

**CHARTER TOWNSHIP OF COMMERCE
PLANNING COMMISSION ****SPECIAL**** MEETING**

Tuesday, June 18, 2013

2009 Township Drive

Commerce Township, Michigan 48390

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

ROLL CALL: Present:

Larry Haber, Chairperson
Tom Jones, Vice Chairperson
Brian Winkler, Secretary
Bill McKeever
Jay Czarnecki
David Law
John Hindo

Also Present:

Kathleen Jackson, Planning Director
Jay James, Engineer/Building Inspector
Mike Labadie, Traffic Consultant

APPROVAL OF MINUTES

MOTION by Law, supported by Winkler, to approve the Planning Commission Meeting Minutes of June 3, 2013, as written. **MOTION CARRIED UNANIMOUSLY**

UPDATE OF ACTIVITIES

Kathleen Jackson – Planning Department

- The Planning Department remains busy.
- Tim Horton's will be getting a shovel this week and have a 60-90 day building time frame.
- Kroger is going according to planned and they expect to open in November.
- Met with Township Supervisor, Clerk and Treasurer, Maintenance, Parks & Recreation and the representative who is preparing the Master Plan for the Parks department.
 - They will be sending out a survey to the Commissioners by email next week to get input on goals and objectives for their Master Plan.
 - Discussed sidewalks, a triage plan for the missing links and a plan for completion of those links.
 - There will be communication and coordination to provide continuum between the Master Plans for Parks and Planning.

Brian Winkler – Downtown Development Authority

- Our meeting was rescheduled to next Tuesday.

David Law – Township Board of Trustees

- We accomplished a lot at the meeting last week.
- I am also on the Library Committee and the Board okayed the hiring of a consultant to conduct a long-range plan for the Library.
 - This will ensure that the Library is keeping up with the growing use and that it is going in the direction that residents would like to see it go.

- The Library may also be relocated, as discussed in the past; however, we have no idea as to when or where. It is part of the plan as it was a temporary location, but it has been there 8 years now. The land is valuable in the DDA.

Bill McKeever – Zoning Board of Appeals

- We have not met since the last meeting of the Planning Commission.

Jay James – Building Department & Planning

- We have been quite busy for the past 6 to 8 weeks with the following:
 - New housing starts
 - Remodels
 - Decks
 - Ordinance issues
 - Soil erosion issues with downpours
- We are definitely maxing out right now.

Chairperson Haber addressed ordinance issues since the topic was brought up. He felt that the ordinance has become very abused and that enforcement needs significant improvement. He stated that he plans to discuss this with David Law and Tom Zoner so that the Township Board can initiate conversation on finding money to hire an ordinance officer. The Township has passed a lot of ordinances that make sense, however the rules are not being upheld

Open discussions continued regarding enforcement issues including outside storage, commercial and residential violations, and the potential for hiring of an additional enforcement officer. David Law and staff will discuss this further with the Board members, and it was a recent topic of discussion at the Board meeting.

PUBLIC DISCUSSION OF MATTERS NOT ON THE AGENDA

None

MOTION by Jones, supported by Law, to remove Item I, PCZ13-0001, from the table.

MOTION CARRIED UNANIMOUSLY

ITEM I: PCZ13-0001 – M. SHAPIRO – CONDITIONAL REZONING – Tabled from 6-3-13

M. Shapiro Development of Farmington Hills MI is requesting a conditional rezoning of parcels of land that will consist of approximately 28 acres from R-1D (One Family Residential) to RM (Multiple Family Residential) located on the south east corner of Maple and Becks Roads. Sidwell No's.: 17-33-151-001, 002, 003 & 015

Kathleen Jackson, Planning Director gave a review.

Jim Galbraith of M. Shapiro Development, Farmington Hills, MI, was present to address the request. He thanked the Commissioners for the special meeting and provided a brief review of the changes since the last presentation.

Jim Galbraith – We are back to respond primarily to the traffic engineering issues and concerns that were raised. We did meet with the RCOC and the City of Wixom and they are on board. We were able to accomplish two main things in the plan; the right turn lane northbound on Beck Road to eastbound Maple Road as shown, and the shifting of the main entrance to the east to line up with Sycamore. The entrance relocation also caused minor shifting to the buildings and the community building. We are still leaving the parcel to the east of the gas main as an easement in its natural state and we are talking to the Township about the trailway and using this area for the purpose of the trailhead. This is a wonderful situation to have this in the development. We are also excited about the architectural design. We are using the same architect that we used for Trillium. All units will have garages. The units are spacious and generous with extra storage.

Lastly, sidewalks were an oversight on our part and they have been added. They were intended for Maple and Beck Roads and also for the interior. I will now defer to Mike Labadie to further discuss the changes related to the traffic circulation.

Mike Labadie, Traffic Consultant, gave a review of the changes in the configurations at the intersection, and also to the development entrance.

Mike Labadie – One of the residents had mentioned that the high school seniors were not in session when the traffic counts were taken for the study. In looking back, the counts on one of the dates were actually taken when they were in session. Another resident stated that 2:30 in the afternoon was peak-time and that it was greater than at 5:00, but it is not even close. And while school traffic may be high, it is only for a short period after school lets out.

Another point made by the public was the issue of traffic cutting through the neighborhood and they felt this development would make that problem worse. I did inquire with the RCOC to see if they had any documented complaints regarding cut-thru traffic. They had nothing on file as being reported so it is clearly not a recurring problem of any kind.

Mike Labadie – The meeting with the City of Wixom went well. I believe this will be sorted out and we can get this intersection to work well for everyone concerned. As for the span signal box, this location has not yet been scheduled for the upgrade as it is not in Wixom's current budget. However, it may happen sooner than later as Wixom may be able to combine funds with County resources (not the RCOC, but other County funding) to achieve the goal. The right turn lane and signal is being further reviewed and we will get it worked out.

Jones discussed the condos west of the development. He asked if there was ever a second entrance considered for this development of 228 units.

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Mike Labadie – From a technical point-of-view, that is the reason there is a boulevard entrance. This allows for emergency vehicles to enter from either side in case one of them happens to be blocked. It would be nice to have a second entrance, but if this is done right it is not necessary in this case.

Jim Galbraith – We also did Maple Crossing which is 360 like-size condos across the street to the east with a single boulevard entrance and an emergency entrance. It functions very well as it was properly designed.

Winkler – Kathleen, could we have a full copy of the traffic study emailed to us, more for educational purposes?

Kathleen Jackson – Absolutely. It is a 50-page document so that is why we had Mike give you the short version.

Winkler – Yes, so that is why an email is preferred over a printed copy. Thank you.

Commission Comments:

McKeever – All of the plans and elevations will be entered as part of the agreement?

Kathleen Jackson – Yes. We have the elevations here. The materials are not marked so they are subject to some changes, but the elevations will be included as part of the conditional rezoning agreement. When this comes before the Commission for site plan review, the materials will be called out specifically and a materials board will be provided.

McKeever – The report references improvements to the trailhead area, but I didn't see any specifications. On Page 4 of 9, it states "*This property shall be improved as shown on the Conditional Rezoning Plan...*"

Kathleen Jackson – That will include a 54" tall green vinyl fence that will abut the trail as a separation between the trailway users and the development. We are working with Oakland County and the Trailway Management Council with regard to donation of the land. The Council is a 501c3 nonprofit and there are legal implications to consider as to whether or not they can accept the land. This is being discussed and the land will either be donated to the Council, or to the Township. Therefore, the agreement includes reference to the fence, and to dedication of the 3 acres of land, but further details remain to be determined. Jim and I discussed this with Phil Adkison and that section is vague at this point, but it should not say "as shown". We will get more information from the Council as to what needs to be done to make this site functional and details on vegetation, et cetera will be obtained. Phil did not feel that this should hold up the development.

Jones – Would the trailhead have its own entrance?

Kathleen Jackson – Yes, that would be off of Maple Road.

McKeever – On that same page, Item 8 states *“The rear portion of the property shall be landscaped s shown on the Conditional Rezoning Plan (or left in its natural state???)”*. Which is it?

Kathleen Jackson – That remains to be determined and will be guided by the Trailway Council and the County standards.

Hindo – No comments.

Czarnecki – No comments.

Jones – Somewhere in the report I had read where we noted that we don't like cookie-cutter elevations. We have one elevation in the packet. Should we assume the others are all the same or are there others?

Jim Galbraith – At the present time we anticipate that they would all be the same. Now, we can change up the use of certain building materials and colors that we choose for the doors, trim and brick.

Jones – We would encourage that.

Haber – That would be considered at site plan review.

MOTION by Jones, supported by Winkler, that the Planning Commission recommends approval, with conditions, to the Commerce Township Board of Trustees, of Item PCZ13-0001, the request by M. Shapiro Development of Farmington Hills MI for a conditional rezoning of parcels of land that will consist of approximately 28 acres from R-1D (One Family Residential) to RM (Multiple Family Residential) located on the south east corner of Maple and Becks Roads. Sidwell No's.: 17-33-151-001, 002, 003 & 015 Approval is recommended for the reason that the information submitted by the applicant and the information presented to the Planning Commission demonstrates that the proposed meets the requirements and standards of the Commerce Township Zoning Ordinance.

Recommendation for approval is subject to the following conditions/determinations as noted in the Planner's report:

1. Sidewalks are to be provided on both Maple and Beck Roads (these are not yet shown on the plans); and,
2. Sidewalks provided within the interior development (these are not yet shown on the plans); and,
3. All materials to be used identified on the elevation plans and or in a written narrative; and,
4. Approval of the ingress/egress and Maple and Beck Road improvements by the RCOC and the Township's traffic engineering consultant; and,
5. Approval from the Commerce, Walled Lake and Wixom Trailway Management Council and/or the Township of Commerce for the 3.0+- acres on the eastern edge of the property; and,

6. Finalization of the Conditional Rezoning Agreement prior to submittal to the Township Board.

Discussion –

Haber – I want to know a little more about the 3 acres. Is it being donated to the County?

Jim Galbraith – We are not sure yet who it will be donated to.

Kathleen Jackson – It will either be to the Council or to the Township and this will be determined after Phil Adkison researches the legalities and related grant funding implications with MDOT and the DNR. In addition, the Council also has an inter-local agreement so that if it disbands in the future, every community would then be responsible for their portion.

Haber – So we should not be asking for more information now as this is not a significant part of what we're doing here? We will get more details later on?

Kathleen Jackson – Yes, this is more the legal part of the conditional rezoning and it is a benefit to the plan, but that portion of land is included in the agreement to be donated.

ROLL CALL VOTE:

AYES: McKeever, Hindo, Czarnecki, Jones, Winkler, Haber

NAYES: Law

ABSENT: None

MOTION CARRIED

ITEM II: DISCUSSION ON ACCESSORY STRUCTURE HEIGHT

Kathleen Jackson, Planning Director gave a review.

Kathleen Jackson – We would like to hold a public hearing on July 8th to discuss accessory structure height limitations. At the Zoning Board of Appeals, some petitioners request to have their buildings higher than the 14' limit. Rick Sovel, who is on the Township Board as the Zoning Board of Appeals representative, has asked to have the Planning Commission look at this portion of the Zoning Ordinance. We pulled the ordinances for six other communities and some do allow for heights of 18' to 20'. I'm not sure if we will be recommending 18' or 20' to the Commission, but if a change is considered it would be made as a recommendation to the Township Board.

Haber – I would like to see it left the way it is. We always have the ability to grant variances in special situations, but I like to see what they are proposing before granting them additional height over the 14'.

Kathleen Jackson – You will still see all parcels over 2 acres and those that exceed the 900 square feet.

Chairperson Haber polled the Commissioners and all were in favor of holding the public hearing on July 8th to allow for discussion of an increase in height for accessory structures on parcels of land over 2 acres in size.

ITEM III: ANNUAL REPORT

Kathleen Jackson, Planning Director gave a review.

Kathleen Jackson – I spoke with Larry today regarding goals and objectives, and Brian emailed his suggestions. The following items were addressed:

- Reviewing sidewalk requirements in the Zoning Ordinance
 - Coming up with a triage method
 - Designating an account for sidewalk funding
 - For example, at Oakley Park and Martin Road there is the sidewalk to nowhere. The owner of the development there was in favor of building the sidewalk and he begged the Township to allow him to put that money into a fund for the project.
 - Parks and Recreation is updating their Master Plan and this will identify the missing links and prioritize the projects.
 - School routes that would benefit from the addition of sidewalks will also be identified.
- Ordinance review and enforcement

McKeever – I don't really have anything to add to the list. But, as a point of reference for taller accessory structures, they usually need the additional height to accommodate a taller door. Two of the requests we reviewed were for a 14' door.

Czarnecki – (Inaudible.)

Jones – The larger height for structures is also related to the gables and we need to consider the distance of the building and visibility from other structures. That needs to be factored in.

Law – I am satisfied.

Haber – We need to revisit boat and RV storage at some point.

Kathleen Jackson – In commercial or residential?

Haber – Both.

Jay James – We did address that and the Commission changed it so that it now allows for anything on a trailer to be parked between May 1st and November 1st.

Jones – I don't agree with that.

Haber – We need to revisit it as it is being abused. The ordinance needs to be further reviewed. We should also look at building materials and discouraging the use of Dryvit.

Kathleen Jackson – We have limitations on the use of dryvit which I believe are listed under Article 26. The limitations depend upon the district, the amount of brick and other surface materials.

One item I would like to add to the goals is review is the Architectural and Site Design Manual. If the Commission is in agreement with reviewing that, it would incorporate those types of situations.

Haber – At the last meeting, you stated that some people had attended an educational seminar and you suggested bringing an educator to one of our meetings. I think that is a good idea and at least we would all be on the same page here.

Kathleen Jackson – Yes and it would save money as we can have a joint meeting with the Zoning Board of Appeals and/or other boards, or we can partner with Wixom, Walled Lake or West Bloomfield.

Are we all in agreement with Brian's suggestions for reviewing sidewalks, bike/walking trails, and long-term care facilities?

There were no objections.

McKeever – Does the ordinance restrict a handicapped person from having an access ramp to their house?

Jay James – No.

Kathleen Jackson – It is a structure that has footings...

Jay James – I think it is actually allowed.

OTHER MATTERS TO COME BEFORE THE COMMISSION

Haber – On The Dunes had its grand opening and I wanted to see how it is working out.

Jay James – I went there last week and it was very nice inside. I think it will be very successful.

Kathleen Jackson –the volleyball courts opened today.

The next regularly scheduled Planning Commission meeting will be Monday, July 8, 2013 at 7:00pm.

ADJOURNMENT

MOTION by Law, supported by McKeever, to adjourn the meeting at 7:51 pm.

MOTION CARRIED UNANIMOUSLY