

**CHARTER TOWNSHIP OF CANTON
PLANNING COMMISSION PROCEEDINGS
June 17, 2019**

A Regular meeting of the Planning Commission of the Charter Township of Canton was held at 1150 South Canton Center Road on Monday, June 17, 2019 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: Bennett, Eggenberger, Graham-Hudak, Greene, Okon, Perkins and Zuber
Absent: Acharya, Engel

STAFF PRESENT: Goulet and Sloan

APPROVAL OF THE MINUTES OF JUNE 3, 2019

Motion by Zuber, supported by Eggenberger, to accept the Minutes of June 3, 2019, as presented. Ayes all present on a voice vote.

Mr. Goulet requested to add Cancellation of July 1, 2019 Planning Commission meeting to the agenda as item No. 5.

ACCEPTANCE OF AGENDA:

Motion by Zuber, supported by Okon, to accept the Agenda as amended. Ayes all present on a voice vote.

PUBLIC HEARINGS

1. 049-SLU-5473 **EMAGINE CANTON THEATER SUPER EMAX**
049-SPR-5474 **EXPANSION**– Consider special land use and site plan for parcel no. 049 99 0001 715. Property is located south of Ford Road and east of Lotz Road.

Mr. Sloan stated that the applicant proposes to construct a 14,725 sq. ft. addition to the east side of the existing Emagine Theater at 39535 Ford Road. Mr. Sloan explained that the addition will consist of a 363-seat Super EMax theater, a lounge, and a 24-seat screening room. Mr. Sloan indicated that the EMax Theater will be located in Westland and the lounge, screening room, and connecting hallway to the main building will be located in Canton Township. Mr. Sloan stated that because the proposed construction is an addition to an existing building in Canton Township, Canton Township will be the permitting and inspection agency for building permits, utility permits, and public safety. Mr. Sloan stated that because the proposed addition is located in both Canton Township and Westland, both municipalities must review the plans for their respective zoning compliance. Mr. Sloan stated that in Westland, the applicant must apply for approval of the portion of the site plan in the city and an amendment to the existing PUD zoning and that in Canton Township, the applicant must apply for approval of the portion of the site plan in the Township and an amendment to the special land use.

Mr. Sloan explained that motion picture theaters are a special land use in the Corporate Park Overlay District, so an expansion to the use requires special land use review by the Planning Commission and Township Board with both the special land use request and the site plan are being considered at this time.

Mr. Sloan gave the following overview of the following;

Comprehensive Plan: General Commercial

Motion Picture Theater Land Use. Motion picture theaters are a special land use in the Corporate Park Overlay District. The existing theater has an approved special land use, and an expansion of a special land requires special land use review. Our findings on the special land use criteria of the Zoning Ordinance are addressed at the end of this review letter.

Schedule of Regulations-Setbacks. The proposed building expansion in Canton Township complies with all of the setback requirements of the C-3 zoning district and Corporate Park Overlay District. The current use of the site occupies two parcels in separate jurisdictions: The parcel in Canton Township, by itself, does not have frontage and consists of the building and parking areas; the parcel in Westland has frontage on Superior Parkway to the east and consists of parking areas. At the August 23, 2007 Canton Township Zoning Board of Appeals meeting, the ZBA granted a variance to Emagine to accept the frontage on Superior Parkway (in Westland) as the legal road frontage, subject to the owner recording a restrictive covenant to the deeds of the two parcels to prevent separation of the parcels by the owner. The owner subsequently recorded the required agreement. Therefore, because the two parcels are an undivided site, the common lot line between the parcels is not subject to setback requirements.

Parking. The proposed addition will increase the number of theater seats to 1,914 and the Zoning Ordinance requires 1 parking space per 3 seats, so 678 parking spaces are required for the entire site. The existing parking lot has 899 parking spaces and the proposed addition to the east side of the existing building will result in the removal of 39 parking spaces, so 860 parking spaces will remain. Therefore, the parking lot will continue to comply with the Zoning Ordinance requirements. The City of Westland also requires 1 parking space per 3 seats, so the number of parking spaces will also comply with Westland's Zoning Ordinance.

Landscaping and Screening. No trees or shrubs will be removed in Canton Township. Evergreen shrubs will be planted around an existing transformer in Canton Township so that the screening complies with Section 5.02(D)(2) of the Zoning Ordinance. The roof-mounted mechanical equipment illustrated on the plans will be fully shielded by the building parapet wall. We will defer to the City of Westland regarding tree removal and planting on the parcel in Westland.

Lighting. All of the proposed wall-mounted light fixtures will have full cutoff shades, and the minimum illumination around the building addition will comply with Section 2.13 of the Zoning Ordinance.

Building Architecture. The architectural plans submitted show the masonry of the proposed addition matching the masonry of the existing building. Therefore, the portion of the building addition in Canton Township complies with the architectural requirements of Section 26.06 of the Zoning Ordinance.

Sign. A wall sign is proposed on the north side of the EMax theater addition. Because this portion of the building is in Westland, this wall sign is subject to the City of Westland's sign ordinance.

Traffic Impact and Access Management. The existing ingress and egress of the site via Ford Road, Lotz Road, and Superior Parkway will remain the same. The applicants have provided a letter from Michael Labadie, PE regarding the traffic impact of the addition. Emagine was originally approved by Canton Township in 2002 for 3,787 seats. In 2014, Emagine reduced the number of theater seats to 1,527 to allow for larger seats in the theaters. With the proposed addition of 387 seats, the number of proposed seats will be 1,914. Therefore, Mr. Labadie concludes that the additional traffic from the proposed expansion will not bring the total traffic to the levels of the originally approved project. Also, Mr. Labadie states that the theater traffic is not at its greatest volume when Ford Road traffic is at its peak

Mr. Sloan stated that the proposed motion theater expansion in Canton Township meets the special land use criteria of Section 27.03(C) of the Zoning Ordinance as follows:

- The theater expansion will be compatible with adjacent land uses and the principles and objectives of the Canton Township Master Plan.
- The theater will continue to be adequately served by essential public facilities and services.
- The ingress and egress of the site will not change, and the traffic is projected to be less than it was projected when the theater was originally approved in 2002.
- The theater expansion is not expected to be detrimental to public health, safety, and welfare.
- The theater expansion will not unreasonably interfere with or discourage the appropriate development and use of adjacent land and buildings.
- The location of the theater expansion will not result in a residential use being surrounded by non-residential uses.
- The theater expansion is expected to enhance the economic well-being and welfare of the township.

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

Mr. Surf Mohammad, project engineer for the site, introduced Rick Miner from Civil Engineering Solutions, Paul Glantz, owner and Chad Freason, construction manager. Mr. Mohammad stated that they have met with Canton Township and the City of Westland to coordinate the project and meet all of the respective requirements. Mr. Mohammad stated that the review was thorough and thanked Planning and Engineering Services to assist them in the process. Mr. Mohammad explained that they will be removing a few parking spaces but the site meets all the parking and fire requirements in the event of any emergencies. Mr. Mohammad stated that the expansion will not have any impact on the existing utilities or storm water or water main systems.

Mr. Mohammad stated that the landscaping meets all the requirements of the City of Westland and Canton Township. Mr. Mohammad gave a brief overview of the expansion and stated that the review was thorough and was happy to answer any questions.

Chairman Greene inquired whether the trend for movie theaters were heading toward larger venues as it previously was one theater with one movie.

Mr. Paul Glantz expressed his gratitude in expediting the process of the project. Mr. Glantz explained that the goal is to open the large screen in time for the Star Wars opening on December 19, 2019. Mr. Glantz explained that a large format screen is at their Novi Theater and have had much success. Mr. Glantz stated that in order to meet the expectations of consumers they must create an environment so that people will leave their homes to go to the theater. Mr. Glantz indicated that there was a void created by the closure of the Canton 7 Theater and wanted to fill that void and make the theater really special. Mr. Glantz stated that the screen will be wider than the screen in Novi by 2 feet and will be the largest cinemascope in the Midwest.

Chairman Greene asked for any comments from the audience.

Beth Ann Putlock, 50437 Telluride Circle, Canton MI 48187, inquired whether ticket prices will increase overall. Mr. Glantz stated that the premium auditorium will command a premium price but it will not have any bearing on the pricing for the balance of the building. Mr. Glantz stated that they are bringing the best sound system in the United States and that it will be a spectacular place to see a blockbuster motion picture.

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

Commissioner Graham-Hudak inquired if the expansion will have solar panels or be LEED certified similar to the Royal Oak Emagine Theater. Mr. Glantz explained that the Royal Oak Theater had these features during original construction of the building and that the LEED certification was obtained to help with financing the project. Mr. Glantz explained that the building will be very well insulated. Commissioner Graham-Hudak verified that the handicap parking meets ADA requirements.

Chairman Greene verified that Canton Township will be the permitting inspection agency and whether this was coordinated with the City of Westland. Mr. Sloan stated that they met with the City of Westland and discussed the protocol relative to the permitting process. Mr. Sloan stated that the lines of communication are open and contact information. Mr. Goulet explained that since the theater has a Canton Township address it will be under the jurisdiction of the Canton Township Public Safety and Fire Departments. Mr. Sloan indicated that signage for the theater is subject to the City of Westland sign ordinance.

Commissioner Perkins stated that she was in support of the expansion and is a great project. Commissioner Eggenberger stated that she loves the chairs in the theater and was very excited about the project. Mr. Glantz explained that the chairs have recently been replaced with new power recliners. Commissioner Bennett stated that this was her favorite theater and was in favor of the expansion to bring more people into Canton Township.

Mr. Glantz indicated that the sign will be set back 450 feet from Ford Road and is large enough to be viewed from the road.

Motion by Zuber, supported by Perkins, to move to recommend approval of the special land use for the Emagine Super EMax Expansion on parcel 049-99-0001-715, subject to approval by the City of Westland for the portion of the Emagine site in Westland, based upon the findings that the proposed motion theater expansion in Canton Township meets the special land use criteria of the Canton Township Zoning Ordinance pursuant to the information and plans provided; and further, I move to recommend approval of the site plan for the Emagine Super EMax Expansion on parcel 049-99-0001-715, subject to approval by the City of Westland for the portion of the Emagine site in Westland, based upon the findings that the proposed motion theater expansion in Canton Township meets the site plan review criteria of the Canton Township Zoning Ordinance pursuant to the information and plans provided.

Ayes: Bennett, Eggenberger, Graham-Hudak, Greene, Okon, Perkins and Zuber
 Absent: Acharya, Engel

NEW BUSINESS-SITE PLANS

- 2. 040-ZCSS-5496 **LOWES SEASONAL SALES** – Consider seasonal sales permit for parcel no. 040 99 0002 705. Property is located north of Ford and west of Morton Taylor Road.

Mr. Goulet stated that Lowe’s has applied for two 30-day seasonal sales permits for garden supply sales in front of the existing garden center enclosure and in 10 parking spaces on the west side of the garden center at the store located on the north side of Ford road east of Sheldon Road. Mr. Goulet indicated that the requested permit periods are from (1) June 18 through July18, 2019 and (2) August 19 through September 19, 2019. An analysis of the requirements has resulted in the following findings:

1. The existing site has a special land use approval for the outdoor garden center that permits outdoor display and seasonal sales of goods within an enclosed area as constructed. The need for an additional permit is to manage the overabundance of supplies during the peak garden season.
2. The proposal is to place racks for display and sale of live goods outside of the existing garden center enclosure. They are also proposing to use 10 parking spaces on the west side of the garden center for pallets of mulch and landscape materials for customer pick-up.
3. A compliance permit may be required from the Building Services Division prior to placement of the racks and materials to ensure compliance with the terms and conditions of the seasonal sales approval.

4. The permit periods commence on the date the racks and materials are placed. These items shall be removed at the end of the permit period.

Ms. Catherine Lennon, manager at Canton Lowes, stated that in past years they were able to place product outside of the building, however, they are now receiving more product at the building and need to condense. Ms. Lennon stated that they require a total of 6 plant racks at the front of the building and 10 parking spaces filled with bag goods on the side of the building to help with loading so that the employees will not have to carry the product twice.

Commissioner Graham-Hudak inquired whether the issue was that customers needed more flowers than what was previously provided. Ms. Lennon explained that last year they placed the plants in the aisles in the garden center and it was becoming unsafe to walk through the aisles. Commissioner Graham-Hudak inquired when flowers are typically finished selling. Ms. Lennon stated that flowers sell through July and that the remaining permit for August is to permit selling the remainder of shrubs and trees.

Motion by Zuber, supported by Bennett, to move to approve two 30-day seasonal sales permits for Lowe's at 44080 Ford Road (parcel no. 040-99-0002-705), the first permit commencing on June 18, 2019 through July 18, 2019 and, the second permit from August 19, 2019 through September 19, 2019 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.

Ayes: Bennett, Eggenberger, Graham-Hudak, Greene, Okon, Perkins and Zuber
Absent: Acharya, Engel

3. 086-DIR-5508 **PRIMROSE SCHOOL OF CANTON** – Consider developer instigated revision to an approved site plan for parcel no. 086 99 0002 703. Property is located east of Canton Center Road and south of Cherry Hill Road.

Mr. Goulet stated that the applicant is constructing a 12,521 square foot pre-school on a 2.28 acre site located east of Canton Center Road and south of Cherry Hill Road. Mr. Goulet indicated that the site will be provided access to Canton Center from a private road utilizing an existing curb cut that serves the parcel directly on Canton Center.

Mr. Goulet explained that the original design of the structure was a one-story brick building and they are now proposing to reduce the amount of brick by adding more fiber cement siding to the sides and rear. Mr. Goulet stated that the amount of masonry still meets the 50% minimum required by code.

Ms. Carla Cooper, project manager, stated that they received approval for 100% brick a year ago and now have changed their brand standards. Ms. Cooper explained they are changing to something partly brick and mostly siding which is a warmer and softer material. Want to comply with 50% brick requirement which will be kept at the front and changed the 2 sides with stone and siding above.

Chairman Greene stated that he was not pleased with proposing one façade with brick but would prefer a combination of stone and brick around the entire building. Ms. Cooper explained that they attempted to work the 50% brick around the entire building but it was not to their standards and not aesthetically pleasing. Mr. Goulet indicated that the west and north sides of the building are visible and the south and east sides back up to a landscape buffer area and residential area. Mr. Goulet explained that currently there is 50% brick and 50% siding to the building. Mr. Goulet stated that he would prefer to have 2 color variations of brick but it is their branding in terms of use of the stone. Chairman Greene suggested extending the stone and brick to the roof line and then use hardie-plank. Mr. Goulet indicated that this would place the brick percentage above 50%. Commissioner Zuber stated that if the building were in an area where it would be seen more she would agree but in this situation only the west elevation is viewed. Chairman Greene suggested making the entire sections underneath the gables siding.

Commissioner Zuber indicated that brick lintels appear above the windows and inquired if this were a rendering issue. Mr. Goulet stated that he will confirm with the architect if it is a rendering issue.

Motion by Perkins, supported by Zuber, to move to approve the request for exterior modifications for Primrose Child Care Center on parcel no. 086-99-0002-703, as proposed or as adjusted based on the discussion.

Ayes: Bennett, Eggenberger, Graham-Hudak, Greene, Okon, Perkins and Zuber
Absent: Acharya, Engel

NEW BUSINESS-STAFF REFERRAL

4. 131-SPC-5494 **NEW LUBE CENTER** – Refer review of site plan and special land use to staff for parcel no. 131 99 0013 701. Property is located north of Michigan Avenue between Canton Center and Beck Road.
131-SLU-5495

Motion by Zuber, supported by Graham-Hudak, to refer Item 4 to staff. Ayes all present on a voice vote.

REPORTS, DISCUSSION AND CORRESPONDENCE

5. **CANCELLATION OF JULY 1, 2019 PLANNING COMMISSION MEETING.**

ADJOURN.

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

Connie Wade
Recording Secretary