



## **Public Comment on Non-Agenda Items**

The Chairperson called for public comment on non-agenda items. Hearing none, he moved to the next agenda item.

## **Approval of the Minutes of the Regular Meeting of August 10, 2017**

Vice Chairperson Antosz asked if there were any additions, deletions or corrections to the Minutes of the Regular Meeting of August 10, 2017.

Hearing none, the Chairperson asked for a motion.

Ms. Bell made a motion to approve the Minutes of the Meeting of August 10, 2017 as presented. Ms. Smith supported the motion. The motion was approved unanimously.

### **ORDINANCE UPDATES:**

- a. Off-Street Parking**
- b. Addressing**
- c. Definitions**

Vice Chairperson Antosz moved to the next item on the agenda and asked Ms. Johnston for her presentation on Ordinance Updates.

#### **a. Off-Street Parking**

Ms. Johnston began by reviewing the changes in Off-Street Parking. She explained the “Americans with Disabilities Act” includes some very specific requirements related to the construction of accessible parking lot spaces. Staff has found that many developments that utilize asphalt for these spaces do not meet the required slopes and cross-slopes that are regulated by the Act, which are intended for safety of movement. These spaces must be designed and graded so that persons with disabilities can get in and out of their vehicles safely to utilize the accessible route to the building.

She noted asphalt is a more flexible substance that is applied utilizing machines that roll out the material to a smooth surface. For accessible spaces, this must be done over land that is graded perfectly to reach the necessary slope and cross-slope regulations. Staff has found that the use of asphalt on accessible spaces often requires changes and/or fixes after the fact, which increase costs, creates continuity issues on the parking lot surface, and can be unsightly.

In contrast, she said, concrete is a more rigid product that is poured into molds or forms. These molds can be designed to meet the specific slope and cross-slope requirements of the Act. Also, concrete is done by hand as opposed to rolled by machines, so the granularity of the application is more precise. Staff would like the Planning Commission to consider amending the Ordinance to require cement concrete

or similar, pre-approved hard-surface alternative, for all accessible parking spaces, loading aisles and ramps.

She asked Mr. Rick Suwarsky, Township Ordinance Enforcement Officer, to assist her in explaining, with the use of a number of pictures of existing parking lots, the problems with asphalt when used for accessible spaces, particularly with slope and cross-slope requirements.

Ms. Johnston said while reviewing the Off-Street Parking Ordinance for accessible spaces, Staff made additional changes for the Planning Commission's consideration:

1. Amendments are recommended to Section 68.300 that reduce and re-organize the current Ordinance language into a more user-friendly configuration. Section 68.300 now just regulates parking lots and circulation aisles. Anything not related to parking lots and circulation aisles, like drive-through windows, has been moved to its own section of the code. In addition, those regulations that just reiterate that the parking lot must meet other code requirements have been removed.
2. Staff would like to change Section 68.300 to include requirements for site circulation. The current ordinance does not specifically mention circulation aisles on site, which does not give staff the regulatory leverage to require certain pavement widths outside of parking lot areas. For example, a recent development approved by the Planning Commission (Memory Care Center) had a circulation aisle that encompassed the building, which was separate from their parking lot. The current Ordinance does not regulate the size of that aisle as the code only specifically addresses parking lot aisle widths.
3. Bicycle parking is not explicitly required on any development. The current Ordinance states bicycle parking is encouraged and may be required. Without guidance, as to when bicycle parking is required, this regulation seems difficult to administer. Staff thought by including language related to special exception uses, the Planning Commission could consider bicycle parking when uses are reviewed that require additional scrutiny because of their intensity or size. For example, requiring bicycle parking within larger PUD projects may be warranted.
4. Subsection I of Section 68.300 indicates a regulation related to shared access reduction under Section 67.600, which is the Access Management Guidelines of the Zoning Ordinance. The current regulations under Section 67.600 are:

***67.600 - Shared access reduction schedule.***

1. *When a driveway is established to serve two or more parcels, lots, or building sites, and where such parcels, lots, or building sites are not served by any*

*other access point, the total parcel, lot, or building site size and road frontage required by the Township Zoning Ordinance shall be reduced by ten percent.*

2. *When a frontage road or service drive is established on a parcel, lot, or building site, the total parcel, lot, or building site size, road frontage, and number of parking spaces required shall be reduced by ten percent.*
3. *When a cross parking arrangement or agreement has been reached (and written evidence thereof in existence) regarding two or more parcels, lots, or building sites, the number of parking spaces required for each of the parcels, lots, or building sites in question shall be reduced by ten percent.*

Ms. Johnston said Staff would like to eliminate subsection 1, which allows a reduction in parcel size or frontage since they do not believe this regulation has not been employed anywhere within the Township. In addition, tracking this requirement overtime could be tremendously difficult as sites redevelop and parcel lines change. Future Planning Staff may believe lots to be nonconforming because of the reduction in lot size or frontage requirements. Finally, the use of a parking reduction seems an adequate incentive to encourage shared access.

Staff would like to move subsections 2 and 3 to the Off-Street Parking Ordinance. A new subsection 68.303 titled Shared Access Reduction would be created.

There were questions from Commissioners regarding how onerous it is to repair accessible spaces that are non-conforming, accessibility requirements between parking spaces and businesses, including loading aisles and ramps, what the process is to adjoin ADA required concrete parking areas that abut asphalt paved areas.

Ms. Johnston and Mr. Suwarsky indicated it is less expensive to provide the concrete paved parking spaces initially rather than to have to repair them later when they deteriorate and are no longer in compliance.

It was discussed that the language regarding accessibility for non-parking space areas that are between the spaces and the building needs to be adjusted, although the 2% slope requirements are intended only for spaces. Even if the parking spaces aren't adjacent to the building, there still needs to be accessibility to the store.

Ms. Johnston noted a concrete path in the middle of an asphalt drive may be difficult to manage; she will look into this issue more, but the majority of the problem currently is with parking spaces that are immediately adjacent to the building. She felt that needs to be the starting point for changes to effect improvement and that new Ordinance language should be implemented and tested for a while before trying to tackle other areas of parking lots and building entrances.

There were questions about the process for citing a business for repairs.

Mr. Suwarsky said the Township's Building Department is technically responsible for checking for violations. Installations have been out of specification and not caught. The Disability Network Access Team reports problems with existing businesses when uncovered, but retrofitting is only required if the problem is egregious; the business can be compelled to fix problems. Regarding new construction, the Township withholds the Certificate of Occupancy when the ADA regulations are violated. The Township mostly works with new construction; that's when issues arise – when the Township is doing due diligence to be sure that what is being built is what was approved. He noted as far as residences are concerned, some sidewalks and driveway aprons are not being installed to ADA standards; some have had to be removed and reinstalled according to standards.

Ms. Johnston added that as a governmental unit, the Township must ensure that work is done properly and that mandating the use of concrete for paving accessible parking spots will help address the problem.

Mr. VanderWeele asked that Staff look at clarifying wording regarding whether gravel is the only material to be used for pervious pavement (68.300 C.) and also the wording for the requirements for number and size for drive-up windows (68.304). He also noted paving with concrete vs. asphalt would add \$2-3 per square foot but is still less expensive than re-doing. He suggested adding wording for grading of unusual conditions, such as sloping terrain, noting a rolling site could require creative design.

## **b. Addressing Requirements**

Ms. Johnston said Staff first brought this new Ordinance request to the Planning Commission in January of 2017. The crafting of the draft ordinance was developed through a coalition of the Fire Department, Planning Department, Public Works Department and Legal Department. Ben Clark, Zoning Administrator, reviewed ordinances from other communities and spoke with a representative from a sign company to learn if there were existing conventions related to distance, address size and legibility. Based on his research, internal discussions among the departments noted above, and final staff review, a draft Ordinance was developed for the Planning Commissions review.

The importance of requiring addresses on non-residential buildings for public safety was brought to the Planning Departments attention by Chief Mark Barnes and Fire Marshal Jim Wiley. Currently, the Township does not have an ordinance or policy that manages the placement of addresses on buildings in a systematic way. This has led to a variety of addressing types, sizes, fonts, etc. on commercial and industrial buildings, causing confusion and possibly reduced emergency response times. She walked through the proposed addressing standards.

In response to a question regarding 77.300, no. 5, Staff will look at the wording to clarify that the lettering used will be Sans Serif, similar to the Helvetica Bold font.

## **c. Definitions**

Ms. Johnston said Staff conducted a complete review of both the Zoning and General Ordinances to eliminate any specific language related to a particular Building Authority. Within the Zoning Ordinance, the definition section requires a language change to something less specific that will still describe the Building Authority but will not address a particular organization.

Ms. Johnston confirmed Commissioners would like her to address additional changes needed to the Off-Street Parking amendments and return with revisions. The Addressing Ordinance and changes to the Definition section are ready for a public hearing, which would occur in October.

## **MASTER PLAN UPDATE – MAPLE HILL SUB-AREA PLAN**

Vice Chairperson Antosz moved to the next item on the agenda and asked Ms. Johnston for the Staff report.

Ms. Johnston explained the first review of the Maple Hill Drive South Sub-Area Plan resulted in direction from the Planning Commission to have a more flexible approach to the future land use designations of the subject site. She provided a draft Plan described to be more narrative in nature and has removed the specific Future Land Use Map previously provided. Instead, the map shows general access connections, for both non-motorized and vehicular traffic, as well as an overall intent to lessen building scale and density as you move south on the site. In addition, the Goals and Principals sections have been made more robust to narrate the overall design intent for the area. She also discussed the use of zoning incentives to foster development of public spaces.

The purpose of this second review was to see if the changes made to the draft Plan reflects the direction the Planning Commission wished this sub-area plan to take. If so, she said Staff would like to hold a public open house on September 7<sup>th</sup> to hear community input. We would then discuss that input at a work session on September 14<sup>th</sup>, if the Planning Commission is willing.

In response to a question from Ms. Bell, Ms. Johnston said if zoning incentives are used, builders would not have the density of development reduced by the percentage of green space provided and that the plan language talks specifically about public open spaces for incentives.

Vice Chairperson Antosz noted page 48 should read “explore” or “examine” rather than “provide.” He also suggested Table #6 and pictures be sorted by “average photo score.”

Ms. Johnston said attendees at the public input sessions were property owners in the Township, but she couldn't verify they were citizens.

She reiterated her hope to hold a public open house to garner public input on September 7 if the Board was ready to move forward. She would make any adjustments to the draft plan following the open house and return to the Board for review. She still hopes to hold a public hearing in December for the entire Master Plan update. 60 days' notice to adjacent jurisdictions is required to provide them the opportunity to weigh in, so she would like to get a draft to them by late September/early October.

Vice Chairperson Antosz felt the Master Plan Update draft was very well done, providing good vision for the Township.

Ms. Bell felt the update reflects public comments and is easier and clearer to digest.

In response to a question from Ms. Farmer about what would need to be done with the Ordinance to make the Master Plan a reality, Ms. Johnston said the best approach would probably be a Zoning Overlay.

Ms. Farmer and Ms. Bell said they wanted to move forward and to see the Overlay developed as soon as possible after the Master Plan Update is complete.

Ms. Johnston said although there has been great Master Plan language in the past, it was not supported by regulations and Staff is working hard to address that.

She proposed the following schedule:

September 7	Public Hearing on Master Plan Update
September 14	5:00 Board Work Session on Update/7:00 Board Meeting
September 28	Regular meeting cancelled
October 1	Draft Plan to adjacent jurisdictions (63-day period)
October 26	Regular meeting to include discussion of public comments/plan review
November 9	Discuss Plan if needed
December 4	63-day period for jurisdictional input ends
December 14	Public Hearing to discuss jurisdictional input/Forward to Township Board
January	Master Plan Update Adoption by Township Board

Board Members agreed to the schedule; Ms. Johnston said she will press ahead to try to meet this timetable.

## **OLD BUSINESS**

Ms. Johnston referred to a memo from Attorney Porter defining conflict of interest and when recusal from a vote is appropriate and also mentioned the Planning Commission Bylaws have very clear requirements for vote recusal.

## **ANY OTHER BUSINESS**

- a. **Election of Chair for remainder of 2017**
- b. **Zoning Board of Appeals Liaison appointment for the remainder of 2017**

Ms. Johnston noted Mr. Boulding, Sr. had resigned from the Planning Commission and as a result the positions he held, Planning Committee Chairperson and Liaison to the Zoning Board needed to be filled for the remainder of 2017.

Ms. Farmer confirmed Ms. Bell was willing to serve as Chair and Mr. VanderWeele as liaison to the Zoning Board, and nominated them for those positions. There were no other nominations.

Ms. Farmer made a motion to elect Ms. Bell as Planning Commission Chairperson and to appoint Mr. VanderWeele as Liaison to the Zoning Board for the remainder of 2017. Ms. Smith supported the motion. The motion was approved unanimously.

## **PLANNING COMMISSIONER COMMENTS**

Ms. Bell and the Board acknowledged Mr. Boulding, Sr. for his nearly six years of service to the Township as a Member of the Planning Commission.

Ms. Johnston said an official thank you letter would be sent to Mr. Boulding, Sr.

She also told the Board interested applicants to fill the open position on the Commission were being interviewed by a committee of three. She reminded Members there is a joint meeting scheduled for September 19 at 6:00 p.m. and that Mr. Bob Miller of WMU will update the Board on BTR 2.0.

## **ADJOURNMENT**

Ms. Farmer made a motion to adjourn the meeting. Mr. VanderWeele supported the motion. The motion passed unanimously.

The Planning Commission meeting was adjourned at approximately 8:30 p.m.

Minutes prepared:  
August 28, 2017

Minutes approved:  
September 14, 2017