

Springfield Township
Planning Commission – Business Meeting
Minutes October 17, 2011

Call to Order: Vice-Chairman Baker called the October 17, 2011 Business Meeting of the Springfield Township Planning Commission to order at 7:30 p.m. at the Springfield Township Civic Center, 12000 Davisburg Road, Davisburg, MI 48350.

Attendance:

Commissioners Present:

Dean Baker
Bill Leddy
Beverly Shaver
Neil Willson
Kevin Sclesky

Commissioners Absent

Roger Lamont
Ruth Ann Hines

Staff Present

Collin Walls, Supervisor

Consultants Present

Brian Oppmann, Planner

Vice-chairperson Commissioner Baker acted as Chairperson.

Approval of Agenda:

Commissioner Leddy moved to approve the agenda with the following changes: Add to New Business: 1. Planning Commission Officers-discussion. Change 425 Agreement – discussion and review to New Business #2. Supported by Commissioner Shaver. Voted yes: Baker, Leddy, Sclesky, Shaver, Willson. Voted no: None. Absent: Hines, Lamont. Motion Carried.

Public Comment: None.

Consent Agenda: Minutes of the September 19, 2011 meeting.

Commissioner Shaver moved to approve the minutes of the September 19, 2011 as presented. Supported by Commissioner Willson. Voted yes: Baker, Leddy, Sclesky, Shaver, Willson. Voted no: None. Absent: Hines, Lamont. Motion Carried.

Public Hearing: None.

New Business:

1. Planning Commission Officers-Chairperson-discussion

Vice-chair Baker stated that after the Chairperson resigned, he has assumed the role since the last meeting. He stated that they need to name a Chairperson for the remainder of the

calendar year. He stated if nominated, he would be pleased to serve as Chairperson for the rest of the calendar year. He stated that they also need to name a Vice-Chairperson and he recommends that Ruth Ann Hines serve as Vice-Chair for the remainder of the calendar year. He stated that they contacted Ruth Ann and she is willing to accept that role if nominated. He would recommend not naming a secretary for the remainder of the calendar year.

Commissioner Leddy made a motion to nominate Dean Baker as the acting Chairperson for the remainder of the calendar year. Supported by Commissioner Willson. Voted yes: Baker, Leddy, Sclesky, Shaver, Willson. Voted no: None. Absent: Hines, Lamont. Motion Carried.

Chairperson Baker made a motion to nominate Ruth Ann Hines as the acting Vice-Chairperson for the remainder of the calendar year. Supported by Commissioner Willson. Voted yes: Baker, Leddy, Sclesky, Shaver, Willson. Voted no: None. Absent: Hines, Lamont. Motion Carried.

Chairperson Baker introduced Kevin Sclesky to the Commission and thanked him for his willingness to serve.

Commissioner Sclesky stated that he has been a longtime resident of Springfield Township and he has been a business leader in the hospitality industry for many years. He stated that he has served as President of the Bridge Lake Bluffs Homeowner's Association and that he wanted to become involved with the bigger picture of the community. Commissioners welcomed Commissioner Sclesky and offered their help if needed.

2. 425 Agreement – discussion and review

Chairperson Baker stated that this was the small part of the Township bordered by I-75 and Dixie Highway. It does not have any access and it is vacant. Historically, people have made inquiries about it but it is difficult because it involves both Independence Township and Springfield Township. The 425 is a methodology by which governments can partner to permit development of property such as this.

Supervisor Walls stated that it involves approximately 30 acres with roughly half in Springfield and the other half in Independence.

Mr. Oppmann asked if it was 2003 or 2004 when someone was working on a development.

Commissioner Shaver answered 2002.

Supervisor Walls stated that Springfield's portion is zoned multiple and Independence Township's portion is difficult to address the zoning. There have been multiple agreements that have been discussed. Supervisor Walls confirmed that there is no current

interest in the property, however there is a consent agreement from the 1960's that involve utilities including sewer service.

Mr. Oppmann stated that he provided a couple of documents for the Commissioners in their packet. The first is the Act itself as interpreted by the MEDC, Michigan Economic Development Corporation. The 425 agreement started with cities and townships which allowed them to put in a mechanism that would allow neighbors to have a contractual agreement between them. There are several things that could be addressed in the contract: who would have the zoning authority, who would have code enforcement powers, how utilities would be handled, the process for getting approval, which zoning ordinance would apply, which regulations would be used, etc. He stated that this allows townships to proactively plan out how they envision the property being developed. This would have to be coordinated with Independence to determine the land use desired and thus which zoning would apply. When there are parcels that are in two different zoning districts, typically the most restrictive zoning would be used, but this isn't always the case. The 425 allows you to set up specific regulations that are specific to the property and it is a contract between the communities that would last 1-50 years. Other things that would be decided in the agreement would be division of tax revenue. Mr. Oppmann stated that it comes down to the two Township Boards coming to an agreement and starting there, Springfield is able to come up with the initial ideas and then approach Independence Township and get some discussion generated.

Chairperson Baker asked if this was a site that was going to be developed for single or multi-family housing and would there be a decision about the taxes and where they would vote. He asked about the voting precinct applicability.

Supervisor Walls stated that they could find some answers through an existing 425 agreement between Holly Township and Holly Village.

Mr. Oppmann stated that this Pulte development that Supervisor Walls referenced is actually physically in Holly Township, but the residents are getting Village water and this was part of the 425 agreement.

Chairperson Baker stated that Springfield Township has the ability to move it forward without having the need to have a referendum. He asked if this could be done administratively.

Mr. Oppmann stated that it can be done administratively to a point, but when the contract is actually going forward, each Township Board would have to hold a public hearing on the agreement and as long as the majority is in favor, it could go forward.

Chairperson Baker stated that in the Holly example, perhaps there were already existing dwellings that the changes would affect. The residents could petition in this example. However, the piece that they are discussing is unoccupied. He asked Mr. Oppmann what the step by step process is.

Mr. Oppmann stated that the first step is to look at the physical condition of the property. The Commission should look at an aerial photograph to determine the natural features, etc. and then look at the Master Plan and the zoning for the property. After the Commission has a discussion, Independence Township would have to do the same thing.

Supervisor Walls stated that historically they had joint Planning Commission meetings to determine which standards applied and generally it was the most restrictive. He stated that both Townships have the same Planner and Engineering firm so some of the discussion items should be simple.

Mr. Oppmann stated that the site plan review process in Independence Township is different than in Springfield Township.

Commissioner Shaver stated that it would be nice to have some kind of agreement in place so that when there is interest, they are prepared.

Mr. Oppmann stated that this is the time to develop an agreement that is well thought out and it can be made for a 50 year time span.

Commissioner Willson asked if Springfield should start the process.

Supervisor Walls stated that there have been various examples and proposals of the same use, which is multiple housing. There was also a church proposed on the property.

Chairperson Baker stated that his recollection regarding the church proposal is that there was very limited access. The residents did not want Deer Hill to become a major thoroughfare.

Supervisor Walls stated that limited access was an issue. Another issue was who was going to provide police and fire service. He stated that the Commission could look at the differences between the two Townships currently that would need to be addressed.

Chairperson Baker stated that this is not an immediate concern, but if they did nothing, it would take almost a year to get an agreement together. He suggested that the Commission understand the site, its limitations, the viewpoints of the Board, current zoning, etc. He stated that once they have a better idea of the Commission's consensus, then they can begin the reaching out process to Independence.

Commissioner Shaver agreed with exploring the property and starting the discussion. She stated that the biggest problem was the traffic.

Commissioner Willson stated that there are absolute limitations that they are going to have to work around.

Supervisor Walls stated that there have been discussions about bringing the light and Big Lake in alignment with Deer Hill so that there would be a stop light at Deer Hill. This would help with part of the problem.

Chairperson Baker asked if there were any questions regarding the 425 or property that need to be addressed.

Commissioner Sclesky stated that it makes sense to pursue a relationship with Independence Township in a 425 agreement so that there is a plan in case there is some interest by a developer.

Chairperson Baker stated that it seems that the opinion is that the Commission is interested in learning more about the property and what our Master Plan calls for at that site, what the Independence Township plan calls for at that site and what the infrastructure requirements are and that are located near to that parcel and other utilities that are located on the parcel. The priority has yet to be determined, but it seems that the Commission is interested.

Supervisor Walls stated that he will go back in the files and determine what was developed historically.

Mr. Oppmann stated that the developer will ask first what the time frame is for approval. He stated that it is important to get something in place.

Chairperson Baker asked who would be responsible for broaching the subject to Independence.

Supervisor Walls stated that either himself, or he and Dick Carlisle would approach Independence Township.

Old Business:

1. Sign Ordinance – Update and discussion

Chairperson Baker stated that the issue of Temporary Signs came up when the Commission was discussing the sign that Divine Mercy uses on the weekend to advertise their service. The Commission started to discuss temporary signs because there was not any type of temporary sign provisions in the Ordinance. As the Commission closed in on the Temporary Sign provisions going to Public Hearing, the Commission decided to broaden the discussion to include the entire sign ordinance. This began a 12-14 month process of reviewing the sign ordinance as a whole.

Supervisor Walls stated that at the last meeting when this was considered, the Planning Commission made a decision to refer the sign ordinance to the Township Board for their input. The result being that the Township Board and the Planning Commission are not very far apart. He stated that the item that started the whole discussion was temporary signs and the Board would like to return to that. The Township Board requested that the

Planning Commission get the temporary sign provisions to public hearing. This will allow the business people some variation that is not allowed in the ordinance currently. Supervisor Walls stated that he had a meeting with Brian Oppmann this morning and they were able to prepare the revisions to the document and present it for the meeting this evening. He stated that the colored revisions are: black is existing ordinance language, 2010 revisions are in red and the recent Township Board revisions are in blue. He stated that if it is acceptable to the Planning Commission, they could provide comments and suggestions, and then have Brian Oppmann prepare the document for public hearing at the November meeting. He stated that it should be easy for Brian to implement the changes. The additional discussion regarding building signage and sign height, etc. can be dealt with later, however it is not a Board priority at this point.

Brian Oppmann stated that there are two outstanding issues. The first is the Transient Sales section where it indicates that the signage would be handled like a permanent ground sign. He stated that this is not practical. This section will need revisions and will require revisions to the Transient Sales portion of the ordinance so that it is consistent. He stated that currently window signage is part of the building signage, and the Board would support that separated out. The 2011 sign draft was determined to be 50% window sign coverage and he stated that this is too much, typically you do not go over 30%, and 25% was recommended. The Board cleared up some issues, for example, a business can only have one temporary sign at a time. Another issue was signage for a multi-tenant shopping center like Kroger. He stated that the temporary signs for each business of a multi-tenant shopping center are proposed to be 50 feet apart for temporary signs. He stated that another confusing item for the Board was the provision that banners can be 25 square feet, where all other temporary signs are at a maximum of 16 square feet. Brian Oppmann stated that he could not remember why there was this difference, but for consistency, he made them all at a maximum of 16 square feet. He added that they removed #4 because it was redundant. On page 9, #6 allows sandwich and A-frame signage, but the Board wanted them to be removed at the end of the business day. He stated that there are some other areas under the sign ordinance that the Board wanted clarified. The first was clarification on pennants and streamers. The other was under the section signage "signs permitted in all districts without a permit." This includes the discussion of signage for civic events. He stated that the garage sale type sign needs to be separated from the civic event sign.

Supervisor Walls stated that civic events were already addressed through the amendment last May under Temporary Sales and Special Events.

Mr. Oppmann stated that the overall intent was to move the temporary sign provisions along. He stated that the 2011 draft did not carry the 2010 temporary sign provisions over.

Commissioner Shaver asked about the typical business hour recommendations for A-frame sign placement and removal.

Mr. Oppmann stated that there are two ways to handle it. It could be the particular business' hours, or it could be based on typical business hours. The end result that is the goal is not to have the signs blowing over the road, etc. and creating clutter. He stated that it is up to the Commission. He stated typically this is for the businesses that are open during the day because they are not lit.

Commissioner Sclesky stated that he didn't see anything preventing numerous sandwich signs and to also prevent them from impeding the right-of-way.

Supervisor Walls clarified that the business can only have one temporary sign at a time.

Commissioner Willson stated that if they say that the temporary signs can only be displayed during business hours, if the business is 24 hours they can keep the sign out. He stated that this would give the Board clarification.

Supervisor Walls stated that the Board looked at the temporary sign provisions generally.

Chairperson Baker asked about allowing individuals to walk holding a sign or placard.

Mr. Oppmann stated that he is going to add language to prohibit this.

Chairperson Baker asked about the provisions for Civic Events being allowed. He stated that he couldn't find it.

Supervisor Walls pointed out Community Events under the Seasonal Sales updated section of the ordinance 16.24. He provided copies of the ordinance section 16.24 to the Commission.

Mr. Oppmann stated that it became effective May 4, 2011.

Chairperson Baker asked about the time limit for the temporary sign under this provision. He stated that according to this provision, it looked like they could post the sign for up to 30 days.

Mr. Oppmann stated that the problem is that there are no temporary sign provisions for 16.24 and this is an area that needs to be amended.

Chairperson Baker asked if we have any sign provisions that would apply to the temporary signage that Divine Mercy uses every week that prompted the whole discussion.

Supervisor Walls answered no, but the Zoning Board of Appeals is there to hear cases that are outside of the ordinance.

Mr. Oppmann stated that the Commission did mention adding language saying that the signs have to be maintained and he could add this.

Supervisor Walls asked the Commission what their feeling was regarding sign setbacks. He stated that a lot of the discussion probably had to do with permanent signs, not temporary. He stated that the permit process is not covered, however, it is covered in 6B of the sign ordinance.

Chairperson Baker asked if the public hearing would be addressing just temporary signs, or the entire 16.07.

Mr. Oppmann stated that it was dependent on how the Clerk wanted to handle it, but he would recommend doing all of it at the same time.

Supervisor Walls stated that if the Commission wanted to change to 25% for window signage, it was a simple change and could be addressed now.

Chairperson Baker asked the Commissioners what their feeling was in regard to window signage. He asked if we could fix the inconsistency associated with Seasonal Sales and Special Events section 16.24 and signage now as well and could it be done in conjunction with the Temporary Sales amendment of 16.07.

Mr. Oppmann stated that they probably wanted to look at the entire section 16.24 and make sure that it addresses what they wanted it to.

Chairperson Baker stated that in 16.24, there are Civic Events present. He stated that he is asking about 3E in relation to permanent ground signs and the need to change it to refer to the added temporary signage section of 16.07.

Supervisor Walls stated that the Commission may want to pull Civic Events out because the Township wants the vendor to pull a permit for Seasonal Sales, but not for Civic Events. He stated that this is up to the Commission. He stated that 16.24 has to be addressed because it gives them a 30 day permit and the temporary sales gives them a 14 day permit. Consistency needs to be established between the two.

Chairperson Baker asked if Mr. Oppmann had kept an itemized list of the Commission's comments during the meeting. He recalled the idea of using 25% of window sign coverage, the appropriate care and maintenance of temporary signs, discussion about business hours relevant to the specific business, the 16 square feet maximum was appropriate, honoring the 15 feet setback from the right of way and addressing no people carrying signs.

Mr. Oppmann confirmed that he had the correct list of the above items.

Commissioners agreed to have Mr. Oppmann make these corrections and publish the notice for public hearing for November 21, 2011 meeting.

Other Business:

1. Visioning Session – Update Priority List

Supervisor Walls stated that this was a good time to adjust priorities and to accomplish planning goals when there was not any new development going on. He stated that he went back through the minutes to discover things that the Planning Commission had mentioned, but that never got resolved. He stated that this resulted in a lot of plans that were not adopted and did not have specific implementation guidelines. A list was provided to the Commission in their packet of items that were previously mentioned. He stated that the first item on the list is the lumberyard property. He stated that the property was acquired with significant easements over it that did not show up. He stated that the most difficult one needs to be removed, which is not difficult, but needs to be addressed. There are encroachment and sanitation issues having to do with septic; these were being handled by the Health Department for the first year and a half. Recently, Greg Need was asked by the Board to send letters directly from the Township. The Township has heard from one of the residents. These issues all need to be resolved. He added that different uses that have been discussed have been mixed use retail, fire station and pathways. He suggested that the Board needs to deal with the environmental issues before they start to plan use for the lumberyard. He stated that at the Budget workshop there was agreement to start building a fund to replace Fire Station #1. He stated that the Planning Commission has seen the Capital Improvement Plan, as well as the Township Board. However, it has not been approved. He stated that the most recent version shows approximately 2.6 million dollars spending each year over a five year period. The Township does not have this money. He stated that the Township is also putting money aside for pathways.

Commissioner Willson asked why the Health Department is so hesitant to take action.

Supervisor Walls answered he didn't know. He stated that if they had to, the Township will take care of it.

Chairperson Baker referred to the list provided to the Commission. There are items associated with Dixie Highway. The property at Dixie Baptist Church has been an item of interest. The businesses district on Dixie Highway as well as the residents of Lavon have been considered. It is difficult to exit Lavon and get on I-75 with no signal present. This has led to a discussion about a boulevard development. The Bordine property has been looked at through the last Master Plan update. Also discussed was a new hard surface that would connect to Lavon and parallel Dixie Highway.

Supervisor Walls stated that the Dixie Corridor Plan was another document that the Planning Commission looked at. It was presented, but never adopted. He stated that some portions of this have been supplied to the Commission for tonight, particularly the Implementation section. The first section of the recommended list is "Drafting and Adopting Access Management Standards as Priority", but this was not done. The section titled "Development of a Strict Code Enforcement Program to address Blight" should be considered. He stated that a stricter Code Enforcement Program is in place now. Under

the section of funding opportunities, Supervisor Walls pointed out “Foster Redevelopment should be explored.” He stated that there is a huge list of funding sources, but one that is not listed that they did previously is that anybody who wanted to improve a preexisting non-conforming, all fees were waived and the site plan process was shortened. This was an indication that the Township is here to do what they can.

Supervisor Walls asked the Commissioners to picture a row of brownstone buildings, and then to envision going north on I-75 at Exit 93 and picture to the right hand side. He stated that this is the most gorgeous, representative view of the community. However, the map in the Corridor plan shows this area to be a townhouse development. He stated that he was displeased and he does not believe that the community has changed so significantly in 3 years that the community is forgetting the environmental protection goal that is so important to this area. He stated that he would suggest asking CWA to do an analysis of this plan and to look how many square foot of commercial space and residential structures are affected and to try and determine how long it would take for the market to catch up with this plan. He suggested that this should be a priority to adjust it and adopt it in a manner that is more consistent to the Planning Commission goals and the community’s goals.

Commissioner Baker stated that he doesn’t have a problem having CWA revisit the plan. He stated that the history of this plan involves ongoing discussions from 2006.

Supervisor Walls stated that there were Dixie Corridor discussions dating from 2002. As a result of Township Board action and the results of the proposed Redico project, it was decided that the plan should be updated. He stated that the committee that worked on this plan was local business people. He stated that the water and sewer needs on Dixie Highway are real concerns but the capacity for typical sewers does not exist for Springfield Township.

Commissioner Baker stated that the Planning Commission should try to be as best positioned as they can with the alignment of the community and measure that against the desires and interests of development to try to foster the best possible joint acceptance of a land use plan. He stated that there is value to looking ahead to determine what they want to happen and what they could support. He stated that this area is a target area for outside developers.

Commissioner Shaver stated that she was not part of the original discussion, but is not opposed to opening it up. She asked how close it follows the Master Plan.

Supervisor Walls responded that it does not follow it very closely, but there are some aspects that are relative.

Commissioner Shaver stated that there should be a point when it should be adopted.

Chairperson Baker stated that the plan was communicated, but not scrutinized and analyzed.

Commissioner Willson questioned what they are authorizing Carlisle Wortmann to do.

Mr. Oppmann stated that they are asking Carlisle Wortmann to prepare a Market analysis, including square footage and potential dwelling units. He stated that they are developing a development potential.

Commissioner Willson answered a potential as determined by what they believe the market will bring to the Township in the next 5 to 10 years.

Supervisor Walls answered yes, probably 10 years.

Mr. Oppmann stated that they can compare this to regional numbers in terms of commercial analysis data to determine whether this square footage is viable in a regional context.

Commissioner Willson stated that his first experience with this was an observer and he wasn't comfortable how it was handled a year and a half ago. He stated that there was never a consensus on what was right for the area and he was dissatisfied with the plan. He stated that he would welcome the opportunity to revisit it because this was probably one of the most important plans that the Township should be working on right now.

Supervisor Walls stated that there is sizable acreage at I-75 and Dixie Highway in our Township.

Commissioners and Supervisor Walls had a discussion regarding the legal, nonconforming businesses that exist on Dixie Highway.

Chairperson Baker asked if there was any funding mechanism for pathways.

Supervisor Walls stated that there was an application that was submitted for a grant that was not awarded. He stated that the pathways plan was put together, but not adopted. Supervisor Walls stated that Springfield Township set aside Community Development Block Grant funds to work on a 119 feet portion of the sidewalk. This was designed to run from the new traffic light at Dixie Highway and Davisburg and extend to the west to King Road. He stated that the sidewalk cannot go here because there are right of way and communication box concerns in this area. He stated that the Board has decided to begin to establish a fund for pathways in which they will contribute to it every year; this is proposed to begin with the 2012 Budget. The first contribution is \$15,000.00. Budgetary concerns make it all that the Township can contribute to it right now. He stated that if this is truly a priority, then the next step should be taken to make it happen. He stated that changes to the zoning ordinance could be looked at now to make sure that it is allowed.

Chairperson Baker asked about waiving the sidewalk requirement for new development if they would agree to contribute to an escrow account to be used in a more populated and needed area.

Supervisor Walls responded that it was discussed, but the amendment was not followed through on.

Mr. Oppmann stated that they needed a safety path fund established first. He stated that this is a general Township ordinance; it would not be included in the zoning ordinance.

Supervisor Walls stated that there was a lot of work done in the last 2 to 3 years on planning, but these projects were not followed through on.

Chairperson Baker concurred.

Supervisor Walls stated that another item that was mentioned in the past was developing an overlay district for downtown Davisburg. He stated that maybe they should look at signage from the different standards of the area. He stated that maybe the Planning Commission should look at developing a central business district zoning for Downtown Davisburg which deals with the fact that every piece of property in Downtown is not able to comply with the zoning ordinance. He stated that this is an alternate approach to addressing the issues with downtown. This would essentially be a Downtown Davisburg zoning district.

Mr. Oppmann stated that to establish this area as a new zoning district it would involve changing the zoning map, defining the area, create intent and allowed uses and special uses.

Commissioner Willson stated that they would be creating a new zoning district that doesn't exist anywhere else in the Township.

Chairperson Baker concurred. He stated that this would address the peculiarities that exist in the area like parking, landscaping, etc.

Commissioners reviewed and updated the priority list presented.

Chairperson Baker stated that as the items on the visioning session list become more defined; they will move these items onto the priority list

2. Meeting regarding Springfield Town Square - update

Supervisor Walls stated that there was a meeting with all concerned with traffic safety concerns in front of Springfield Town Square on September 20, 2011; the Commission was provided with a document summarizing this meeting. Supervisor Walls summarized the meeting content including what could be done internal and external to help the situation. He stated that it was a positive meeting. Since the meeting, he was contacted by the Kroger representative who let him know that the property owner at Davisburg and Dixie Highway has no interest in helping with access through property acquisition. He has made contact with the property owner directly to the south of Kroger and he has

given permission to clean up the brush on the property. He stated that he needs to get volunteers together. Mr. Kurzmann and Kroger have asked the Township to hold off on the second meeting. Several items were discussed at the meeting in regards to internal changes to remedy the problem including the important problem of gaining two lanes out of the south drive.

Public Comment:

Diana Walls, 627 Broadway, Davisburg, asked if instead of working on the section of pathways beginning on Independence Township, if the Township could concentrate on the part of the pathway that would go through downtown Davisburg. Commissioners concurred that this was a part of the pathway that they wanted to focus on, from the Civic Center to Schultz Park, but unfortunately, there was no funding at this time. Mrs. Walls also asked how long the term “grandfathered” covered. Supervisor Walls responded the term grandfathered in reference to a particular piece of property could be forever.

Adjournment:

Commissioner Willson made a motion to adjourn the meeting at 10:11 p.m. Supported by Commissioner Shaver. Voted yes: Baker, Leddy, Sclesky, Shaver, Willson. Voted no: None. Absent: Hines, Lamont. Motion Carried.

Erin Mattice, Recording Secretary