

**CHARTER TOWNSHIP OF COMMERCE
PLANNING COMMISSION MEETING**

Monday, July 21, 2008
2840 Fisher Avenue

Commerce Township, Michigan 48390

CALL TO ORDER: Larry Haber, Chairperson, called the meeting to order at 7:00pm.

ROLL CALL: Present:

Larry Haber, Chairperson
Tom Jones, Vice Chairperson
Connie Holmes, Secretary
Randy Thomas
Bill McKeever
Debra Kirkwood
Brian Winkler

Also Present:

Kathleen Cassidy, Planning Director
Jeffrey Bowdell, Building-Zoning Director
Michelle Holmes, Parks & Recreation
Jay James, Giffels-Webster Engineers

APPROVAL OF MINUTES

MOTION by Jones, supported by Holmes, to approve the Planning Commission Meeting Minutes of July 7, 2007, as written.

MOTION CARRIED UNANIMOUSLY

UPDATE OF ACTIVITIES

Bill McKeever – Zoning Board of Appeals

- No meeting since the last meeting of the Planning Commission.

Debra Kirkwood – Township Board of Trustees

- At our July 9th meeting there were a couple of amendments to the Ordinance regarding water rate changes.
- We also had a bond authority resolution for the Martin Parkway project for the DDA.

Randy Thomas – Downtown Development Authority

- We went through the general update of the progress and construction in the DDA.
- Developers are interested in the commercial portions and meetings are scheduled next week.
- Wynn Berry is here to touch upon the design requirements completed by Norr.

Michelle Holmes – Parks and Recreation Committee

- Our meeting is next week.
- We will have the meeting dates to the Planning Commission soon for the Master Plan Visioning Sessions, but the meetings will not be held until the fall.
- There have been issues at Dodge Park with seeding of the soccer fields. Four-wheelers and cycles have damaged the fields and they may need to be fenced in. There have also been issues with graffiti and vandalism.

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UPDATE OF ACTIVITIES (continued)

Jeffrey Bowdell – Building Department

- Many plans have come in during the last 2 weeks; the new Township Hall, the Sewage Treatment Plant, Huron Valley Hospital, the interior for Beaumont, Sonic, and the construction plans for a storage facility on Pontiac Trail from many years ago.

PUBLIC DISCUSSION OF MATTERS NOT ON THE AGENDA

None

>> Chairperson Haber suggested that Item IV be reviewed prior to II and III and there were no objections.

ITEM I: CZ07-02 PHYSICIANS REN. – 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.**

ITEM II: SIDEWALK SIGN DISCUSSION

Kathleen Cassidy, Planning Director, gave a review. Several inquiries have been received from local business owners with regard to additional signage regulations to allow for A-frame signs in an effort to attract customers, especially considering the economic situation in Michigan. There was an article in the Detroit Free Press on this subject recently, which has been included in your packet. Staff researched other community's sign ordinances with respect to portable signs.

Chairperson Haber addressed the members of the public that were present to speak to this item. Although it was not an open public forum, he explained the process and that he would permit each person 2 minutes to speak on the topic as a courtesy.

Mr. Neumeyer, 3081 Haggerty Road, Commerce, MI, stated that he owns a full-service remodeling company that has been located in his current building since 1985. He discussed the economic situation in Michigan and asked to present a petition to the Commission requesting an ease of restrictions on signs. The business owners would like to place signs to attract the local traffic. He feels there is no doubt that 10% of his business relies upon the signs being out front, but the Township has asked him to take them down. He had to cut his staff by half last year, and if the economy continues this way, he may have to make more cuts. He expressed that this is a dire situation and all business owners need the Township's help by permitting signs that work to attract customers.

Jo Rosell, Bella Rose Flowers, 5160 & 5150 Union Lake Road, Commerce, MI stated that she has been in the community since 1971. She reviewed and compared the economic conditions, budget, etc. from several years ago to today. The A-frame is a very valuable business tool.

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ITEM II: SIDEWALK SIGN DISCUSSION (continued)

Steve Schickell, 2111 Haggerty Road, Commerce, MI, stated that he uses the sandwich signs to recruit local help and they are very beneficial. The paper ads do not seem to bring in the help they need.

Paul Gengell, 4370 Haggerty Road, Commerce, MI, stated that signage helps bring in customers. His is a seasonal business; trailer hitches, propane, AC service, etc. Posting seasonal signage accordingly has helped him to bring in customers over the previous years. As a result, his volume of sales has dropped by 50%. He asked that the Commission consider helping the business owners to promote their businesses by permitting these very helpful signs. Some may be seasonal, and some may be year round.

Mark Heiman of Jimmy John's, 3050 Union Lake Road, Commerce, MI, stated that he has had a permit for a temporary sign during the road construction. The sign is the sandwich board type with interchangeable letters, and it affects sales by 25%. It is simple, clean, professional and neat – and can greatly impact small business.

Chris Titus of Carvel Ice Cream, located at 3050 Union Lake Road, Commerce, MI, in Hiller's Plaza, explained that a good portion of his business is "drive-bys", as is Jimmy John's. Lots of people from out of town use the lakes, and the businesses in the Township. The plaza sits back off the road and a small sign, or even a table with an umbrella helps to show that they are open for business.

Mike Esper of MGE Carpentry, 8234 Cooley Lake Road, Commerce, MI, stated that his business was previously located on S. Commerce Road, and when he moved he had a temporary A-frame sign informing customers of the relocation. While the sign was there, it did help to bring in business.

Commission Comments:

McKeever –

- In favor of investigating, and there are many items to be considered.
- Accessibility must be considered as far as the safe route of travel. A sign can limit the path on 5' wide sidewalk.
- There would be a required level of quality, a permitting process, etc.

Kirkwood – Agree that we should look at this.

Thomas – In agreement with McKeever. We will need to take a hard look at this.

Haber –

- We have spent so much time getting signage under control.
- There will be problems, such as with Jimmy John's and Carvel Ice Cream – they are next to each other.

Winkler – Open to seeing this come back before the Commission for review.

Planning Commission Meeting

ITEM II: SIDEWALK SIGN DISCUSSION (continued)

Holmes – Agree to look at this. There would have to be conformity.

Jones –

- Also in favor of looking at.
- Agree with McKeever – there needs to be space for walking. And, in the winter time, with shoveling and snow plowing, it would depend upon the area.
- The business that sells propane has a lot of space for signage, however at Hiller's L-shaped development there would be too many signs if we tell everyone they can have one.

Haber – I have been on the board for many years and we have tried to clean up the signs in the Township. We think we've done a pretty good job. We don't want to put anyone out of business. We will do what we can to help but we won't let it get out of control. I recommend that you follow up with the Planning Department to find out about when the public hearing will be held.

Kathleen Cassidy – The public hearing will also be advertised in the Spinal Column. Agendas are usually also available on the web site, but there has been a glitch in the site, so don't rely upon that at this time.

Jeffrey Bowdell – The Ordinance currently permits temporary displays, and the rules vary depending upon the type of business. Typically, temporary signs are permitted for up to 14 days in a calendar year for special events. We are looking to make this more flexible.

ITEM III: TRAVEL TRAILER\CAMPER DISCUSSION

Kathleen Cassidy, Planning Director, gave a review. There has been previous discussion on this topic, and the Planning Commission gave advice and direction. Text was developed based upon that direction and is now being brought back before the Commission. This provides for parking of such vehicles for 48 hours for purposes of loading and unloading, subject to a permit issued by the Township. 8 permits per calendar year are allowable, and 72 hours is required in between each permit. The requirements for the application are also included. If the Commission is comfortable with the text, a public hearing can be sent for the August 18th meeting.

Commission Comments:

Jones –

- I have read this and it looks good.
- I would like to say that there will be some who will take advantage of this and will not stick to the 48 hours. If they are in violation, they should not be allowed a second permit. They are allowed 8 per year, but if there is a complaint, their request could be denied.

McKeever –

- Don't we fine them if they are in violation?
- Does this apply to trailers, boat trailers and everything else?

Planning Commission Meeting

ITEM III: TRAVEL TRAILER\CAMPER DISCUSSION (continued)

Jones – No, this portion has nothing to do with boat trailers.

McKeever – So just the redline portion (of the report) has been changed/added, and the rest is existing? (Yes.)

Jeffrey Bowdell – The definition of recreational vehicle could be a boat, snowmobile, Jet Ski or dune buggy.

Kathleen Cassidy – This pertains to camping oriented vehicles in this section.

Haber – What about side lots? There are a number of boats that are stored on the side of residents' homes throughout the Township. With these issues, and winter storage, or cars that never move, etc., how is this enforced?

Jeffrey Bowdell – We instruct them to get the boat, etc., behind the front of the home. If there is room in the side yard, it is allowed to be there. Side yard parking has not been a major issue.

McKeever – So it shouldn't be stored in the front yard.

Kirkwood – There are some lots with 2 front yards...

Haber – And those are where a lot of the issues are.

Jones – Where it states "...may be temporarily placed...", we need a definition as some may define "temporarily" differently.

Kathleen Cassidy – It is limited to 48 hours.

Jones – And what about boats?

Kathleen Cassidy – Boats are permitted from May 1st thru October 1st, and could be parked the entire time on a front yard driveway, but not year round.

Jeffrey Bowdell – That was decided long ago by the Board because of the fact that we are a lake community.

McKeever – We still have to have a definition of temporarily, and in that case it is 5 months.

Jeffrey Bowdell addressed enforcement issues.

Haber – Below the redline, it addresses lots adjacent to a lake...

Planning Commission Meeting

ITEM III: TRAVEL TRAILER\CAMPER DISCUSSION (continued)

Kathleen Cassidy – Yes, ...river, canal, or similar body of water. So they are essentially on a waterfront portion. That is existing language which also references that travel trailers parked/stored on land not approved for storage shall not be connected to sanitary facilities to prevent people from living in the campers.

Haber – Are there any constraints if it is parked between the backyard that is lateral to a lake or canal? Does the 24 hours not apply?

Kathleen Cassidy – The first line only refers to boats, and the next is travel trailers.

Haber – So the time limit for storage there is May thru October too, or is it year round?

Kathleen Cassidy – If the house is adjacent to water as specified here, storage is permitted year round.

Jeffrey Bowdell – The original intent was to prevent street and front yard parking.

Haber – The language should be cleaned up.

Winkler – Is the permit available at no charge?

Kathleen Cassidy – There will probably be an administrative charge.

Jeffrey Bowdell – Yes, as we need to see what is involved. We may have to go out and check the property and the situation.

Winkler – I own a travel trailer myself. When we come back, I pull it in front of the house and clean it, then drive it away. We may need additional wording...

Kathleen Cassidy – It does say for “loading/unloading”, 48 hours, and not for storage. It is designed to be two-fold, to keep them from having it out there constantly.

McKeever – We need to keep in mind that this is a recreational community. 90% of the residents have recreational equipment that they want to keep and maintain.

Discussion followed regarding storage of the RV's.

Kevin McCarthy, 1911 Viking Circle, Commerce, MI, stated that he owns a travel trailer and he cannot get it around the side of his house as his side yards are only 4' and 10'. He has had quite a few visits by the Zoning Officer. In the spirit of the law, he does pay \$500 annual rent to park it at Benstein Storage facility. He finds it very difficult to load the trailer for a camping trip for his wife and 4 children in a 24 hour time frame. Between work and sleep, he is only allowed about 5 hours to clean and load the trailer. Then, as soon as he arrives home, he has only 24 hours to clean and maintain it before returning it to storage. He feels this is insufficient time and he asked the

Planning Commission Meeting

ITEM III: TRAVEL TRAILER\CAMPER DISCUSSION (continued)

Commissioners to consider 48-72 hours. He understands the limitations and regulations, but it is a burden on the residents.

Haber – Unfortunately, this is not pointed at someone like you who is following the Ordinance. It is the others who violate and make it difficult for everyone.

McKeever – We need to put it into the Ordinance that we will crack down on the people who are not complying with the regulations.

Kathleen Cassidy – They receive a warning or get ticketed.

John LeBlanc, 1605 Spruce Court, Commerce, MI, presented a photo to the Commission of a 40 foot racing boat near his home. He explained that this is permitted from May to October and that it seems unjust for those who choose to own a travel trailer as opposed to a boat. He feels harassed and has had issues with enforcement officers. He also uses Benstein Storage, and agrees that timing is difficult to coordinate, especially for maintenance issues that arise with the trailer.

Mark Willman, 4220 Elizabeth Lake Road, Commerce, MI, stated that he is the president of his subdivision's association. Their bylaws stated no boat or trailer could be parked for more than 48 hours, but now they found out about the Ordinance and boats are being parked in driveways all summer long. They want to keep the sub looking nice.

Jones discussed rules and fines, and noted that no boat trailer can be parked without a boat on it.

Jeffrey Bowdell – The Ordinance is that of the Township, and your sub has its own bylaws. We do not enforce your bylaws, and you do not enforce our Ordinance. If your bylaws are stricter, as a board, you have to take your own steps to enforce your bylaws, and you can specify no boat parking.

ITEM IV: UPDATE ON THE DOWNTOWN DEVELOPMENT AUTHORITY

Wynn Berry distributed brochures to the Commissioners and gave a brief review.

Wynn Berry – The booklet will give an idea of where we are headed with this development. The maps indicate the proposed uses for each area, along with density and the anticipated overall plan. A lot of time and effort was put into this by Norr, the DDA, and several others.

Commission Comments:

Jones – People are nervous about the roundabout – there is a lot of traffic heading north on M-5 and how will it be channeled? Do the studies show that it will be ok?

Wynn Berry – The studies show that it will be ok. The RCOC, MDOT and the Federal Highway Administration are reviewing it.

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ITEM IV: UPDATE ON THE DOWNTOWN DEVELOPMENT AUTHORITY (continued)

Discussion followed regarding maneuvering around and through roundabouts.

Haber – Are you on time with your scheduled completion date for the project?

Wynn Berry – For the roadway? We are close, give or take a week.

Haber – When do you anticipate that you will know what type of developments will be there?

Wynn Berry – Very shortly. There are a lot of drawings in the booklet that are indicative of what we expect to see, and the building materials we hope to see. We are currently interviewing developers and an applicant should be selected within the next couple of months.

Winkler – If we have questions or comments, should we forward them to you, or Kathleen or Deb?

Haber – And, can we have you back before the Commission after we review this?

Wynn Berry – Any of the 3 are ok to submit comments to, and we are always happy to receive your feedback. I'd be happy to attend another session.

John Neumeyer, 3081 Haggerty Road, Commerce, MI, stated that he is a business owner and he received the newsletter. The entire project looks great and he is glad to see that Commerce Township businesses are building the roads. He discussed contracting of the work being performed in the DDA.

Wynn Berry stated that he uses local trades whenever possible. He added that the booklet distributed to the Commission is available for the general public to review through the Clerk's Office and at the Library.

ITEM V: SIDEWALK WIDTH IN THE VILLAGE AREA

Jay James gave a review, and Jeffrey Bowdell stated that he is concerned with having 8' wide sidewalks in the Village area because of the smaller right-of-way and the buildings being closer than usual to the roadway. The reasoning behind 8' on other roadways is due to the greater amount of traffic and the number of bikes on the sidewalks. It is a good point as a village is quaint and small. Direction from the Commission is needed in this regard.

Commission Comments:

Winkler – I understand 5' in subdivisions and 8' on roadside paths, but that seems excessive in the village area. Will have to look harder at the area to see what is appropriate.

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ITEM V: SIDEWALK WIDTH IN THE VILLAGE AREA (continued)

Holmes – I don't live on the main road, but I do think that the appearance of a village should be narrower to add to the ambiance of the lighting and having the buildings closer to the street.

Jones – In agreement with 5', but A-frame signs would not be desirable as there would be insufficient access for pedestrians.

Jay James – There would be 3' of green space.

Jeffrey Bowdell – The sidewalks are always in the public right-of-way, so signs could not be placed upon them. They would have to go in the grass or just inside the grass on the other side.

Thomas – What is the impact of the overlay district?

Kathleen Cassidy – The minimum is 10' in the new Zoning Ordinance, and 15' from the right-of-way line.

Thomas – Smaller is fine; 5' in the Village.

Kirkwood – 5' in the Village is appropriate, but nowhere else.

McKeever – Fine with 5' in the Village.

Michelle Holmes suggested 6' to accommodate pushing a wheelchair and stroller down the sidewalk.

Jeffrey Bowdell – Almost all normal residential are 5'.

OTHER MATTERS TO COME BEFORE THE COMMISSION

Commerce Village Discussion

Karen Trojniak, 3057 Benstein Road, Commerce, MI, asked what area is being called the "Village".

Jay James – That is the area on Commerce Road, east of South Commerce Road, to Commerce Road north.

Haber – Yes, mainly the original Commerce Road.

Karen Trojniak – Are you looking to put sidewalks or bike paths along Benstein?

Haber – No. If buildings go up there, we may see them, but there are no plans now.

Jones – That would be up to the RCOC.

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OTHER MATTERS TO COME BEFORE THE COMMISSION (continued)

Commerce Village Discussion (continued)

Michelle Holmes invited Ms. Trojniak to the Visioning Session for the Parks and Rec Master Planning to be held in the fall. It will be advertised on the web site and residents can visit and bring comments.

Parcel at M-5 & Pontiac Trail

Kathleen Cassidy asked the Commission how they felt about automotive type uses on this parcel located in the vicinity of M-5 and Pontiac Trail. The Commissioners felt that they addressed this at the Master Planning process and were not inclined to change their initial Master Plan designation of Office-Service Use.

Chairperson Haber thanked the residents in attendance for coming to the meeting and providing their input.

The next Planning Commission meeting will be Monday, August 4, 2008 at 7:00pm.

ADJOURNMENT

MOTION by Holmes, supported by Jones, to adjourn the meeting at 8:12pm.

MOTION CARRIED UNANIMOUSLY

Connie Holmes, Secretary