

NORTHFIELD TOWNSHIP PLANNING COMMISSION Minutes of Regular Meeting February 5, 2014

1. CALL TO ORDER

The meeting was called to order by Chair Marlene Chockley at 7:00 P.M. at 8350 Main Street.

2. PLEDGE OF ALLEGIANCE

3. ROLL CALL AND DETERMINATION OF QUORUM

Roll call:

Janet Chick	Present
Marlene Chockley	Present
Brad Cousino	Present
Andrea Darden	Present
Kenneth Dignan	Present
Sam Iaquinto	Absent with notice
Larry Roman	Absent with notice

Also present:

Planning Consultant Douglas Lewan,
Carlisle/Wortman Associates
Recording Secretary Lisa Lemble
Members of the Community

4. APPROVAL OF AGENDA

- **Motion:** Dignan moved, Chick supported, that the agenda be adopted as presented.
Motion carried 5—0 on a voice vote.

5. FIRST CALL TO THE PUBLIC

No comments.

6. CORRESPONDENCE

None.

7. REPORTS

7A. Board of Trustees

Chick reported that at the Board's January workshop session they:

- Performed a SWOT (Strengths, Weaknesses, Opportunities, Threats) analysis regarding contributing to the parks and recreation plan.
- Discussed creating special assessment districts for road improvements within subdivisions.

She also noted that the Board did not have time to address the subject of returning authority for approval of Conditional Use Permits to the Planning

Commission, although some members of the public made comments on the subject.

7B. ZBA

No meeting has been held since the last Planning Commission meeting.

7C. Staff Report

Nothing to report.

7D. Planning Consultant

Nothing to report.

8. PUBLIC HEARINGS

None.

9. OLD BUSINESS

A. Master Plan Revision in the US 23/North Territorial Interchange Area.

Lewan referred to the final draft of the Master Plan revision attached to his memo of January 27th to the Township Board. He explained that the Board must approve distribution to neighboring communities which would then have 42 days to comment, and after that a public hearing would be held. He said at that point the Commission could recommend adoption and send it to the Township Board for final approval.

He said the public hearing could possibly be held in March or April. He noted that the map in the current draft has been improved and updated to provide a clearer picture of what is being proposed and is what the current situation is in the US-23/North Territorial area. He noted that a list of possible uses in the various zoning districts in the area was also included. He pointed out that while a multiple-family residential district (MR) is included, it is the intention that this kind of development not occur as standalone projects. Finally, he said a list of all property owners in and around the area was included with the locations of each property noted on an accompanying map.

Lewan said it would be possible to exclude certain allowed uses as part of this master plan revision at this point if desired. Chockley noted that the Planning Commission does not have discretion over uses listed as permitted in any zoning district.

Dignan said he would prefer to see used car sales in the General Commercial (GC) district permitted in conjunction with a new car dealership, and requiring a

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conditional use permit (CUP) for standalone used car sales. He said new car franchisees must meet aesthetic standards to keep their franchise license, but there are no such requirements for independent used car dealers. Lewan said that division is not unusual in zoning ordinances, but that change would require a separate amendment to the GC section of the zoning ordinance.

In response to a question from Chockley, Lewan said although Commercial Communications Apparatus is listed as a conditional use in the LC district, any cell phone provider would have to provide evidence of the need for a tower at a specific location and meet the requirements of the zoning ordinance for cell towers.

Chockley said it seems unlikely that a single-family home would be appropriate or affordable in the MR-Multiple Family Residential District. Lewan said zoning ordinances typically allow single-family and duplex dwellings in multiple-family districts. Fink said while that is true, there is a movement in the field of planning away from Euclidian-based downward zoning (e.g. everything in the "lower" districts is allowed in the more intensive district). Lewan said it would be appropriate in the Master Plan to specifically prohibit single-family and duplex development in the MR District. Chockley noted that what is desired in mixed use areas is residential along with the uses that would support it.

Fink said in looking at the proposed map again, he is reconsidering his comments about residential development. He said he could see that—partly because of the lack of sewer service—low-density residential could be appropriate west of US-23 and also potentially south of the commercial area along North Territorial.

Dignan said he is concerned about mini-storage being allowed as a conditional use in this area. Darden said she does not like sexually-oriented businesses being allowed in this area. Lewan said legally those types of businesses must be allowed somewhere or it would be considered an example of exclusionary zoning. Darden said the main concerns of Commissioners are about conditional uses, and she questioned how much discretion the Commission has to deny such requests. Lewan briefly reviewed the standards listed in the zoning ordinance which CUPs must meet and said requests can be denied if they do not meet those standards.

Dignan questioned whether it might make sense for the Planning Commission to initiate rezoning in areas where the zoning is quite jumbled. Lewan noted that this issue was raised in the master plan concerning the downtown area, and the suggestion was made to develop a mixed-use zoning for that area. He said he could prepare language to do just that for the US-23/Territorial area, e.g. creating some kind of "North Territorial Mixed Use" district if the Commission wants him to. Chockley recalled that when new zoning districts were developed for use in the downtown area

every property owner was notified and a public hearing was held, and there was very little concern expressed.

There was discussion about whether changes in the Master Plan would affect property taxes and whether a developer could rely on a Master Plan designation when proposing uses for a property. Fink said Northfield Township has the unusual situation of having a master plan that is more progressive than its zoning. Lewan said communities often do not follow their master plan, but he agreed a developer should be able to rely on it.

- **Motion:** Dignan moved, Chick supported that the Planning Commission advance the master plan amendment to the Township Board after changes are made by Lewan as discussed, with a recommendation for distribution for comment.
Motion carried 5—0 on a roll call vote.

B. Planning Commission By-law Revision.

Commissioners reviewed the draft dated January 29th and made comments including:

- Lewan said Section 4.5, which requires review by the Planning Commission of all public works projects, is something the Commission does not do. Dignan said it seems that review of things such as sewer expansion would be appropriate for the Commission to review to comment on compatibility with the Master Plan. Fink agreed that while the Township Board makes the final decision about such things, it could be useful for the Board to have that type of input, especially since preventing leapfrogging of development is a crucial element in planning. It was agreed to alter the language to indicate that the Commission's role is to make a recommendation to the Board. Fink said the language should also indicate that only projects of a significant size are intended to be covered by this section.
- Regarding Section 4.6, Review of Public Directives, Chockley noted that in order for the Commission to make recommendations to the Board it would have to be notified of these types of projects and that does not always happen now.
- Regarding preparation of an annual Commission budget, it was noted that the Township budget includes funds for planning and for the Commission and Zoning Board of Appeals (ZBA), but it would be appropriate for the Commission to make a recommendation to the Board if it feels funds for specific functions are necessary to provide for good planning for the Township.
- Dignan questioned whether the Commission Secretary actually signs approved site plans. Lewan said that is done once finalized plans meeting all conditions are submitted.

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Chick noted that it is almost time for the Commission to prepare the annual update to the Capital Improvement Plan (CIP) referred to in Section 4.7.

Chockley said she will make the changes discussed and noted that a public hearing is ~~requested~~ required prior to adopting revised by-laws.

- ▶ **Motion:** Darden moved, Chick supported that the revised Planning Commission By-Laws be scheduled for public hearing.
Motion carried 5—0 on a voice vote.

10. NEW BUSINESS

10A. Review of Zoning District Language for Single Family Residential 1 (SR-1), Single Family Residential 2 (SR-2), and Multi-Family Residential (MR).

Lewan noted that various types of day care, foster care, and group care must be included in various zoning districts as defined in State law as either permitted or conditional uses. He reviewed the definitions of each of these.

Chockley questioned the need to control the size of a house on any given lot with floor area ratio (FAR) and lot coverage regulations in the SR-1 Single-Family Residential District. Dignan said having FAR restrictions makes no sense given that there are height restrictions in these districts. Chockley recalled that it was eliminated in the AG district because it made no sense there.

Lewan said the point of lot coverage is to prevent lots from being overbuilt and to allow for sufficient light, air, distance between structures. He said how much open area is required is up to the Township, and getting rid of the lot coverage requirement could lead to significantly disparate massing of buildings—a small house sandwiched in between two very large ones—which would not be desirable. He said he could prepare information to show what might result without a lot coverage requirement.

Regarding the Purpose section of the SR-2 Single-Family Residential District, Lewan suggested removing the language referring the historical platting of lots in the district. Chockley said she would like to eliminate the FAR regulation in the SR-2 and MR-Multiple Family Residential districts, too.

There was discussion about the requirements in Section 25.04A for minimum square footage per bedroom in any development. Cousino said this might be a good place to use lot coverage and FAR regulations to get the desired result. He suggested something that is less cumbersome and less restrictive. Lewan said this is relatively standard language in zoning ordinances, but he will research options.

Lewan noted that section 60.34 Day Care Facilities must be added to meet State law requiring these facilities. Chockley questioned the minimum site area of 1,500 sq. ft. for each adult in such a facility. Lewan said he believes that is part of the State standards, but he will check on it.

Chockley said this should be ready for public hearing with the changes discussed.

- ▶ **Motion:** Dignan moved, Darden supported, that a public hearing be scheduled for the revisions to Article 21, SR-1, Article 22, SR2, Article 25, MR, Sections 60.34 and 60.35, and the addition of definitions to Article 2.
Motion carried 5—0 on a voice vote.

10B. Zoning Ordinance Revision to Eliminate the Sign Posting Requirement in the Conditional Use Permitting Process.

Lewan suggested that the sign posting requirement for Conditional Use requests be eliminated because it often unintentionally trips up applicants. He said if the Board or Commission is opposed to that, he would recommend that the posting of signs be required for all public hearings, not just some of them.

- ▶ **Motion:** Chick moved, Darden supported that the changes to Article 53.0 be approved as presented.
Motion carried 5—0 on a voice vote.

Chockley said this will have to be scheduled for public hearing.

11. MINUTES

January 15, 2014, Regular Meeting

Chockley made several non-substantive corrections.

- ▶ **Motion:** Dignan moved, Chick supported, that the minutes of the January 15, 2014, regular meeting be approved as corrected, and to dispense with the reading. **Motion carried 5—0 on a voice vote.**

12. POLICY REVIEW & DISCUSSION

A. Civil Infractions Ordinance. Lewan referred to a letter from Township attorney Brad Maynes recommending certain language changes for this ordinance. Fink said these changes will be made and the ordinance will be on the Commission's next agenda for review.

13. COMMENTS FROM THE COMMISSIONERS

School Board. Dignan reported the Whitmore Lake school board is in the process of establishing the position of liaison to the Township to improve communications.

Planning Commission Experience/Expertise.

Chockley said the diversity of experience represented on the Planning Commission—such as Cousino’s experience and viewpoint as a builder—is very valuable.

Distribution of Documents to Commissioners.

Chockley noted not every Commissioner has an updated version of the zoning ordinance. It was noted the electronic version is available on-line, and it might make more sense to provide it—and Commission packets—electronically to save money. Fink said the Commission can direct that to be done. He cautioned that whenever an ordinance is acted on each Commissioner should have a paper copy of the version being voted on.

Fink noted that the Township Board has discussed improving the public meeting room structure, and part of that could include some kind of electronic reader—tablet, laptop—where packet materials could be reviewed, or perhaps simply provision of a method for people to use their own tablets to access documents during meetings might be sufficient.

Pond Hockey Tournament. Chick invited everyone to the Pond Hockey Tournament downtown this weekend, and she noted the Township is also sponsoring a carriage rider from Noon to 3:00 P.M.

14. SECOND CALL TO THE PUBLIC

Dale Brewer, former Green Oak Township Supervisor, cautioned that if the Township decides to electronically distribute Board or Commission packets that they make sure everyone’s email box is large enough to receive them. He said the option for Board and Commission members to receive paper copies of all documents if they desire should also be insured.

He also noted that the Township’s website is not up-to-date with minutes, packets of materials being discussed, and updated ordinances and the master plan. He said it is important for the public to have access for these.

Regarding the Whitmore Lake sewer district, he said the one sewer tap per acre being planned is not sufficient for the zoning and uses proposed. He said it is imperative that planning for this be done quickly so it keeps pace with the development of the sewer district. He said the Master Plan is the first step in supporting development in this district, but other steps, including rezoning, will be needed.

Chick noted that the Township is in the process of developing a new website which will include all of the items Mr. Brewer mentioned. Fink said the Township has engaged MuniCode to make all of its ordinances searchable online.

15. ANNOUNCEMENT OF NEXT MEETING

February 19, 2014, at 7:00 P.M. at the Public Safety Building was announced as the next regular Commission meeting time and location. Chockley noted a public hearing will be held that evening. She also noted that at least three Commissioners ~~and~~ will not be available for the March 5th meeting, so she will cancel that meeting.

16. ADJOURNMENT

- ▶ **Motion:** Dignan moved, Cousino supported, that the meeting be adjourned.
Motion carried 5—0 on a voice vote.

The meeting was adjourned at 9:40 P.M.

Prepared by Lisa Lemble.

Corrections to the originally issued minutes are indicated as follows:

Wording removed is ~~stricken through~~;

Wording added is underlined.

Adopted on February 19, 2014.

Marlene Chockley, Chair

Kenneth Dignan, Secretary

Official minutes of all meetings are available on the Township’s website at http://twp-northfield.org/boards/planning_commission/Minutes