

Springfield Township  
Planning Commission Meeting  
Minutes December 18, 2018

Call to Order: Chairperson Baker called the December 18, 2018 Business Meeting of the Springfield Township Planning Commission to order at 7:30 p.m. at the Springfield Township Civic Center, 12000 Davisburg Road, Davisburg, MI 48350.

Attendance:

Commissioners Present:

Dean Baker  
Ruth Ann Hines  
Dave Hopper  
George Mansour  
Jason Pliska  
Terry Rusnell  
Kevin Sclesky

Commissioners Absent

None

Consultants Present

Doug Lewan, Carlisle Wortman, Associates  
Randy Ford, Hubbell, Roth and Clark, Inc.

Staff Present

Collin Walls, Supervisor  
Erin Mattice, Planning Administrator

Approval of Agenda:

**Commissioner Hines moved to approve the agenda as amended, changing New Business #3 to “Receipt of memo from Greg Need Regarding Zoning Lot.” Supported by Commissioner Hopper. Vote: Voted yes: Baker, Hines, Hopper, Mansour, Pliska, Sclesky, Whiting. Voted no: None. Absent: None. Motion Carried.**

Public Comment:

None

Consent Agenda:

**1. Minutes of the November 20, 2018 meeting**

**Commissioner Sclesky moved to approve the minutes of the November 20, 2018 meeting as amended, page 5, 1<sup>st</sup> paragraph should be changed to “know who they are”. Supported by Commissioner Pliska. Vote: Voted yes: Baker, Hines, Hopper, Mansour, Pliska, Sclesky, Whiting. Voted no: None. Absent: None. Motion Carried.**

Public Hearing:

None

Old Business:

None

New Business:

**1. Conceptual Site Plan Review – Speedway LLC, Parcels: 07-14-101-003, 07-14-101-004, 07-14-101-012, 07-14-101-013, 9765 and 9757 Dixie Highway, 4.27 Acres**

Jon Ziegan, Osborn Engineering, introduced himself to the Commission.

Chairperson Baker summarized the purpose of Conceptual Site Plan Review. The properties that are being considered tonight are C-2 and this zoning permits gas filling and convenience stations to be located in this zoning. The projects must abide by the Township Ordinance. If there are things that are outside of the ordinance, the application must go to the Zoning Board of Appeals and the applicant is scheduled to appear before the Zoning Board of Appeals on Wednesday, December 19, 2018.

Mr. Ziegan provided an overview of the project. He summarized that they had appeared before the Commission in October 2018 with a preliminary PUD design and now, based on the comments from the Commission and consultants at that meeting, they are before the Commission for Conceptual Site Plan. The truck fueling lanes that were in the rear of the site were removed. He stated that with the driveway spacing, they looked to make more equal spacing between the existing driveway at Kroger and the intersection at Dixie Highway and Davisburg Road. This was influenced by the design traffic engineer's recommendation. There is a reduction in the signage because it was clear that Speedway's sign design was very different from the vision that the Township has for Dixie Highway. He summarized the proposed signage plan including the sign variances that are being requested. They are trying to get this project to fit the intent of the Dixie Highway Design Guidelines and Overlay District. The applicant also reduced the fueling lanes by one pump to reduce some of the business due to traffic concerns raised. The properties historically are undeveloped and underdeveloped, and Speedway shares the concerns of the Township to make this a focal point of the Dixie Highway Overlay District.

Mr. Doug Lewan summarized his site plan review report dated December 6, 2018. The only issue with the bulk requirements is the height of the canopy; the applicant is requesting a variance for a 20-foot-high canopy. He summarized the ordinance requirements for Automobile Service Station. One of the concerns is the access driveway on Dixie Highway specifically will relate to the northern most driveway of Kroger and the potential impacts with the proximity of those driveways. There is an access management standard in the zoning ordinance which requires driveways to be a certain distance apart and the applicant is asking for a variance for the distance. The applicant will also be asking for a variance because the driveways are proposed to be 35 feet in

width and ordinance standard requires them to be 30 feet. Detailed landscaping will be reviewed at Final Site Plan and will be required to meet buffering requirements. According to ordinance requirements, canopy should be incorporated into main building design and should be no more than 14 feet in height. Applicant will be requesting a variance to the canopy ordinance requirements. Also, outside sales and display areas will need to meet ordinance standards. He has no concerns regarding natural resources. They would like the applicant to investigate the possible connection between the Speedway driveway and the northern Kroger driveway to eliminate a curb cut and to eliminate the conflicts that both driveways would have on this project. Cross access is brought up in several locations in the ordinance and it is in the Dixie Highway Design Guidelines. Consolidating this driveway location would address several ordinance criteria. The parking calculations do not consider the parking that would take place at the pump islands, but it is reasonable to consider that this parking would take place. Although the parking calculations show that they are short on parking, it is reasonable to assume that people would park at these pump islands and the Commission can provide some flexible application. The applicant also needs to provide details on the retail space. A pathway is shown along Dixie Highway and at Final Site Plan final verification is needed from Road Commission. He summarized Final Site Plan submission requirements. The Final Site Plan should document how the Dixie Highway Design Guidelines are being met.

Mr. Randy Ford stated that the ordinance requires that general soils information be provided on the Conceptual Site Plan and the only information submitted was information regarding the topsoil levels. A geotechnical report was referenced, but no other soils information was provided. This ordinance requirement needs to be addressed. The applicant did not say how they were going to address some of the ordinance requirements and just said they will be addressed. This will need to be provided. The plan indicated that there was a relocated potable well that was going to be in a general location relative to the fuel storage tanks that would not meet the State isolation requirements and the applicant would have to get a variance from the Oakland County Health Division. He questioned if they had been in contact with the Oakland County Health Division and what the relocated well on the plan meant.

Mr. Ziegen provided an analysis of cut/fill showing that the site would be balanced but the ordinance intent is to minimize disturbance to the natural topography. There are significant cuts and slopes that are indicated on the plans in the area of the detention basin and an area in the rear of the site that is going to be mounded.

Mr. Ford stated that the applicant needs to provide reasoning for the necessity of these slopes and fill areas in the back of the site. Storm water management systems needs to be addressed and how those systems will address best management practices. The storm sewer does discharge to the north into Susin Lake and no information was in the plan submittal to determine what onsite measures are going to be taken to mitigate the potential impacts like onsite pretreatment. The most significant issue is site access. HRC did not do a detailed analysis of the Traffic Impact Study provided since it is not required for Conceptual Site Plan. The distance between driveways will need to be addressed since it does not meet ordinance. One of the factors that HRC engineers did review in the

Traffic Impact study is how to calculate trips for the site. There are a couple of different land use codes that could be applied to the site. One of them is gasoline with convenience market with primary business being fueling and being based on fueling positions. As per the ITE book, if it is considered a super convenience market/gas station, sale of convenience items as important as fueling, the trips double. In talking to the applicant's traffic consultant, there was discussion about taking similar Speedway stations and look at the actual trip generation numbers and doing a comparative to this site. This is an appropriate practice to look at comparable situations however the applicant submitted other sites in Michigan, Illinois and Tennessee. The counts from the Tennessee and Illinois sites were much lower than the Michigan site. He suggested that the two out-of-State sites skewed the information, so it was suggested that the applicant remove the two out-of-State sites. The applicant should do a comparative closer to what they are proposing here. The applicant used a factor of 1% for the growth rate and Mr. Ford suggested that the applicant provide more information as to how this percentage was generated. The applicant added more area drives to the analysis as they were asked to do. After a preliminary look, the existing level of service for all of the driveways was level of service A-D. The level of service A being the best in terms of the level of delay for the vehicle. F would be greater than 80 seconds of delay and would be seen as being unacceptable. Based on their data, HRC finds acceptable levels of service which range from A to D except for two turning movements. This is the east bound traffic on Davisburg making the right turn onto Dixie at peak morning hours which showed up as a level of service E. During the afternoon peak hours, vehicles trying to turn out of New York Minute and head south on Dixie Highway had a congestion problem and showed a level of service E. There was also a problem with the proposed drive on Dixie Highway showing up as a level of service E for both AM and peak hour. He suggested that a shared driveway with Kroger would be the best option to proceed. If the Dixie Highway driveway is permitted, he would recommend that it be limited so that it be right turn only for egress and there be internal signage directing drivers to Davisburg Road to head north on Dixie Highway. The plans submitted show a continuous right turn lane when you turn on Dixie Highway going south. He suggested that the right turn lane shouldn't go all of the way to the corner, so it is not opened up all of the way around the corner.

Commissioner Mansour asked what happens if the applicant does not get a variance for the well location.

Mr. Ford replied it should be a concern, but he deferred to the applicant to address this.

Commissioner Mansour asked why there is only one date targeted in the traffic study. There are other days of the week that may show higher or lower numbers.

Mr. Ford replied he would have to talk to the transportation department to know for sure.

Commissioner Sclesky stated that he went out and measured the canopy height at Kroger and General RV. It is approximately 16 feet from the bottom of the canopy to the concrete and there at least 4 feet of construction material above this so it is at least a 20-foot canopy at Kroger. General RV is approximately 16 feet from the bottom of the

canopy to the concrete. It opens up underneath and goes to the top of the building. He suggested that maybe the new standard is 20 feet and he asked Mr. Lewan if this was the case.

Mr. Lewan replied he does not know the answer to that.

Mr. Ziegen stated that they do not have a permit for the well because they must get the proper zoning approvals first. The applicant does not own the property yet, they are under contract. The designer used input from a local well driller to come up with the location based on an understanding of what has been there historically. There are four uses of water on the site: well use, sanitary use, storm water protection and ground water which concern the tanks. Balancing these four uses of water was a challenge for the design team and they sought to separate the four uses as best as they could within the property. The next steps after this meeting is to submit the preliminary site plan to Oakland County and get their input. Whether or not school was in session was a very important component of the traffic study, but he stated that he would have to defer to the traffic experts to determine whether they have studied all the potential peak times. He stated that they will see a lot of canopy height with 16, 16.5 and 17 feet height underneath. In Michigan, a vehicle can travel down the highway with a maximum height of 13.5 feet and the canopy areas need to be lit for safety reasons. The lights are mounted on the bottom of the canopy so when a big box is parked there, if there isn't some clearance between the top of the truck and lighting, the lighting is cut off and therefore they are asking for the additional 3 feet which is a normal height. When the site plan says, relocated well, it is a note to the Speedway environmental professionals involved in the project that there was another well that will be abandoned and there will be a new well added. The application to the County is for a new well to serve potable water needs for the building. The traffic team at Speedway has been in touch with the traffic personnel at the County and with HRC's traffic experts so what is appearing in the report is being prepared by professionals that are experts in their field. If the 1% growth rate isn't the right number as agreed upon by the experts, then this can be adjusted. Speedway can do the interior signage. He stated that given this property is on a major highway and the zoning code allows for a driveway on the frontage, coupled with the idea that connecting to the driveway would be bringing a traffic change to the Kroger driveway, it brings another level of concern. The factor determining driveway width is the semi-truck accessibility for delivering items and they want to avoid a semi-truck running into the grass and breaking the curb. Speedway felt that the driveway centered between Davisburg Road and the existing Kroger driveway came the closest to meeting the intent which was to have driveways separated by 275 feet. The designer felt this was the best way to mitigate the concerns. Alternative would be to push the driveway closer to Davisburg Road and meet the 275 foot zoning requirement for driveway spacing which would be too close to the intersection.

Chairperson Baker asked about the hours of operation.

Mr. Ziegen replied 24 hours.

Chairperson Baker stated that the safety of the access point would be enhanced if it was the same access point as the north Kroger drive. This is not only for safety, it is also something that the ordinances are promoting, and this will also eliminate the variance request for the driveway separation distance. He asked if the applicant had approached Kroger.

Mr. Ziegen replied that to his knowledge, Speedway has not approached Kroger and indicated that perhaps they are unwilling to. Kroger has their ordinance required screening along that property line and a driveway connection would impact the landscape. Also, the storm water pond shown on the plan would be impacted. Site topography drives the location of the storm water pond. The four water uses are necessary and required and they must make sure that they all work together on this site. Speedway is buying a lot more land than would be required just to run a gas station. There is an extensive amount of property that Speedway does not intend on developing at the site because there are ancillary water uses that have required space and he summarized the water use separation requirements. All of these uses affect the ability to put a driveway right through where the storm water pond wants to be. Inviting cross traffic in the area between the canopy and the store, which would happen if there was shared access, is a safety concern for Speedway pedestrians.

Al Chakonas, Speedway Real Estate Representative, stated that Speedway would be willing to do the “pork chop” in the Dixie Highway driveway making this driveway right in and right out only, but it will put the project in jeopardy. He stated that the plan that is prepared is what you get and they will not establish cross access with Kroger.

Chairperson Baker commented that there would be a pedestrian pathway at the driveway off Davisburg Road and another one at the driveway from Dixie Highway so that when drivers enter, they will also be crossing a pedestrian pathway. The plan that is presented does not eliminate pedestrian crossings.

Mr. Ziegen replied that a cross access with Kroger will cause more cars to be on the site that are heading to Davisburg Road to exit without paying attention to the use on the Speedway site.

Chairperson Baker stated that Speedway is saying that if they do not get the variance for the driveway separation distance, the project will not take place.

Mr. Chakonas and Mr. Ziegen replied yes, this is correct.

Commissioner Mansour stated that he is not excited about pairing up with Kroger. There is not a lot of commercial growth on Dixie Highway and he is not so concerned about the driveway separation because he would like to keep it further away from Davisburg Road. He is concerned about the person pulling in the driveway and having to make an immediate right into the Speedway property with someone right behind them going into Kroger. The independent driveway is not a big deal to him. He would like to see traffic that is going north on Dixie Highway come all the way to Davisburg Road and must go

through the light. He asked about the seat designation of three seats versus the other table with four seats.

Mr. Ziegen replied that the three seat table is for wheelchair accessibility.

Commissioner Mansour stated that if the seating area is eliminated, then it will be a green area. He asked what this meant.

Mr. Ziegen replied that this area would be landscaped with a low maintenance landscape solution.

Commissioner Mansour asked about the curbed canopy sign option.

Mr. Ziegen answered that this is a temporary sign on the round steel columns supporting the roof. They have identified this is an item that they need a variance for which they will address with the Zoning Board of Appeals.

Commissioner Mansour asked about the height of the store.

Mr. Ziegen replied 23 feet, 8 inches.

Commissioner Mansour asked if they would comply if the canopy was attached to the building.

Mr. Lewan replied no.

Commissioner Mansour asked if there was any thought in extending the center lane down Davisburg Road to help motorists turning left into the site.

Mr. Ziegen replied that no Davisburg Road improvements are planned; there was nothing in the TIS to indicate that this was recommended.

Commissioner Mansour asked if they have the ingress and egress details.

Mr. Ziegen stated that Speedway will use internal signage. They would not be opposed to enter and exit signage to regulate traffic flow. The traditional traffic signs also might be required.

Commissioner Mansour stated that in the lighting plan, it shows there is a flow over of lighting from the site over onto Dixie Highway and some on the entranceway of Kroger. He is concerned about the lighting and the impact of that lighting.

Mr. Ziegen stated that the lighting experts follow the international and State adopted codes for safe lighting levels. The spill over lights is in single digit numbers which is very low and when it comes to public right of ways and lighting, usually more is a good thing. There is no intentional action to increase light level at the property line.

Commissioner Mansour asked how many staff they are planning on having on site. He asked what provisions they had for spills.

Mr. Ziegan replied Speedway has an excellent safety and environmental program that all employees are required to take. The store staffs between 8 and 12 people depending on time of day.

Mr. Chakonas replied there will be about 25 employees total. Each employee goes through a training log before they are put on a shift so they know how to handle a fuel spill.

Chairperson Baker asked if there was an area inside where Speedway employees are preparing food.

Mr. Chakonas replied yes; it is an order to go program.

Mr. Ziegan replied there are eleven seats inside. The food service is comparable to McDonalds where the customer operates a touch screen.

Commissioner Mansour stated that he is not a fan of the proposed goal post sign and he asked why it has to be so big.

Mr. Ziegan replied the visibility is a reason. He asked how often a consumer plans a trip to a gas station. The automobile fueling is an important part of the whole business. Visitors to the area do not know the Speedway is there but seeing a familiar sign tells the visitor from out of town that there is fuel there which makes for a safer experience for visitors. The branding is another reason for the sign.

Mr. Chakonas replied that they would be willing to look at the size of the sign if they can have one at each entrance. The ground mount signs with stone are more attractive. He will take that under advisement with the Speedway design team.

Commissioner Sclesky agreed; the two monuments signs would be more attractive.

Commissioner Mansour replied that he could see it on Dixie Highway but not on Davisburg Road.

Chairperson Baker commented that this signage will go before the Zoning Board of Appeals for variance request.

Mr. Ziegan replied this is why they came back to the Zoning Board to help clear this up. He pointed out a 4 foot decorative fence along the frontage and the Overlay requirements for the landscaping. This landscaping will obscure the monument sign.

Commissioner Pliska asked about the number of employees per shift.

Mr. Chakonas replied there could be about 8 during the busy day shift and night shift would be about 5 employees. The third shift is the most important shift not only for cleaning up after rush hour, but also for preparing for the next day morning rush.

Mr. Ziegen stated that they encourage the employees to park on the side.

Commissioner Hopper stated that this plan is reminiscent of the McDonalds plan when it first came to the Township. McDonalds used internal signage to force north bound traffic to exit at the traffic light which the Township paid half of. He stated that he looks at the ordinance and right in the Intent section of the C-2 General Business it says that a site should be designed to avoid congestion on adjacent thoroughfares. The Dixie Highway Overlay District is important and he asked the applicant if he had been to General RV. General RV has one sign in front that meets the ordinance and it also meets the Dixie Highway Overlay District. He doesn't know how the building design is going to meet the Dixie Highway Overlay District and the expected prairie or craftsmen style. The Kroger canopy starts at 15'6" and it is taller because they have a shingled roof that the Commission requested. He would expect something like this. He would like to see cross access because it is in the ordinance and should be explored because there are too many curb cuts on Dixie Highway. He suggested moving the Kroger driveway and then sharing it.

Chairperson Baker stated that detail is not required for Concept, but the applicant should provide how the development is going to meet certain construction elements including storm sewer. If they had that, they could offer more comment on the placement of the detention facility. As the applicant moves into the variance request process, he should be reminded that there are criteria that a granted variance must meet and he summarized those criteria.

Chairperson Baker asked for public comment.

Mary Smith, 10058 King Road, expressed her concerns over traffic and safety. She suggested other solutions are used to minimize the left hand turns out of Kroger going north on Dixie Highway. She supports sharing the Kroger driveway because it would minimize curb cuts. She supports the 10 foot ordinance requirement for signage on Dixie Highway. She is also not in support of 258 square feet of building signage. All of the variance requests are not consistent with the intention for the Dixie Corridor.

Ken Carnwath, Pine Lake Forest resident, expressed his concerns regarding traffic and safety with this project. The Commission should restrict the approach cuts along Dixie Highway. The further the drive goes north to meet zoning criteria, the more dangerous the drive gets for traffic. The storm sewer can run to a pond next to the septic system so the pond can be moved and the drive can be shared.

Commissioner Sclesky asked if the traffic study engineers had investigated the shared driveway and commented that the Speedway applicant has said it is not going to happen anyway.

Mr. Chakonas replied that the shared drive will not happen.

Commissioner Sclesky stated that he looked at the site as being on a major highway with low volume traffic businesses on the other corners at that site. He would assume that a large pharmaceutical company would go on this site or a fuel station and convenience store. This area is zoned to support a fueling station and there was a fueling station there historically. If the business can meet the zoning requirements and the Dixie Highway Overlay requirements and if the signage can be adjusted, he doesn't see why it cannot be done. It would be a nice project to be placed on the corner. There were some concerns expressed regarding school busing safety with students. He called the Superintendent of Clarkston Schools, Shawn Ryan and the Clarkston Schools Transportation Director, Colleen Mays. He explained to each of them what was proposed on this site and asked them if they had any concerns about safety regarding their bus drivers or students and each responded they have no concerns.

Commissioner Hines stated that her first inclination is that the drive should be shared with Kroger to make it safe but she is not a safety expert and believes it should be thoroughly explored to mitigate safety concerns. She is not in favor of a large sign. This is not keeping with the rural character of the Township. Visibility will not be a problem with a sign that meets the ordinance requirements.

Commissioner Pliska commented that his major concern is traffic and safety and the impact on the intersection. He would be interested in seeing additional information regarding impacts. He agrees with the signage comments and would like to see a good faith effort to keep within the design standards that have been set for Dixie Highway and he thinks this can be done.

Commissioner Mansour stated that the topography is conducive to moving the drainage pond and making the adjustments.

Chairperson Baker commented that he supports the shared driveway. He appreciates the fact that the truck fueling was removed. He doesn't support a large sign. There is a larger sign to the south which advertises multiple businesses in the complex. There are monument signs along Dixie Highway that conform for other business. All design elements would have to conform to the Overlay District and the Dixie Highway Design Guidelines. He commented that the information provided in the Traffic Impact Study regarding Illinois and Tennessee need to be removed as per Mr. Ford's comment. The continuous deceleration right lane needs to be modified. He commented that he would be in favor of counting the spots at the fueling pumps as parking spots.

## **2. Ordinance Amendments – Section 40-36, Duties of Zoning Official**

Commissioners discussed the Zoning Administrator options and memo prepared by Greg Need, Township Attorney. Commissioners expressed a preference for Option 2 and determined that they would discuss this at the joint Board and Planning Commission meeting on January 15, 2019.

## **3. Receipt of memo from Greg Need regarding Zoning Lot**

Commissioners received memo from Greg Need regarding Zoning Lot and agreed that if the language is available in time, they would discuss it at the joint Township Board and Planning Commission meeting on January 15, 2019.

### Other Business:

#### **1. Priority Task List**

Commissioners reviewed and made changes to the Priority Task List

### Public Comment:

### Adjournment:

**Commissioner Hines moved to adjourn the meeting at 10:07 p.m. Supported by Commissioner Hopper. Vote: Voted yes: Baker, Hines, Hopper, Mansour, Pliska, Sclesky, Whiting. Voted no: None. Absent: None. Motion Carried.**

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Erin A. Mattice, Recording Secretary