CHARTER TOWNSHIP OF COMMERCE
PLANNING COMMISSION MEETING
Monday, January 10, 2011
2009 Township Drive
Commerce Township, Michigan 48390

MOTION by Kirkwood, supported by McKeever, to nominate Winkler as Chairperson for the evening in the absence of both the Chairperson and the Vice Chairperson.

MOTION CARRIED UNANIMOUSLY

CALL TO ORDER: Brian Winkler, acting as Chairperson, called the meeting to order at 7:00pm.

ROLL CALL: Present:	Brian Winkler, Secretary	
	Bill McKeever	
	Debra Kirkwood	
	Dave Spencer	
	Jay James	
Absent:	Larry Haber, Chairperson	(excused)
	Tom Jones, Vice Chairperson	(excused)
Also Present:	Kathleen Jackson, Planning Director	

APPROVAL OF MINUTES

MOTION by Kirkwood, supported by McKeever, to approve the Planning Commission Meeting Minutes of December 6, 2010, as presented.

MOTION CARRIED UNANIMOUSLY

UPDATE OF ACTIVITIES

Bill McKeever – Zoning Board of Appeals

- We had an issue at the last meeting that was tabled until direction could be sought from the Planning Commission. The item is on tonight's agenda.

Debra Kirkwood – Township Board of Trustees

- The Township Clerk, Sandra Abrams, resigned and Dan Munro was appointed to fill the position.

Kathleen Jackson – Downtown Development Authority, Planning & Building Depts.

- The DDA's next meeting is next Tuesday.
- At the previous meeting there was a discussion regarding the current configuration of the roundabout.

Winkler – I would like to mention that I am interested in the Commission's opinion on electronic distribution of the agendas for the meetings. I think it's a good idea.

Kirkwood – It's fine except when there are plans.

PUBLIC DISCUSSION OF MATTERS NOT ON THE AGENDA

Acting Chairperson Winkler asked if any of the members of the public present needed to speak to an item that was not on the agenda.

Kathleen Jackson – We had a Zoning Board of Appeals meeting last Thursday. As a result of that meeting, Item III regarding signage discussion was added to the agenda. The Zoning Board of Appeals tabled the issue, and Bill can speak further on that. They felt it may be more of a policy issue than a variance and they would like input from the Planning Commission before taking any action.
Mr. Walters wrote the email that I handed to each of you tonight. He is a well-known local sign contractor, and he is here if you have any questions for him.

ITEM I: Z10-02 – COMMERCE TOWNSHIP – TEXT AMENDMENT – Tabled from 12-6-10

An amendment to the Commerce Township Zoning Ordinance No. 3.000, Article XXVI, to add a Section entitled, Wind Energy Conversion Systems (WECS), to establish procedures and standards for the installation and operation of such.
REMAIN TABLED

ITEM II: Z10-03 – COMMERCE TOWNSHIP – TEXT AMENDMENT – Tabled from 12-6-10

An amendment to the Commerce Township Zoning Ordinance No. 3.000, Article XXXIII, Section 33.02, to establish new language for all types of fences on both street and waterfront required yards.
REMAIN TABLED

ITEM III: Discussion on wall signage

Kathleen Jackson, Planning Director gave a review and presented sample plans for review by the Commissioners.

Commission Comments:

James – What is the maximum for the side facing the road?

Kathleen Jackson – In this case (sample), we looked at the research, and there were 2 signs for some.

Winkler – Explain further what Richard Walter is suggesting with 1.5 to 1.

Kathleen Jackson – This would be in excess of what is currently allowable – instead of a ratio of 1 to 1, it would be 1.5 to 1.

James –

- Personally, I feel that if the parking is in the rear, it needs to be treated differently.
- It needs to be seen from the road, and once people pull in to park, they need to know where to go.

ITEM III: Discussion on wall signage (continued)

- There needs to be an allowance for some type of signage on the opposite side of the building. As for how much, that is up for discussion.

Winkler –

- There is an advantage to having the retail establishments located closer to the road, and parking in the back to break up the asphalt.
- The way the ordinance currently reads, it limits the complex.
- I agree with Jay that we need to come up with something, but I'm unsure if it should all be the same.

Kathleen Jackson – If it is a double frontage, we maintain the 1-1 ratio for both street frontages, such as on a corner.
But think about Milford for example. Should the same size sign be on the front and back of the building? The lots are in the back. Should the sign on Main Street be larger so it can be seen from the road?
If that concept was applied here, the larger of the two signs would be placed upon Haggerty Road, with a smaller rear parking lot sign.

James – I believe that the rear signage should be less. Possibly 50% would be fair.

Kathleen Jackson – What happened in the sample was that the signs were divided 50/50.

Kirkwood – So they would not have to change the rear signs?

Kathleen Jackson – No, and they are not proposing to do so.

James – But they could put a larger sign on the front of their businesses.

Acting Chairperson Winkler agreed to allow the members of the public to present their comments.

Alan Greene, Dykema Gossett PLLC, 39577 Woodward Avenue, Suite 300 Bloomfield Hills, MI, representative of the property owner, and Tom Phillips, Hobbs + Black Architects, 117 E. Allegan Street, Lansing, MI, were present to address the subject.

Alan Greene – We were not the owners of the property when it was built, so we are unsure what took place at that time. We acquired the property in a 2009 foreclosure. We do know that the current signs are one-half of the allowable square footage for each.
We are in the process of redesigning the building with the help of Tom Phillips. We are working on the Haggerty Road façade to make it look like more of a frontage by adding an awning and other features. Part of the project is new signage.
We made a presentation to the Zoning Board of Appeals, and we feel that the ordinance is flexible enough to allow for exceptions. However, the ordinance does not deal with

ITEM III: Discussion on wall signage (continued)
this kind of construction which encourages two front facades to allow for the building to be closer to the road with parking and entrances in the back.
The current signs are too small. We want to move forward with new tenants and we will probably be replacing all signs.

Tom Phillips – The safety component was tied into the variance request. We took a look at studies that have been conducted. They reviewed the distance from the road with speeds of 45mph and determined a recommended size for signs to be readable and prevent safety hazards. A 1998 study was very specific with regard to the time people had to view signs and the geometrics of the roadways. Their tables document a significantly larger sign – 3 times the size of the current signs. Given the safety issues involved and the aesthetics, I would think that the community may consider a bit larger sign.

Winkler –
- The Township invested quite a bit of time on developing current Zoning Ordinance.
- There is a sense of balance that needs to come into play here.

McKeever –
- I believe that if a building has two fronts, it should have two signs.
- Whether we'd increase it four times over what we have there… I don't know the Planning Commission's thoughts on that.

Kirkwood –
- I'm in agreement that the signs need to be larger on the Haggerty street side.
- Glad to see that you are willing to change and cleanup a building.

James –
- Also in agreement.
- I think that any building that is close to the road with parking behind should be allowed the 1-1 ratio for the road side sign, and an additional directional sign on the parking side that is 50% smaller.

Spencer –
- In agreement with Jay, 1-1 on the frontage and 50% on the rear.
- We need to make sure that the signs are readable from Haggerty. That's important with it being 45mph. If it is too small, people are squinting or passing the destination and taking their eyes off the road.

Winkler – Kathleen, do you need a motion or recommendation for this?

Kathleen Jackson – The Zoning Board of Appeals will receive a copy of the minutes, and the recommendation will be derived from the discussions.

ITEM III: Discussion on wall signage (continued)
Richard Walter, Sign People, 865 Dunreath Street, Wolverine Lake, MI was present and had submitted the email provided to the Planning Commission by Kathleen. He requested the chance to address the Commissioners.

Acting Chairperson Winkler allowed Mr. Walter the opportunity to speak.

Richard Walter – Signs identify the community's character. If you cannot read the signs it is not favorable for businesses.
Do we want signs that are huge? No, because people can't afford them. It's a matter of cost. But we do need appropriately sized signs that are to scale. It's a simple proposal to have a sign ordinance that bases the sign size upon the scale of the building. It shouldn't be a postage stamp, and it should not be a burden in size either.
The fact is that once a sign reaches a certain size, then bigger is not better and it has no additional effect for the business or customer. The sign needs to be readable, visible, legible, and conspicuous. I proposed 20% of the façade. There are a lot of formulas, and 10% does work in a lot of cases. But, in so many that I'm building, the 10% just isn't enough. It's putting 10lbs into a 5lb bag. 1 to 1 has never worked. It is not effective. 1.5 to 1 is better, and I'm compromising.

Acting Chairperson Winkler thanked Mr. Walter for his comments.

Alan Greene – Richard is not our consultant and is not advising us on this matter. We are not asking you to rewrite the sign ordinance. I felt it was fairly exhaustive and, as I pointed out to the Zoning Board of Appeals, it set forth very specific standards as to what you are interested in seeing; aesthetics, scale and safety. There were specifics for the exceptions and we just need specific guidance for the Zoning Board of Appeals. It is a good ordinance and we are not seeking to change it. We would just like to see what can be done with respect to the situation at this type of building.

Tom Phillips – Since you're not making a final decision tonight, I'd like to express concern about the 50% rule. It may arbitrary – it might be too small aesthetically from an architectural stand point.

Spencer – From all the studies you've done, how much do the signs vary? How far off are these in comparison?

Tom Phillips showed both plans to the Commission, including the proposed for the Haggerty frontage and the existing on the parking lot side which are at the 50%.

Alan Greene – The 50% sign on the parking side may be too constraining. It may not apply for every situation. You may want to provide for some flexibility.

Kathleen Jackson – The photos show the current sizes and they are proposing close to 4 times that size on the frontage.
I will point out once more that when you're in the parking lot and driving past, you're traveling at about 5mph.

ITEM III: Discussion on wall signage (continued)

A ground or monument sign is also lacking here. There is a need for better directional signage in this center.

Winkler – So we have addressed the primary concern which is to allow the signage off of Haggerty Road to be larger.

Kathleen Jackson – I will look at ordinances that deal with scale rather than the current ratio.

ITEM IV: Discussion on sexually oriented businesses

Kathleen Jackson, Planning Director gave a review. We currently have one adult store, soon to be two, on Union Lake Road.
The community has the right to place restrictions in the areas of zoning, licensing, requirements, and/or separation.
Currently, these types of businesses could be located anywhere retail is permitted due to a lack of language in the ordinance. I need permission from the Commission to move forward in working with the attorney to draft the text. We could group these with other uses with detrimental affects. Other regulated uses are tattoo and massage parlors. These uses could also be separated from schools, residential areas, daycares, parks, etc. I have attached zoning ordinance excerpts.

Commission Comments:

Winkler –

- A Lover's Lane type in Wixom has a retail front, but they have their windows covered. They are completely blacked out.
- What happens if we do nothing?

Kathleen Jackson – They can go anywhere in the community, subject to zoning districts.

Jay James – So what do you need from us?

Kathleen Jackson – Permission to draft the amendment with the attorney.

Winkler –

- We need to come up with something.
- We need some authority to be able to regulate and control these within the ordinance. If we do nothing, anything could happen.

OTHER MATTERS TO COME BEFORE THE COMMISSION

McKeever – The exit at Lowe's has no light, and now has no stop sign either. There used to be a stop sign there.

Winkler – The New Song church at Maple and Benstein Roads has a temporary sign.

The next Planning Commission meeting will be Monday, February 3, 2011 at 7:00pm.

ADJOURNMENT
MOTION by Kirkwood, supported by James, to adjourn the meeting at 8:12pm.
MOTION CARRIED UNANIMOUSLY

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Brian Winkler, Secretary