

**CHARTER TOWNSHIP OF COMMERCE
PLANNING COMMISSION MEETING**

Monday, February 3, 2014
2009 Township Drive
Commerce Township, Michigan 48390

CALL TO ORDER: Tom Jones, Vice Chairperson, called the meeting to order at 7:00pm.

ROLL CALL: Present: Tom Jones, Vice Chairperson
Brian Winkler, Secretary
Bill McKeever
David Law
John Hindo
Absent: Larry Haber, Chairperson (excused)
Jay Czarnecki (excused)
Also Present: Kathleen Jackson, Planning Consultant
Terry Carroll, Community Development Director
Jason Mayer, Township Engineer, Giffels-Webster

APPROVAL OF MINUTES

MOTION by Hindo, supported by Law, to approve the Planning Commission Meeting Minutes of January 13, 2014, as written. **MOTION CARRIED UNANIMOUSLY**

UPDATE OF ACTIVITIES

Brian Winkler – Downtown Development Authority

- We had our meeting January 21st.
- We welcomed a new member to the DDA, Susan Spelker. She has background in public administration.
- Walled Lake Consolidated Schools Art Fair will be held in the Township Hall again in May.
- The Hunter Pasteur agreement was amended to allow an emergency access easement to the north and a construction easement.

David Law – Township Board of Trustees

- We had a joint meeting with Parks and Recreation last week which revolved around their long-term plan.

Kathleen Jackson -

- The Board approved Hunter Pasteur regarding a land exchange. Their emergency access will come up on the north side of the Township Hall parking lot. They hope to be before the Planning Commission at the March meeting.

Bill McKeever – Zoning Board of Appeals

- Nothing to report from the ZBA at this time.

PUBLIC DISCUSSION OF MATTERS NOT ON THE AGENDA

Milostan Chiropractic - Portable/Temporary Sign Ordinance Review

Victoria Fowler, 8900 Shadypoint, Commerce Township stated that she is the manager at Milostan Chiropractic, located at 2400 Union Lake Road. She had spoken with Paula in the Planning Department and came before the Planning Commission to plead her case.

She has been putting a changeable letter sign out every once in a while. This has brought a significant response, especially when compared to other types of advertising they pay for, such as print ads and mailings. Ms. Fowler hoped that the Commission would listen to how she has tried to comply with the ordinance and how passionate she is about putting this sign out.

Milostan has been in Commerce for 25 years doing chiropractic and holistic work. She would appreciate being able to put out a portable sign which allows them to capitalize on the Union Lake traffic. They have tried to work within the guidelines of the ordinance and ran into lots of different problems they did not foresee or expect, such as the size and weight of the sign, keeping it in place despite wind and air from vehicles passing by. The lettering has presented challenges as the letters did not stay in place. They have tried to keep the sign looking as nice as possible. They wanted it to complement what they've done with the building and the business signage.

Jones - Kathleen, are you aware of their difficulties in conforming to our ordinance?

Kathleen Jackson - I am not. I do know that the Ordinance Officer picks up illegal temporary signs and that the Commission spent a great deal of time in arriving at the new temporary sign ordinance. They also need to be designed to prevent theft of the sign, the letters need to be a certain size to be visible, et cetera. This was developed largely due to the sensitivity to the A-frame signs. For a long time, the Planning Commission did not allow them, then they came up with the temporary sign portion of the ordinance.

Kathleen Jackson - The Zoning Board of Appeals is the only board that could grant an exception.

Ms. Fowler - Could I apply to them?

Kathleen Jackson - You have the legal right to request to go before the ZBA with your appeal, but you would have to prove a hardship as stipulated by the state statute, and economic hardship cannot be used. I would recommend that you review the considerations that the ZBA makes before you spend \$350 to apply for a variance. I'm not exactly sure what you are asking for. Are you asking the Planning Commission to look at the ordinance and revise it, or something else?

Ms. Fowler - I'm asking if it can be revised to include some other options because it is not working for us.

Kathleen Jackson - I don't know what the problem is, whether it is the location, letter size, materials, et cetera, but I would be more than happy to meet you at your site and go over it in more detail.

Winkler - It is important to mention that other than in very rare occurrences, the Commission has usually left these types of sign matters up to Kathleen Jackson to approve Administratively. We rely upon her expertise to determine whether or not signage is within the requirements of the ordinance.

Law - And she has guidelines she has to follow.

Ms. Fowler - Who created the guidelines?

Kathleen Jackson - The Planning Commission recommends changes to the Zoning Ordinance and the Township Board adopts them.

Terry Carroll - Tom, you may end up having more interaction from the businesses due to the educational campaign the Ordinance Officer began recently. He's been asked to go around and educate business owners and explain what they have to do to come back into compliance with the ordinance, especially as a result of the paper signs in windows that have gotten out of control.

Jones - I recommend that you meet with Kathleen Jackson on this matter.

Ms. Fowler - Yes, I will.

Kathleen Jackson - To provide some background, this portable sign ordinance came following a meeting which involved all Union Lake Road business owners. The owners were invited to the meeting following the nightmare of construction that ended up taking two summers instead of one. Businesses were hurting as a result and one of the things that came out of the meeting was the portable sign ordinance. It was in response to the feedback received and the Planning Commission responded to the business owners at that time. If this is not working for whatever reason after we have met, I will look further into it.

Water Storage Facility Presentation - Giffels Webster

Jason Mayer, Township Engineer, Giffels Webster, gave a presentation on the proposed water storage facility.

- As you may know, the Township is planning to install a 2 million gallon groundwater storage facility behind Fire Station #1.
- Multiple sites were considered in this process which has been in the works for a few years. The Fire Station was one, along with places around the hospital, Dodge 5 and Wise Road.
- In November, we presented the groundwater storage facility at a public hearing. This type is lower and can be hidden with landscaping.

- Commerce Township purchases all of their water from the Detroit Water and Sewerage Department. The DWSD basically increases rates to wholesale customers at an average rate of 9% annually. Last year was an increase of 4%. Commerce Township pays one of the highest wholesale rates of all suburban customers.
- The DWSD wholesale rates are determined by a number of factors, including distance and elevation, which are uncontrollable, and also by the amount of peak usage, which is controllable. Installing the ground water storage will allow the Township to control peak usage. This graph shows the typical usage throughout the day and peak times in the mornings and evenings. During off-peak hours, the storage tank will be filled, thereby eliminating peak usage as water will then be used from the tank during peak times.
- The benefits of water storage are cost savings to users, system reliability, eliminating peak usage, and cost savings to the Commerce Township water system. Water user rate increases can be reduced or delayed.
- Key factors in the site selection were elevation, infrastructure, property ownership and distance from the DWSD water supply. The Fire Station #1 offers the ideal location as the necessary infrastructure is already in place adjacent to the site. There is a 16" diameter water main, and another water main on William Carls Drive. It is one of the highest locations in Commerce and the property is owned by the Township. There is adequate space to accommodate the facility and it can be permanently fenced upon completion. There are adequate retention systems on the site to drain the tank if required for maintenance, and the cost analysis showed that this would be the least expensive option.

Jason reviewed maps of the proposed site. He explained that existing trees that would remain for screening and discussed possible additional screening. He reviewed the various types of water storage facilities that had been considered throughout the process, including ground storage, hydropillars, spheroid tanks and composite tanks. Sample conceptual renderings were presented to give an idea of what the facility may look like. The renderings also showed examples of the potential landscape and screening for the facility, including tall hardwoods, shorter shrubs and grass. The Township expressed interest in having the structure made to look like a building, with the inclusion of fake windows, which would be proportionate to the Fire Station. The facility would be approximately 120' in diameter and approximately 30' tall as shown on the preliminary site plan. The Fire Station is 35' tall and the typical home in Birkdale Subdivision is approximately 25' tall at the highest point. The structure will be buried at least 5'.

Jason presented examples of potential aerial views and explained that there will be a separate building to house the pumps and controls for the system. He reviewed the proposed schedule, with a project timeline spanning from Fall/Winter of 2014 for site construction, to Spring/Summer of 2016 with the ground storage facility in operation, to 2017 when the DWSD would review and adjust the Township's wholesale water rates accordingly. Their actual goal is to do this one year earlier, but it would be a very tight schedule. An architect will be brought on board to do the renderings and prepare the final site plan.

He added that the Commission's comments and concerns would be appreciated.

Kathleen Jackson - The landscaping is not carved in stone. There is the potential for more evergreens rather than deciduous trees to obscure it a bit more. We will be sensitive. We are not trying to hide it, but ensure that it blends in as closely as possible with the adjacent development.

Jason Mayer - This is all conceptual and preliminary. We want to get your opinions and bring it back to you for the final presentation. We want it to be a good-looking structure that the Township can be proud of.

The estimated cost is \$5 million and that includes the added architectural features. The Township water system has the funds available. They have been saving for this project. The payback is approximately 5 years.

Commission Comments:

McKeever – Is this design any more expensive than the original composite tower that was proposed?

Jason Mayer - This has less upfront costs; however, the maintenance costs are higher for this facility as it relies on pumps and uses electricity. Elevated storage runs without pumps. Over the life of the project, it would be about 50 years before these costs equal out.

Hindo - No comments.

Winkler – How does the size of this compare to the facility in Novi on 14 Mile Road between M5 and Haggerty?

Law - No comments.

Jones - Did you say some of this building will be below ground?

Jason Mayer - This is an above ground tank, but 5' of it will be below ground for frost protection. We may make it somewhat wider, shorter or taller, but we will keep it less than the height of the Fire Station and buried 5'.

Jones - With so much of the facility at ground level, will there be corrosion issues when compared to elevated storage?

Jason Mayer - The elevated composite tank has metal where the water is stored, but this will be all concrete with brick on the outside.

ITEM I: MASTER PLAN UPDATE

Consideration of a proposal submitted by McKenna Associates to update the Master Plan and Zoning Map and making a recommendation to the Township Board.

Kathleen Jackson, Planning Director gave a review.

Kathleen Jackson - This is McKenna's proposal for their work to update the Master Plan. This includes the multi-family component as well as the updated Chapter 4, the socioeconomic portion of the Master Plan. This evening, we are asking for your comments and input before this goes to the Township Board. I can tell you that some items on the proposal are redundant and have already been completed. We ask for any direction with respect to the contract, including the evaluation of the work that has already been done and work that is not necessary for the Master Plan to meet all of the legal requirements.

Commission Comments:

Winkler - The redundant items, are those things that the Township has already done?

Kathleen Jackson - Those are items that the Planning Commission and I have worked on. The Commission has reviewed the Master Plan, line-by-line in its entirety with very few exceptions. Those areas where we did not have information created some gaps in the review, but we do have information with respect to population, age, structure and you have reviewed it. McKenna did not realize it had already been done. You have reviewed information post-2010 census and the SEMCOG analysis of the 2010 census data.

This item was not budgeted and so that is one reason that we are going through this exercise to get your input for the budget amendment to be approved by the Board. Terry Carroll has been involved, and I have spoken to Phil Adkison. He reviewed the proposal and the Master Plan process to ensure that we are meeting the legal requirements and that the final Master Plan mimics the direction that the Board and Commission have given to me, and ultimately to McKenna for some other items with respect to multi-family.

Winkler - The continuity with McKenna is invaluable here. They have been doing the Master Plan for a number of years. Is the proposal not to exceed a specific amount?

Terry Carroll - I think they are breaking it out into components, and yes, it is not to exceed, but we want to go through and reduce some of the items listed even further.

Winkler - Terry, do you think there are any other tasks in this proposal that you and staff might be able to complete with assistance by McKenna?

Terry Carroll - I have not seen what's already been completed. I will be reviewing this over the next couple of days. As Kathleen said, much of Page 1 has already been done. I'm not sure what kind of expertise we have and what Kathleen still needs to have done, specifically in map creation and that kind of thing.

Kathleen Jackson - McKenna has both the Future Land Use Map as well as the Zoning Map. When we go through map changes, in the past we've gone through McKenna. As

you know, we have reviewed what was inconsistent with the Future Land Use Map and also between the Zoning Map and the existing developments; with respect to multiple family.

Law - This will assist you with some of the issues that we discussed in the recent past and get things moving in the right direction?

Kathleen Jackson - Yes. And the Commission is in good shape time wise. We have discussed this at every meeting since October and we were awaiting the proposal as of last month. We had a joint meeting with the Township Board and this has been a methodical approach. We have had communications with the RCOC, the Sheriff's Department, the Fire Department and the school district. The Commission is not a rubber stamp agency. We have received input that's been extremely valuable and will continue to be. We will schedule public hearings and get feedback from the community. What we present will show the thoughtfulness that went into the process. The joint meeting was invaluable and the DDA has had some input with their forecast for the Town Center.

McKeever - Are other firms bidding on this proposal?

Kathleen Jackson - No.

McKeever - How do you know that this is a fair number?

Kathleen Jackson - We have a current contract with McKenna for continuing services. I had a meeting with Amy, our representative, a few weeks ago to get this proposal. If you want, we can send it out for bids and that can be part of your recommendation.

McKeever - Because this was not budgeted, I thought we might.

Kathleen Jackson - This proposal includes a blended rate that is consistent with the contract we have including rates of \$85 to \$110 per hour. A portion of it includes Amy assisting me in drafting the single-family component. I don't know whether or not those hourly rates are consistent with other planning firms.

Jones - Do we have a handle on all they're doing? Such as on Task 1. B., Prepare Commercial Analysis; are all 5 items here necessary for the update, and specifically item 3.?

Kathleen Jackson - That is not a legal requirement for compliance with the statute. I talked to McKenna and that would be a want rather than a need. We have enough information to update that chapter, including the 2010 census data.

Jones - I trust your judgment.

Kathleen Jackson - I will bring back what the Board approves for your information. Because time is of the essence, this will be on the next agenda, but in any event we will keep you informed as to what McKenna's role will be.

OTHER MATTERS TO COME BEFORE THE COMMISSION

Jones discussed potential for an upcoming multi-family proposal with Kathleen Jackson. She had not seen anything submitted to the Planning Department in this regard.

The next regularly scheduled Planning Commission meeting will be Monday, March 3, 2014 at 7:00pm.

ADJOURNMENT

MOTION by Law, supported by Hindo, to adjourn the meeting at 7:50pm.

MOTION CARRIED UNANIMOUSLY



Brian Winkler, Secretary