

Springfield Township
Planning Commission Meeting
Minutes May 20, 2014

Call to Order: Vice-Chairperson Hines called the May 20, 2014 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:

Ruth Ann Hines
Dave Hopper
Bill Leddy
Kevin Sclesky
Linda Whiting
Neil Willson

Commissioners Absent

Dean Baker

Vice-Chairperson Ruth Ann Hines acting as Chairperson in Dean Baker's absence.

Consultants Present

Doug Lewan, Planner, Carlisle Wortman, Associates

Staff Present

Collin W. Walls, Supervisor
Laura Moreau, Clerk

Approval of Agenda:

Commissioner Willson moved to approve the agenda as presented. Seconded by Commissioner Whiting. Voted yes: Hines, Hopper, Leddy, Sclesky, Whiting, Willson. Voted no: None. Absent: Baker. Motion Carried.

Public Comment: None

Consent Agenda:

1. Minutes of the April 15, 2014 Planning Commission meeting

Commissioner Hopper moved to approve the minutes of the April 15, 2014 meeting as presented. Seconded by Commissioner Leddy. Voted yes: Hines, Hopper, Leddy, Sclesky, Whiting, Willson. Voted no: None. Absent: Baker. Motion Carried.

Public Hearing: None

New Business:

1. Seasonal & Temporary Sign Ordinance Amendments

Mr. Lewan summarized the amendment changes to the ordinance that were provided in the Commissioner's packets. These amendments were to Section 40-645 and Section 40-751. The first change was the addition of location to Section 40-645 which allows seasonal and temporary display of products, materials intended for sale and special events in all zoning districts for approved non-residential land uses. He stated that in #4, it is clarified that one permit can be approved annually for a period not to exceed 60 days and may be renewed once upon request of the applicant. The annual permit was supposed to be for groups having a bunch of events and they added the maximum number 6 to the existing language. He asked Supervisor Walls for his review of the changes summarized so far.

Supervisor Walls stated that under Section 40-645 (a), he does not know what sales are permitted by the Michigan Right to Farm Act and neither will the applicant. He suggested leaving the current provision that says if you grow it on your property; you can sell it on your property. This is currently in the ordinance and it is a permitted use. He suggested removing the proposed sentence.

Mr. Lewan concurred.

Supervisor Walls stated that in (b)(4), Mr. Lewan combined the individual permit with the annual permit and it does not make sense. He asked if they were talking about an annual permit or an annual permit for multiple events.

Mr. Lewan answered that this would be one permit per year for a single event.

Commissioner Willson stated that he did not think it made sense either. Commissioner Hopper concurred.

Supervisor Walls stated that they have two seasonal sales permits issued and they end up coming in each month and renewing it for an additional fee. He referred to the tent in downtown Davisburg. His office has only issued one annual permit and this is for Parks who has multiple different events over the year.

Mr. Lewan explained that the old language stated that permits may be approved by the Township for a period not to exceed 30 days. He stated that they could have a permit for a thirty day event for 30 days or thirty individual days. He asked how this was interpreted and how has it been used.

Supervisor Walls stated that most events do not last more than a weekend. That is why he suggested separating seasonal sales from events because then they can separate how the permits are issued. They could have an annual permit for seasonal sales.

Commissioner Sclesky suggested how to separate them in the ordinance.

Clerk Moreau asked if car dealerships or other businesses would be able to do seasonal displays, for example tent sales, for a whole season.

Supervisor Walls stated that it could if it wasn't worded carefully.

Mr. Lewan stated that he would have to think about language to use to separate the two.

Commissioner Hines stated that #4 and #6 did not make any sense to her.

Commissioner Hopper suggested that they use 14 days consistently throughout the sign ordinance and require that applications are submitted 14 days in advance.

Supervisor Walls asked if it was 10 days in advance, should he deny it.

Commissioners replied no.

Mr. Lewan stated that according to the language, he should deny it. He stated that the only problem is that if a resident doesn't want the event or sale to happen then we could run into a problem if the ordinance isn't followed as it is written.

Commissioner Hines stated that she is confused by #6(a). She asked for explanation regarding annual permits.

Supervisor Walls stated that this is for the person that comes in and isn't quite sure what they want to do in the fall, but they have an idea what they want to do for the spring. The biggest reason that this is being used is to monitor the signs. The annual permit gives them the flexibility to add later events.

Commissioner Hines reiterated that the applicant would be limited to six events being held throughout the year.

Commissioner Sclesky asked if they could add language to protect the Township against tent sales being run all of the time at the car dealerships and can they do something about the language so the veggie stand people do not have to come in every month to pay another fee.

Mr. Lewan summarized the different events that are held in the Township with the help of the Commissioners, Clerk and Supervisor.

Supervisor Walls stated that currently there is only an annual permit referenced with events, not seasonal sales.

Commissioners discussed the annual permit that is currently allowed in the ordinance.

Mr. Lewan stated that the produce and flowers that are sold in the tent in downtown Davisburg might be exempt by the Right to Farm Act. He is raising this as a possible solution. The Farm Stand GAAMP is easy to meet and be exempt from zoning.

Commissioners discussed the Right to Farm Act and the language in the ordinance.

Commissioner Hopper suggested that it be in the section, Sales Permitted in all Districts without Permit.

Commissioners discussed this option.

Mr. Lewan stated that he would research the Farm Stand language. He stated that he will make changes and bring it back to the Commission next month.

Commissioner Hines asked what the time limit was for tents, etc. to be removed and she suggested having a time limit.

Mr. Lewan concurred.

Commissioner Hopper stated he agrees with the current language.

Clerk Moreau suggested three days.

Mr. Lewan summarized the proposed amendments to Section 40-751. He removed the sentence on page 3 because it is too arbitrary and someone going through site plan review should not have to ask where they can put their sign or how big it can be. Sign standards should be straightforward and uniform. This gives the Planning Commission too much discretion. Mr. Lewan changed the size on page 9 to six square feet instead of 4 square feet. He summarized changes on page #10 including language for the duration of the display and off-site temporary signs. It also adds the correct permitting requirements for RCOC or MDOT for signs in the right of way.

Supervisor Walls asked if it was Mr. Lewan's intent to have a separate section for all signage to be reviewed during site plan review or no signage to be reviewed during site plan review.

Mr. Lewan stated that signs are to be reviewed during site plan review as part of the checklist.

Commissioner Hines asked if the stipulation on page #10, (2) meant that if the church was having an event, they could have a sign at the church and then three other signs somewhere else in the Township.

Mr. Lewan answered yes.

Commissioner Whiting asked when they had the Heritage Festival, did that mean that they only had four signs.

Supervisor Walls answered no. Currently, the ordinance does not allow more than one which isn't logical.

Commissioner Whiting stated that if you had residents that wanted to put signs in their yard, that should be allowed. She asked why four signs.

Supervisor Walls stated that one is not reasonable, they should choose a number. There needs to be some limit because it ends up being visual clutter.

Commissioner Sclesky asked who policed the number of signs and asked how many signs the Farmer's Market used.

Supervisor Walls answered about half a dozen.

Commissioner Sclesky stated that they did not seem overbearing.

Supervisor Walls stated that some of the location of their signs didn't make a lot of sense.

Clerk Moreau stated that these signs were up only three days.

Mr. Lewan stated that currently offsite temporary signs are not allowed and they are trying to rectify this.

Commissioners discussed the number of temporary signs that should be allowed.

Clerk Moreau stated that she would rather allow as many signs as they want as long as they are not up for more than three days and this would include yard signs. This would be allowable for events that happen every week and she would rather that they not require a permit; they should just be allowed for three days. She stated that she doesn't know how else that would be policed.

Supervisor Walls stated that they reached the number of signs for Heritage Festival after discussions with Parks and Rec staff.

Commissioners discussed the location of Heritage Festival and Farmer's Market signs.

Supervisor Walls stated that he doesn't understand what drove the development of the Temporary and Seasonal signs to be added to the ordinance.

Commissioner Hines asked if they could allow up to four and say temporary signs may be allowed and they can be up five days prior and removed 24 hours afterward.

Commissioner Whiting stated that if it is abused and becomes ugly they could address it later.

Clerk Moreau suggested that they limit the total number of days that the signs can be up to five days.

Supervisor Walls stated that they need something logical and consistent.

Mr. Lewan asked if they wanted verification from the property owners for offsite signs.

Commissioners discussed getting approval from the property owners and suggested removing the Township from policing the applicant getting permission.

Clerk Moreau stated that her neighborhood is having a subdivision sale and they know that they can only have the signs up for three days and they are going to advertise somewhere else and are not going to simply rely on temporary signs for all marketing.

Commissioner Hines asked what the problem was if the signs were up on Tuesday.

Supervisor Walls stated that currently these signs are exempt, but they can only be up for three days.

Clerk Moreau stated that it is problematic because they are not making a distinction between something that happens every weekend versus a one time event. The Farmer's Market is an every weekend event and the Heritage Festival is a onetime event and this language applies to both. This proposed language would be too stringent for the Heritage Festival and be way too generous for the Farmer's Market. The Farmer's Market has two semi-permanent signs and other signs go up and down.

Commissioners discussed the Farmer's Market and Heritage Festival signs.

Supervisor Walls asked how they got to issuing permits for temporary signs and special events. He asked if they were trying to control commercial businesses or the Township as a whole.

Clerk Moreau answered that there were all sorts of problems including the Davisburg United Methodist church advertising vacation bible school, the Divine Mercy signs and tent sales at the dealerships. There were multiple issues because there were no provisions to deal with temporary signs. They are trying to allow for ways for any number of community events and activities to be advertised through temporary signs and find a way that is fair and consistent. They have not found a way to properly classify events and the discussion has become convoluted and complicated.

Mr. Lewan stated that they are close but they have to determine how far ahead of the event.

Commissioner Willson stated that there has to be a certain number of days of exposure.

Commissioners concurred.

Mr. Lewan suggested two weeks.

Clerk Moreau recommended that they make two distinctions; one is seasonal sales and displays and the other being community and special events.

Supervisor Walls stated that he suggested that 6 months ago.

Clerk Moreau stated that they should seriously consider this and look closer at these two categories.

Mr. Lewan stated that he did not understand the problem as much as he should have. He thought they could work with what they have and he will look into that. He asked Clerk Moreau to restate the problem.

Clerk Moreau stated that the problem when considering events such as ongoing sales or seasonal displays that happen every weekend or throughout the summer, this language as it is written allows for temporary signs to no longer be temporary because of the amount of time in a week would encapsulate the entire week when you look at the time allowed. On the other hand, there are community and special events such as the Heritage Festival or vacation bible school and if they are limited to only five days before their event, this doesn't allow for the amount of promotion in advance of their event.

Commissioner Willson questioned if the Farmer's Market is permitted, it is not their fault that they are open every week and it is only permanent if it is in cement in the ground. He doesn't know how you can penalize someone for operating a permitted event just because it happens every week; this is not justification for taking the sign down.

Commissioner Sclesky stated that is why they are suggesting breaking it into two groups.

Mr. Lewan stated that they do allow the temporary signs as long as the temporary use is there. The number of days only apply to the offsite signs.

Commissioner Hopper asked what events they would want to cover to include signs. He asked if they should create a category for community and civic as a permitted sign that could stay up under the six month provision.

Mr. Lewan stated that there are events and there are occasional and ongoing sales and it sounds like separating them is the intention of the Planning Commission.

Commissioner Hopper suggested possibly exempting the community events.

Clerk Moreau stated that the language allows four signs to remain for the whole season but they could add other temporary offsite signs could be allowed throughout the Township for only three days. With the permit, they would get the four temporary signs that can remain the entire summer and then the others are additional. Then, Heritage Festival can have four that remain up and the additional signs have a three day limit on them.

Commissioner Whiting stated that she would want to put a sign in her yard and leave it up all summer, would that be a problem.

Commissioners replied yes; it creates clutter.

Commissioners discussed temporary signs in yards and how abuse of this creates clutter.

Mr. Lewan stated that he will bring back a draft at the next meeting that will address the issues that were raised.

2. Dixie Corridor Plan Update – discussion of suggested Changes/impact of corridor Utility Study

Mr. Lewan stated that the Utility Study was reviewed and accepted by the Township Board and at the last Planning Commission meeting, he was asked to incorporate the results of the Utility Study into the Corridor Study and Sally Elmiger, CWA, did that. There are still some things that need to change like a map, but he wanted to present the language. He stated that if there are grammatical changes or typos, he would prefer if the Commissioners just email these changes to him. Mr. Lewan summarized all of the changes in the document. He indicated that changes still need to be made to some of the maps. He stated that he wanted to get the Commissioner's comments, make any revisions that they need to make, revise sketches that need to be revised, review a final draft in June and if the Commission is okay with that draft, send it to the Township Board for their acceptance. He stated that they can then use this document with the Utility Study as they progress in the Strategic Plan and Master Plan.

Supervisor Walls stated that this document has been around for such a long period of time without being finished and he suggested that they come up with an updated Corridor Plan by eliminating the history dates. There is a Strategic Plan Committee meeting on June 13th. He suggested that they look at this document at the meeting before it comes back to the Planning Commission. He stated that they should just call it an update to the Dixie Highway Corridor Plan.

Clerk Moreau stated that in October 2012, the Township Board intended to move forward with design details, lighting, etc. for the Corridor but they felt that they needed to look at the utilities first. She stated that they need to put together the design details to get to the vision that they wanted; this is part of the Strategic Planning process. She stated that the first purpose of the committee should be determining what their role is, how much the committee is going to take on and if they should be a recommending committee to take

images and ideas back to the Planning Commission to get feedback. They can determine their plan and start working on a vision as a combination of Planning Commission, Township Board members and Doug.

Mr. Lewan stated that the first thing that the committee would be doing would be coming up with a final document of the Dixie Corridor Study Update.

Supervisor Walls replied no. First, the Committee would be determining what goes into the final document not necessarily that they are going to do a final document.

Clerk Moreau stated that she provided a document outlining all of the steps of strategic planning to Mr. Lewan last May as presented at the MTA class. The second step was to come up with the vision with the first step being the background studies and what in your future is changing, for example the utility studies, etc. The third step is how do we get there and for this step they will have the Dixie Highway Corridor Plan that will have implementation. But, developing a vision is the second step including design elements, how they want it developed and what they are looking for; this should be the goal. How they are going to work as a committee has yet to be worked out. She stated that the Committee should come back to the Planning Commission with a plan, a goal and a process and then they can go from there.

Commissioner Sclesky stated that they can use the Dixie Corridor Update to provide developers a tool to determine what look the Township wants. The Utility Study will tell them what type of plan they need for water and sewer but there is nothing that shows what the look of Springfield is.

Clerk Moreau stated that they have to determine the look of Springfield. They can identify the problems, but they need to show the images that they do like.

Commissioner Sclesky stated that Clerk Moreau should share the images with the committee that she showed to him to get an idea of the look they wanted.

Clerk Moreau stated that they need to determine design elements like landscaping, lighting, pathways and how the buildings should be oriented towards Dixie Highway. They need to decide on what they mean by “rural character” and if they can agree on design elements that capture that; then they can start to develop that vision.

Commissioner Sclesky stated that it will give the developer an idea of what they need to strive for in one document.

Clerk Moreau stated that they had also considered some type of expedited review or incentives for new development. The only way that they can do this is to communicate the vision to a prospective developer. She stated that to rush to get the Dixie Corridor Update done without those important design elements is not a complete vision.

Mr. Lewan stated that this document is a land use plan. There is some general language but does not included vision detail.

Clerk Moreau stated that the Committee can determine if the design elements belong in a design guide for developers or in the actual Dixie Highway Corridor Plan Update. They need to determine how it fits together and how it can be communicated.

Commissioners reviewed that the Strategic Plan Committee was made up of Clerk Moreau, Supervisor Walls, Commissioner Willson, Commissioner Baker and Commissioner Whiting.

Commissioners discussed the history of the formation of the Strategic Plan Committee.

Commissioner Sclesky asked who contacts MDOT to let them know what the vision of their roadways is.

Mr. Lewan stated that there would have to be close cooperation between the Township and MDOT. He stated that the Boulevard in front of the Bordines property would have to be coordinated.

Commissioner Hines stated that they may have a certain vision, but is it possible.

Mr. Lewan stated that he works in a community that built their own boulevard and it took 20 years even though it was a RCOC road.

Clerk Moreau pointed out that the light in front of Kroger required new development to make it happen.

Commissioner Sclesky stated that Dixie Highway is going to be in a serious state of disrepair and they should let them know their vision now.

Commissioner Willson asked if a developer walked in tomorrow and asked for the vision, what we would give them.

Supervisor Walls stated that they would get the Master Plan.

Commissioner Willson stated that he is not sure that the he is up for the Committee's job that has been outlined tonight.

Commissioner Whiting answered that the entire job is not left with them; they are simply recommending to the Planning Commission.

Mr. Lewan answered that he does not think it is as daunting as Commissioner Willson thinks.

Commissioner Hopper stated that it is time to show actual vision. They need a visual determination of rural character. They currently don't have a vision. The idea was to do something a little different instead of just changing a couple of things in the Master Plan.

Old Business:

1. Administrative Site Plan Approval amendments - discussion

Mr. Lewan stated that if these changes are okay with the Commissioners or if the changes are minor, he would like to set for Public Hearing in June. He summarized the changes that were suggested at the last meeting in April which are shown on the document presented to the Commissioners. He clarified that he would add the language so that bringing sites more into conformance could be evaluated administratively.

Commissioner Leddy suggested using the language "toward" conformance.

Mr. Lewan concurred. He continued with a summary of the corrections. He suggested that administrative site plans could be just as detailed as a regular site plan. There is a minimal amount of information required but the ordinance language still allows the Committee to ask for any additional information needed.

Commissioners suggested leaving in the language that an existing nonconformity can be maintained on a site; it just may not be increased.

Mr. Lewan agreed to leave the language in and he would make it clear that it was maintaining existing nonconformities.

Commissioner Whiting stated that she thought they wanted to add language that if two out of three of the Committee agreed it would be okay. She is not sure if that was okay to do an administrative review or if it meant that they could approve with a majority vote. She asked for clarification because she did not see the language.

Mr. Lewan stated that in #5, it states that a majority vote can decide to send the plan for a full site plan review.

Supervisor Walls stated that the PUD Committee language in the current ordinance says unanimous.

Mr. Lewan asked if they wanted a majority or unanimous for either acceptance for administrative review or approval.

Supervisor Walls stated that they should be the same and he preferred majority.

Mr. Lewan stated that he could add language so the majority could approve or deny.

Supervisor Walls concurred.

Commissioners reviewed the minutes from the last meeting.

Mr. Lewan agreed and stated that he would add language for majority approval.

Commissioner Whiting stated that she had some other corrections that were grammatical in nature and she would send those via email to Mr. Lewan.

Supervisor Walls noticed that the language used two different terms for the same individual, Zoning Administrator and Township Zoning Official. He suggested that they be the same for consistency.

Mr. Lewan concurred and stated that he would make everything Zoning Official.

Commissioner Leddy asked if there was language to refer the whole site plan back to the Planning Commission.

Commissioners agreed that this language was contained in the amendment.

Commissioner Sclesky moved to recommend Administrative Site Plan Approval Amendments: Ordinance Section 40-2 Definitions and Section 40-136 Site Plan Review required in Specific Districts to set for Public Hearing at the next Planning Commission meeting on June 17, 2014 with the minor changes as discussed during this meeting. Seconded by Willson. Voted yes: Hines, Hopper, Leddy, Sclesky, Whiting, Willson. Voted no: None. Absent: Baker. Motion Carried.

Old Business:

1. Priority Task List

Commissioners reviewed and made updates and revisions to the current Priority Task List.

Adjournment:

Commissioner Hopper moved to adjourn the meeting at 10:02 PM. Supported by Commissioner Sclesky. Voted yes: Hines, Hopper, Leddy, Sclesky, Whiting, Willson. Voted no: None. Absent: Baker. Motion Carried.

Erin A. Mattice, Recording Secretary