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WHITE LAKE TOWNSHIP

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WHITE LAKE TOWNSHIP PLANNING COMMISSION

Regular Meeting
7525 Highland Road
White Lake, MI 48383
January 19, 2012 @ 7:00 p.m.

Mr. Pierson called the meeting to order at 7:00 p.m. and led the Pledge of Allegiance. Roll was called. Mr. Steve Martinko, Chairperson-Excused, Peter Meagher, Vice Chairperson-Excused, Debbie DeHart-Excused, Todd Birkle, Board Liaison, Excused-Late Arrival.

ROLL CALL: Steve Martinko, Chairperson - Excused
Steven Anderson
Todd Birkle, Board Liaison - Excused-Late Arrival
Sarah McNulty
Peter Meagher, Vice Chairperson - Excused
Bill Pierson, Secretary
Gail Novak-Phelps
Stan Woodhouse
Debbie DeHart - Excused

Also Present: David Birchler, Township Consultant
Sean O'Neil, Planning Director
Amy Bertin, Recording Secretary

Visitors: 0

Approval of Agenda

Mr. Anderson moved to approve the agenda as presented. Ms. Novak-Phelps supported and the MOTION CARRIED with a voice vote. (5 yes votes).

Approval of Minutes

A. January 5, 2012

Mr. Anderson moved to approve the minutes of January 5, 2012. Ms. Novak-Phelps supported and the MOTION CARRIED with a voice vote (5 yes votes).

Call to the Public (for items not on the agenda)

There was no public comment offered at this time.

Continuing Business

Mr. Birchler stated he would welcome any comments by the Planning Commission members with regard to the district provisions after having had a couple weeks to study them. There are two other things he would like to touch on. At the last meeting a lengthy discussion was held and the Planning Commission decided it would prefer not to encourage electronic message board signs in the future if the Board would support that. The Board did take the issue up for consideration and did not support the prohibition. A set of standards will need to be looked at regarding regulating that type of signage. Also, the Zoning Ordinance is being worked on. He still needs to go through it point by point. An entire draft copy should be ready for the Planning Commission's inspection by the second meeting in February.

Mr. O'Neil reported that the moratorium recommendation went to the Board on Tuesday for their consideration. Mr. Birkle conveyed your concerns very well; however, by a 4 to 2 vote it failed. The Board feels the signs are here to stay, it is the wave of the future and it is good for business and is where the township should be going. The signs need to be further regulated. Some specifics to consider are; allowing the message to change at a more frequent interval, 15 seconds rather than 30; a permanent sign element or band be required, possibly 30 to 40 percent; pixel element or brightness of the sign needs to be considered. He would like to be able to present a final draft to the Board before having a public hearing.

He did submit a copy of the proposed sign section of the ordinance. The Board had a few concerns. In Section C2, they didn't like the words 'disposed of' being used. They thought it was too harsh. The sign should be confiscated and there should be an opportunity to get the sign back. First, there should be a warning; second, the business owner shall be guilty of a municipal civil infraction; and three, just say the portable sign will be confiscated by the ordinance enforcement officer. The other question was concerning 6A, ambulatory signs as to how many sides of a human the sign can be on. We can only regulate the distance from the roadway.

Mr. Birchler said the intention was there would only be two sides to the ambulatory sign. We can just write it that way and have a graphic.

Mr. O'Neil would also like to require a safe minimum distance from the traveled portion of the road, even if it is five, maybe 10 feet.

Mr. Birchler recommended saying they have to be on the public sidewalk or at least 10 feet from the traveled road.

Ms. Novak-Phelps had a further question regarding the electronic signs, whether they should be allowed to move at night.

Mr. O'Neil said it can be changed to be fixed or the intervals can drop to 30 seconds.

Mr. Anderson moved to adjourn into a brief recess. Ms. Novak-Phelps supported and the MOTION CARRIED with a voice vote. (5 yes votes)

(A brief recess was taken from 7:31 p.m. to 7:34 p.m.)

Mr. Birkle, Board Liaison, was now present.

Mr. Pierson called the meeting back to order. We are still on continuing business.

Ms. Novak-Phelps had one more concern under Item C.

Mr. Anderson commented first about what to do with the sign at night. He questioned whether changing the color would help cut the brightness. If we must have the sign at night, let's dim it down to a certain amount.

Mr. Birchler stated if you dim it down to 10 percent of what it is during the daylight hours it would be fine.

Mr. O'Neil suggested rather than shutting it down at night, have it stagnant or run at a lesser interval.

Ms. Novak-Phelps felt it should be stagnant. If you live anywhere near the sign, you are going to see it flashing.

Mr. O'Neil questioned whether there should be certain hours.

After some discussion it was agreed the sign should dim 10 percent at dusk and from 10 p.m. to 7 a.m. it goes to a stagnant sign image.

Ms. Novak-Phelps questioned under Item C what was the difference between graphics and other text or video.

Mr. Birchler said that when the change occurs it is from one static image to another static image. We don't want a dancing teddy bear going across the screen or scrolling messages or fireworks exploding. There is plenty of opportunity to get information out when you can change the message four times a minute.

Mr. O'Neil would like to clean up some of the language on signs. Where it specifies who issues the permit, rather than a person it should be the Community Development Department because technically the approval can come from anyone within the department. The other thing is on page 7, F2, the prohibition on illuminated vacuum tubes or bulbs in any zoning district should be worded so it doesn't include Open and Closed signs, provided the sign is less than two or three square feet and doesn't flash, oscillate or write. Another thing to consider regarding signs are the costs or fees involved for permits.

Mr. Birkle wondered if it ever would be a good idea to have the Township go out and get bids from vendors, get the lowest bid for the sign and then say when someone comes in with a sign permit, here is the permit fee and the company you go to get your sign.

Mr. O'Neil felt a better way to do it would be to come up with a list of local vendors who might sell those kinds of signs. One person thought it might be a good idea to buy the sign, sell it at a marked up rate to the person so they are getting the right sign and the permit comes with the purchase of the sign.

Mr. Birchler thought it might be a good concept except the Township would find that becoming a sign store is really a nuisance and would be a lot of aggravation for the Community Development Department to keep track of it, monitor the stock and have to take the complaints.

Mr. O'Neil felt it would also make some sign companies upset at losing the opportunity to sell dozens of signs. There was only one other issue to discuss as was brought up at the last meeting which was coming up with a setback for fences on corner lots. A fence can't be right up against the right-of-way on a corner lot so it has to have some sort of a minimum setback, at least equal to a front yard setback so there isn't a clear vision issue or corridors that have privacy fences that are six feet tall lining them.

Mr. Woodhouse felt it would work well just to have it at the building setback point and no fences in the front yard for enclosure. Also, he had a couple of questions on things that should be looked at in the ordinance. He was concerned about, allowing as a principle permitted use, home occupations. He doesn't know if there are any definitions and that is something that needs to be looked at. You can't preclude a person running a business out of his house but occasionally there is somebody who is a very successful home business owner and semis and people are coming in, they are having home shows that bring a whole slew of people in. It is under principle permitted use without any caveat.

Mr. O'Neil stated it is defined under 4.58. It is laid out as a use in Section 4 with specific guidelines and criteria that actually does address your concern. You can't have traffic coming to your house.

Mr. Woodhouse also had a concern in the Neighborhood Office District under principle permitted use. The third item allows drive-thrus, and under special land use it says drive-thrus are a special use.

Mr. Birchler felt there was a typo. It was supposed to say, NOT including drive-thru window service. The intention was that if a bank proposed a drive-thru then that aspect would have to come in as a special land use.

Mr. Woodhouse said that we talked last time about fast food and under Local Business District it mentions fast food again. It is just a question of consistency. He has a question because as he went through all of the districts, the height of the building in the residential appears to go to the ridge line. It varies from district to district. The illustration goes from a standard half way up the roof between the ridge and the eave and then it goes to the ridge line. There should be some consistency there.

Mr. Birchler stated it was only supposed to be the mid point on all of them. A couple of those weren't right and supposedly they have been corrected since he distributed the last copy but he will double-check it.

Mr. Woodhouse had two questions on the Town Center District. On page 3-36 it says retail uses basically not over 5,000 sq. ft. It ties to the concept sketch which shows some intensive development. There is no way where you can have two and three, even if they are just two story buildings, with the amount of square footage in relation to the area set aside for parking. Is this assuming that Kmart would be bought out and leveled and they would start a new development? If you look at the fourth item down, it says retail of not over 5,000, you can have a food store of 10,000. If it also includes drive-thrus, he still has problems with that.

Mr. Birchler stated that the retail space limitation was 6,000 on his copy. The grocery store limitation is 10,000. That probably should be raised.

Mr. Woodhouse was just trying to figure out what was the philosophy when we're dealing with large vacant cleared property.

Mr. Birchler said the concept was to limit the size of the individual stores. Maybe 6,000 sq. ft. is not the magic number but the idea was not to lose the concept of the Town Center by it becoming just another big box center where every single store in there is 10 or 20,000 sq. ft., minimum. I think the grocery store limitation is probably low. He can see that being raised to 20 or 25,000. We are anticipating that where Kmart is will eventually, potentially become a three to five story development of stores and offices and condos.

Mr. Woodhouse is not against a five story building but the illustrative example of how it might be redeveloped was pie in the sky because you just can't do that. Something should be written in perhaps in the introduction for the Town Center that some illustrative examples have been provided but it is subject to coordinating or providing all necessary landscape. And that is stated in there, the landscaping setbacks and such, but also the parking.

Mr. Birchler responded that, ideally, he would like to see this kind of mixed use development not have drive-thrus but the simple fact is we will get a lot of pressure for them. That is why it was decided rather than prohibiting them to make that a special land use requirement. He has seen them done in mixed use developments in other states where they actually work pretty well

and they were incorporated into the parking garage. It is possible to work them in without it being an outdoor feature which is what we really want to get away from. The way it is worded, it would require special land use approval.

New Business

There was no New Business to present at this time.

Liaison's Report

Mr. Birkle didn't have anything to add to what Mr. O'Neil discussed regarding signs.

Planning Consultant's Report

Mr. Birchler had nothing further to add.

Director's Report

Mr. O'Neil stated that the only thing he would mention is that they are going to be canceling the February 2, 2012 meeting. Nothing will be ready to be brought back at that time.

Communications:

Next meeting dates:

Regular Meeting - February 2, 2012 - Canceled

Regular Meeting - February 16, 2012

Adjournment

Ms. Novak-Phelps moved to adjourn the meeting at 8:08 p.m. Mr. Birkle supported and the MOTION CARRIED with a voice vote. (5 yes votes)