

**CHARTER TOWNSHIP OF COMMERCE
PLANNING COMMISSION MEETING**

Monday, March 3, 2008
2840 Fisher Avenue
Commerce Township, Michigan 48390

CALL TO ORDER: Tom Jones, Vice Chairperson, sitting in for Larry Haber, Chairperson, called the meeting to order at 7:00pm.

ROLL CALL: Present: Tom Jones, Vice Chairperson
Connie Holmes, Secretary
Randy Thomas
Bill McKeever
Debra Kirkwood
Brian Winkler
Absent: Larry Haber, Chairperson (excused)
Also Present: Kathleen Cassidy, Planning Director
Jeffrey Bowdell, Building-Zoning Director
Jay James, Giffels-Webster Engineers

APPROVAL OF MINUTES

MOTION by Holmes, supported by Kirkwood, to approve the Planning Commission Meeting Minutes of February 4, 2008 as written.

MOTION CARRIED UNANIMOUSLY

UPDATE OF ACTIVITIES

Debra Kirkwood – Township Board of Trustees

- Discussed tri-party funding, the wastewater treatment plant and Township hall plans.
- The Executive Session was extensive.

Bill McKeever – Zoning Board of Appeals

- There was no agenda last month.

Randy Thomas – Downtown Development Authority

- Update on DDA Project; snow removal and tree moving.
- Update on Township hall; the inside demo is beginning this month.

Holmes – At the Library, there is clear-cutting on both sides of the roadway. I know part of it is for the road, but why on both sides?

Thomas – At Pontiac Trail and M5, some of that is for the roundabout.

Kirkwood – And some is for the road grading they are doing.

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UPDATE OF ACTIVITIES (continued)

Kathleen Cassidy – Mr. Long Senior passed away. Services will be held Thursday and Friday at Lynch & Sons Funeral Home in Walled Lake. The funeral is Saturday at 11:00am.

PUBLIC DISCUSSION OF MATTERS NOT ON THE AGENDA

None

ITEM I: CZ07-01 – HYT LLC – CONDITIONAL REZONING – TABLED FROM 9-24-07

HYT LLC of White Lake MI is requesting a Conditional Rezoning of a portion of a parcel of land that will consist of 2.29 acres from R-1C (Single Family Residential) to B-2 (Community Business) located at 2280 Union Lake Road.

Sidwell No.: pt. of 17-01-451-010. **Remain Tabled.**

ITEM II: CZ07-02 PHYSICIANS RENAISSANCE – CONDITIONAL REZONING – TABLED FROM 9-24-07

Physicians Renaissance Real Estate of Waterford MI is requesting a Conditional Rezoning of a parcel of land that will consist of approximately 13 acres from R-1D (Single Family Residential) to B-1 (Local Business) located at 2261 Union Lake Road.

Sidwell No.: 17-01-476-005. **Remain Tabled.**

>> Vice Chairperson Jones suggested that Items III and IV be reviewed concurrently and there were no objections.

ITEM III: SU08-02 – CAMP BOW WOW – SPECIAL LAND USE – PUBLIC HEARING

Camp Bow Wow of Troy MI is requesting a Special Land Use to allow a pet service establishment located at 4373 Plant Drive. Sidwell No.: 17-13-400-059

ITEM IV: SP08-13-01 – CAMP BOW WOW

Pooch People Properties LLC of Troy MI is requesting site plan approval for a pet service establishment located at 4373 Plant Drive. Sidwell No.: 17-13-400-059

Kathleen Cassidy, Planning Director gave a review.

Ann Roth, the Petitioner, 1300 Souter Drive, Troy, MI was present to discuss the requests. Dwayne Nichols, 1748 Traditional Drive, Commerce, MI, was also present representing Mr. Spencer.

Discussion followed regarding the operation

Kathleen Cassidy –

- Note a caveat that if the Planning Commission grants approval, the boat in the parking lot needs to be removed as storage there is not a permitted use.

Vice Chairperson Jones opened the public hearing

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**ITEM III: SU08-02 – CAMP BOW WOW – SPECIAL LAND USE – PUBLIC HEARING
and ITEM IV: SP08-13-01 – CAMP BOW WOW (continued)**

No comments.

Vice Chairperson Jones closed the public hearing.

Commission Comments:

McKeever – No comments

Kirkwood – The fence in the back is shown as 8' PVC.

Ann Roth – Our rule is to use the highest fence allowable.

Kirkwood – The height is no problem. I'm not fond of PVC.

Ann Roth – Is chain link preferable?

Kirkwood – No, but doesn't PVC break, especially with dogs involved?

Ann Roth – We use metal reinforced, high gage PVC. Another option is wood, but it can harbor bacteria. The PVC can be disinfected and therefore it's more sanitary.

Kathleen Cassidy – It needs to be opaque.

Kirkwood – So if it does break, it will be replaced promptly?

Ann Roth – Absolutely. We certainly don't want anyone escaping. It's industrial grade PVC.

Thomas – The request seems to meet the Township requirements.

Winkler – What is located on the west side, across the street?

Kathleen Cassidy – That is the Detroit Gun Club.

Winkler – No comments.

Holmes – No comments.

Jones – On page 5 of your packet, it shows 1-44 cabins...

Ann Roth – That is a sample of a typical floor plan. Our number is based upon the number of square feet we have. We are still deciding on the floor plan of the franchise. There will be 55 cabins, some of which are family cabins that house 2-3 dogs, so we can feasibly house 65 dogs maximum.

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**ITEM III: SU08-02 – CAMP BOW WOW – SPECIAL LAND USE – PUBLIC HEARING
and ITEM IV: SP08-13-01 – CAMP BOW WOW (continued)**

Holmes – On the plan, it looks like the cabins are all the same size. Is there a differential?

Ann Roth – Yes, there are 2 sizes but it is hard to distinguish on the plans. 4'x8' and 4' high is for the normal, average 50lb. dog, and the 5'x10' at 8' high is for Great Danes, etc. We may also try some 4'x4' for very small dogs as they are sometimes uncomfortable in larger units.

MOTION by Thomas, supported by Kirkwood, that the Planning Commission approve Item SU08-02, the request by Camp Bow Wow of Troy MI for a Special Land Use to allow a pet service establishment located at 4373 Plant Drive.

Sidwell No.: 17-13-400-059.

Approval is for the reason that the information submitted by the applicant and the information presented to the Planning Commission demonstrates that the proposed Special Land Use meets all of the requirements and standards of the Commerce Township Zoning Ordinance.

Approval is subject to removal of the boat that is currently stored on the premises.

MOTION CARRIED UNANIMOUSLY

MOTION by Thomas, supported by Kirkwood, that the Planning Commission approve Item SP08-13-01, Camp Bow Wow, the request by Pooch People Properties LLC of Troy MI for site plan approval for a pet service establishment located at 4373 Plant Drive. Sidwell No.: 17-13-400-059

Approval is for the reason that the information submitted by the applicant and the information presented to the Planning Commission demonstrates that the proposed Site Plan meets all of the requirements and standards of the Commerce Township Zoning Ordinance.

Approval is subject to the conditions of the previous motion to approve the Special Land Use, and to the conditions as specified within the Planning Department's reports dated February 25, 2008.

MOTION CARRIED UNANIMOUSLY

ITEM V: SP08-24-03 – COMMERCE TOWNSHIP HALL

Commerce Township is requesting a courtesy review of the Links of Pinewood renovation located at 8600 PGA Drive. Sidwell No.: 17-24-176-001

Kathleen Cassidy, Planning Director gave a review. This is for the purpose of receiving the Planning Commission's input and ideas regarding relocation of the Township Hall to the existing building at the Links of Pinewood Golf Course. Minor changes are being made to the exterior. There will be a covered public entry to the north, and a main entry on the east side.

The parking lot on the north is not part of this review as layout and costs are being evaluated. The existing lot is in conformance for the required number of spaces – 221 are available and 160 are required. This will be brought back before the Commission, along with the landscaping.

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ITEM V: SP08-24-03 – COMMERCE TOWNSHIP HALL (continued)

Legal issues related to easements are being reviewed. Jay James, the Township Engineer, is present and he has been working with the attorney in this regard. Michael Berlin of Hobbs & Black is present to discuss the elevations in detail.

Jones – Will there be sufficient handicap parking?

Kathleen Cassidy – Yes, there is on the plan.

Michael Berlin described the new construction plans on each elevation of the building and described the soffit, brick, EIFS, etc.

Jones – So the building is being refaced?

Michael Berlin – Yes. The existing is brick and some portions are being filled in with matching brick. We are maintaining the existing structure and using the existing openings in a practical, cost-conscious manner.

Michael Berlin continued to review the west side, which consists of a large meeting area. The detailing wraps around the building continuously, which enhances the height which is of significant importance to the building. A large clock is proposed for the main civic view of the building.

Kirkwood – That would be visible from Martin Parkway? (Yes.)

Michael Berlin explained that most of the north elevation is the parking lot and 90% of people will be coming in from this entrance as opposed to the front. There will be a covered walkway at the entrance, and a skylight above the departments in that area to allow natural lighting.

Holmes – So that is the main entrance?

Michael Berlin – Yes, that will be the main entrance as dictated by the parking area. The east is more of a formal entrance.
The demo is scheduled for March 20th through the 2nd week of April.

Holmes –

- Are they also doing the interior? (Yes.)
- Please make sure that the facilities are handicap friendly.

Michael Berlin – Yes, they will be. Things have changed significantly since the current Township hall was built.

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ITEM VI: DISCUSSION WITH THE ROAD COMMISSION FOR OAKLAND COUNTY

Kathleen Cassidy introduced Mathew Gaberty and Lee Liston of the RCOC. She explained that their purpose here tonight is to let the Commission know what the upcoming projects are and to answer any questions. She has met with the RCOC, along with Jay James and Supervisor Zoner, periodically as needed. They do have the new Overlay Zoning Districts and they are providing feedback on zoning coordination as necessary.

Mathew Gaberty discussed the transportation plans and how the RCOC is getting serious about working with the Township staff and Planning Commissions of the communities within the county.

He addressed the Master Right-of-Way plans and what they mean. Currently, there is sensitivity about the 120', 60' on either side of the centerline, that is reserved for the right-of-way for future purposes. It sounds like a lot of space and it may appear that the roads will be expanded to 5 lanes. That is not going to happen. We can't do that without your involvement and permission, and financially, it can't be done.

Lee Liston – It could be put in as little as 70' but there would be nothing left for anything else.

Mathew Gaberty – Right. So why is the larger right-of-way required? We have a new program coming out, Context Sensitive Solutions/Design. We are partnering with Oakland County to design it and we are asking the community for their input as to how they want it to look. It is more than making it look pretty – it also deals with what else needs to go into and around the roadway.

Some communities want an 8' multiuse path for biking and pedestrian safety. We also prefer if the utilities are not placed under the roadway because every time something breaks, the road has to be torn up and it increases construction costs. When the road is repaired, it is not usually returned back to the way it was.

So the additional room allows for utilities, lighting, signs and pathways. It also allows for flexibility in designing the layout of the roadway. Sometimes we need to work around a wetland, trees or a historical building, and this way, we can move the road to suit the conditions.

Lee Liston – I work in the Permits Department at the RCOC. The Permits Department manages all of the work being done in the right-of-way that is not being done directly by the RCOC and we try to help communities manage the situation. We oversee water, sanitary, storm drains, power poles, etc. Sometimes electrical, phone, cable and gas lines are buried, and it all has to fit. Some things can go under the roadway, such as major water mains and sewers. We hope they'll never have to dig them up.

Generally speaking, we make use of the space. We use the extra space to allow for turning radii at the corners, turning lanes and for traffic signals.

Mathew Gaberty – This is a precursory review to discuss the Master Right-of-Way plans. We did this back in 1994, and we tried something different. We want to treat every community as its own separate entity. The borders of each community will match,

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**ITEM VI: DISCUSSION WITH THE ROAD COMMISSION FOR OAKLAND COUNTY
(continued)**

but we focus on each community's requirements individually. We want to negotiate with you and listen to your side, and express the need for why some things need to be a certain way. We will be back again in the near future to discuss this with you again. Another project to discuss is Union Lake Road. This is a really big project. We had a pre-meeting with the staff about it before tonight's meeting.

The limits of the project will extend from Richardson Road to the east leg of Cooley Lake Road. Pre-construction is scheduled for March 11th, and awards will be made shortly thereafter. That is the preliminary timeline, and we are establishing the definite timeline, and then the formal work will begin.

Construction is expected to begin on April 15th, and completion is anticipated on October 15th. There will be closure for local traffic only from Richardson to Commerce from July 5th through mid-September.

The "hard" closure is when the road will be completely shut down, which will occur during the same period, and that will be from Pickert Street to Eldora. No traffic will pass through as the excavation will take place there.

Jones – Will people be put out?

Mathew Gaberty – No. People who come in from the north and south will be re-routed and detours will be posted.

Holmes – What about some of the homes that are so close to the road? They are almost on the roadway now.

Mathew Gaberty – This is only a 3-lane project. They are redoing the pavement.

Lee Liston – We will check into the details with those houses though.

Holmes – So it is being widened?

Mathew Gaberty – Yes, but only to the minimal 3-lane cross-section.

McKeever – Will Benstein Road reopen before Union Lake closes?

Jay James – We have coordinated a 2-week window for the culvert on Benstein.

Jones – Benstein is scheduled for completion in June?

Jay James – Yes, and July 5th is when Union Lake begins.

Lee Liston discussed the continuation of the path on Benstein and the culvert extension. He also addressed the Martin Parkway project which is being built by the DDA with a permit. They just started clearing the site and moving earth. The storm water management needs to be taken care of before building the road. The construction there is anticipated from June to November.

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**ITEM VI: DISCUSSION WITH THE ROAD COMMISSION FOR OAKLAND COUNTY
(continued)**

The main roundabout at Pontiac Trail and M5 will not be built until 2009.

Kirkwood – And there will be no connection until then? (No.)

Open discussion took place regarding navigation under Benstein and around the river, removal of the old bridge and widening of the culvert.

Jones – The shoulder in some communities extends beyond the white line by 3-6'. This allows for bikers to have a safe area to ride so that motorists aren't right next to them. Can this also be added here in Commerce? Quite often, the road breaks away leaving no shoulder at all.

Lee Liston – That typically occurs from people driving off the road.

Mathew Gaberty – The current policy for Triple-R or a major resurfacing is to add an additional 3'.

Lee Liston – The real reason behind that is a study that was done back in the 70s which showed that most drivers can recover their vehicle within 3' when they are going off the road. The 3' helps to increase driver safety.

Mathew Gaberty – We are trying to convince people at the RCOC to take this to 4' to increase the safety margin. However, we don't want to mark the area with a diamond to establish it as a bike area because that sets up a new level of liability by declaring it a safe area. It is not necessarily safe, even with 4', to travel alongside traffic on the shoulder. Also, once you put the diamond down and declare the bike lane, the bikers are forced to use it and cannot travel on the roadway – they may not like that.

Jones – I'm not suggesting diamonds. Just a little bit more leeway for safety.

Holmes – I see what you are saying about the liability with marking the pavement, but it is nice to have the pavement as opposed to gravel.

Mathew Gaberty – Yes, the trend is for a wider paved shoulder.

Michelle Holmes – As a recreational specialist, I feel it is safer for bikers to ride with the traffic as opposed to against it, but they have to follow the rules.

Mathew Gaberty – That is a big issue I address as a transportation planner, and everyone agrees, but they don't follow the rules.

Michelle Holmes – Yes, they need to be trained. (Discussed Wolverine Lake area diamond bike lane that goes against traffic – it is dangerous as they think they have right-of-way, but they don't.)

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**ITEM VI: DISCUSSION WITH THE ROAD COMMISSION FOR OAKLAND COUNTY
(continued)**

Lee Liston – Features like diamond bike lanes are OK on roads with lower speeds and in urban areas.

McKeever – In places you don't need them.

Lee Liston – People travel slower there and are more aware of pedestrians and bikers. At 50mph, motorists are not looking for them. We would rather see a separate path for safety.

Jay James initiated discussion regarding the difference between requiring the right-of-way when a site plan is submitted, and actually having it dedicated to the RCOC. He asked if the Planning Commission should indicate this separately.

Lee Liston explained that the law forbids the RCOC from taking the land without compensating for it. The Township can require the setbacks. New legislation is more flexible and ties the requirement into conformance with the Master Plan. The RCOC's new Master Right-of-Way plan will also become part of each community's Master Plan, making this easier to enforce and preventing conflicts.

Jay James – With this bad winter, and the extensive freezing and thawing, the roads are in the worst condition I've ever seen them in. Is there any special funding for repairs?

Lee Liston – As far as I know, the Governor has no interest in Lansing in raising the gas tax to provide funding for this. Funding is from gas taxes, fees from licensing, etc., and it is all put into one "pot" which is then divided into the counties and cities. The "pot" hasn't increased since 1994.

Kathleen Cassidy – I believe I forwarded information on this funding issue to the Commission. It had a graph that showed how the pot has not increased, but the costs have. Petroleum products, for example, rose 300%. (The Commissioners acknowledged that they had received and reviewed that report.)

Mathew Gaberty – Resurfacing projects have also been scaled back. Those are funded by federal funds, and they will be tight for awhile.

Lee Liston – We also stopped overlaying the roads 2 years ago. We are down to the basics now.

Open discussion took place regarding the salt shortage issue that the county has been facing and the icing problems associated with the issue. The use of sand was addressed, but the problem with sand is that it clogs storm drains during the thaw.

In closing, Mathew Gaberty and Lee Liston thanked the Commission and asked that anyone call the RCOC anytime with questions or comments they may have.

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OTHER MATTERS TO COME BEFORE THE COMMISSION

None

The next Planning Commission meeting will be Monday, March 17, 2008 at 7:00pm.

ADJOURNMENT

MOTION by Kirkwood, supported by Holmes, to adjourn the meeting at 8:17pm.

MOTION CARRIED UNANIMOUSLY

Connie Holmes, Secretary