wife, in addition to concerns on signage and traffic. He supports the township adhering to the Master Plan and the recommendation from Region 2 Planning. He asks that his parcels easement be taken into consideration.

Applicant, Dave Garcia, expressed the growing need for storage. He has nine (9) vehicles that services twenty-seven (27) prisons and six (6) jails every day. The property has a 4,000 square feet garage in the back of the property, but more storage is need.

Anna Belle White, 2124 Spring Arbor Road, a fifty-three (53) year resident on Spring Arbor Road, adamantly objects to the rezoning to General Commercial (C-2), but is not opposed to Local Commercial (C-1) rezoning.

Annette Williams, 921 Thomas Court, objects to the rezoning because current traffic situation will become worse making it impossible for her to get in and out of her driveway.

Dave Taylor, 905 Thomas Drive, objects to the rezoning and expressed concerns of poor drainage, lighting, noise and increased traffic. He urged the township to stick to the Master Plan.

Applicant, Dave Garcia, explained his business has followed the township ordinances for the past fifteen (15) years and this development will be the same.

Phillip Abby, 807 Whitney Street, objects to the rezoning and expressed the same concerns as Dr. John Abby and Alicia Abby.

Joe Hesslau, 902 21st street, objects to the rezoning because the current traffic situation will become worse, increased noise and drainage issues that already fill his basement with water.

Fernando Peredo-Arze, 2215 Spring Arbor Road, objects to the rezoning and expressed the same concerns Dr. John Abby and Alicia Abby in addition to concerns with drainage.

Peter Okoniewski spoke on behalf of his father, Tom Okoniewski, 920 19th Street, who objects to the rezoning and expressed the same concerns as Diane Rappleye in addition to concerns on being waken up to the sounds of leaf blowers, garbage servicing dumpsters and alarms that go on for hours.

Dr Allen Price, 3632 Spring Arbor Road, objects to the rezoning and expressed the same concerns Dr. John Abby and Alicia Abby and asked the board to save his neighborhood.

Dr Susan Dombrowski, 3624 Spring Arbor Road, objects to the rezoning and expressed the same concerns Dr. John Abby and Alicia Abby. She encouraged people support local businesses like West Point and Polly's Country Market. She warned everyone that Re-Max has twenty (20) properties for sale in her back yard.

Applicant, Dave Garcia, requested proof of the easement that Dr. John Abby spoke of. He also stated that his business is a 24 hour/5 day a week operation, that Spring Arbor Road is a four lane highway and that his project will benefit the township as a whole.

T. Emmons asked Diane Rappleye to point her house out on the map.

R. McQuillan, Chairman, explained that this board is a recommending board, and that the recommendation made tonight will be taken up at the July Summit Township Board of Trustees meeting.

R. Simons clarified that the site plan provided by the applicant was only a proposed site plan. He agreed that Spring Arbor Road is a four lane highway, and that it contains a tremendous amount of offices but none of these are zoned General Commercial (C-2). He also pointed out that the audience contained people who had received rezoning but are in opposition to this rezoning request.

A. Hooper expressed confusion on why the applicant was taking a huge zoning leap to General Commercial (C-2) and thought the sole reason given by the applicant of '*accommodating employees lunch*' did not meet the townships' rezoning requirements.

A motion was made by A. Hooper, supported by S. Artz, to recommend to the Township Board denial of the rezoning request from Urban Residential (RU-1) and Office (O-1) to General Commercial (C-2) at the properties located at 2000, 2002 and 2018 Spring Arbor Road.

Support: R. McQuillan, J. Shelby, T. Emmons, G. Gancsos Jr., S. Artz and Allan Hooper

Opposed: R. Simmons

Motion passed.

Dr Susan Dombrowski suggested more notice on meetings and requested the township to post meeting agendas to their website.

A motion was made by T. Emmons,, supported by S. Artz, to adjourn the meeting. The motion carried unanimously. The meeting was adjourned at 8:21 p.m.

Respectfully submitted,

Jack Shelby, Secretary
Summit Township Planning Commission