Minutes of a meeting held on June 20, 2011

A regular meeting of the Charter Township of Caledonia Planning Commission held at 7:00 p.m., on Monday, June 20, 2011, at the Township Office, 8196 Broadmoor Ave. SE, Caledonia, Michigan.

1. **CALL TO ORDER / ROLL CALL**

   Chairman Warner called the meeting to order at 7:00 p.m. with a quorum present.

   **Members Present:** K. Cavanaugh, D. Gunnink, M. Kelly, D. Koopmans, R. Parent, T. Morris and A. Warner

   **Members Absent:** None

   **Staff Present:** Lynee Wells, AICP, Williams & Works, Township Planner

   **Others Present:** Members of the media, citizens of the township

2. **CONSIDERATION OF THE MEETING AGENDA**

   Agenda accepted as presented.

3. **PUBLIC COMMENTS (BRIEF – UP TO 2 MINUTES)**

   A. Warner opened the floor to public comment at 7:00, and closed it at the same time, finding no public comment.

4. **CONSIDERATION OF MEETING MINUTES**

   A. Minutes of the June 6, 2011 meeting.

   Page 3, paragraph 2: “water table” was changed to “surface water elevation”.

   R. Parent made a motion to approve the minutes of June 6, 2011 as amended. Motion was supported by D. Gunnink.

   **VOICE VOTE:** All ayes. Minutes of the June 6, 2011 meeting approved.

5. **INQUIRY OF CONFLICT OF INTEREST**

   None.
6. **UNFINISHED BUSINESS**

**A. Sign Ordinance** – Tabled since April 18, 2011. Consider recommendation to the Township Board of revised ordinance from Township Attorney.

**ARCHIE WARNER ENTERTAINS A MOTION:**

D. Koopmans motioned to untable the sign ordinance.
Motion was supported by A. Warner.

**VOICE VOTE: All ayes**

Warner commented they had previously looked at ordinance, made some changes, township attorney had recommended tabling to have legal counsel look over ordinance. They now have 2 drafts from counsel with changes recommended by township board members before them to consider. The commission had recommended that digital message boards be allowed to change every 2 seconds, this draft is recommending 8. Also, they had decided the height restrictions for signs in the HC district should be same as C-1 and C-2. A. Warner questioned how these changes got made, and what the commission would recommend to the Township Board.

There are 2 versions; version 2 prohibits all digital displays except for time, date and temperature. A. Warner asked do we want to eliminate all digital signs and limit new businesses? T. Morris commented he doesn’t like prohibiting all, those already here would have a leg up on new, not fair. A. Warner stated businesses need to advertise; M. Kelly concurred, thought they had come to compromise for business and citizens. He feels like they are taking steps back, they researched and came up with best recommendation, doesn’t want to change it. D. Gunnink commented we have the power to control it and should, but we are in the era of electronic, digital signs, will be more changes coming that will need to be addressed, they need to stay current with the times, consider the health and safety of the township. A. Warner asked if anyone wanted to limit digital signs, no one does, so version 1 is what they should look at. D. Koopmans commented that the board has discussed digital signs, and the height increase is not favored by the board, maybe not worth fighting.

A. Warner commented he wants to do what’s right, what’s good for businesses, and he feels some on the board don’t want to see any signage; no one has asked businesses what they want. D. Koopmans stated the board has discussed monument signs, and many prefer that look.

A. Warner stated his digital sign currently has a two second change, this new recommendation from the attorney is 8 seconds. He stated there have been no accidents, no problems with his sign. R. Parent would like to see something longer than 2 seconds, feels like it might not be a problem now, but could be in the future. D. Gunnink commented two seconds is long enough when you are stopped, but not when you’re driving, we don’t want to take people’s attention off the road. Things can change faster in slower areas, but M-37 is a highway, flashing signs can distract drivers. A. Warner asked is the ordinance now 4 seconds? Wells responded yes, but study by Federal Highway
Administration recommends an 8 second hold time. A. Warner stated if you only have one face as a person drives by, you are not going to be able to advertise your product. D. Koopmans commented he can see digital displays becoming a problem if you add 3 or 4 more businesses in the future, it will become distracting, and we need to consider that.

M. Kelly commented it should consider the area you are in, slower in residential areas. Traveling M-37, 8 seconds seems too slow. A. Warner stated the Township Attorney had indicated tri-vision signs and digital signs should be controlled the same way; feels that isn’t fair, they are not the same.

D. Gunnink feels like if you are running a message too fast, the driver will take the time to read it, that’s distracting. He feels it should be at least 4 seconds; more restrictions do a better job for the township and their safety. D. Koopmans commented on the accident this afternoon, someone was killed, the sign at that intersection displays a lot of advertising. Do things like that contribute? That’s what they need to consider. A. Warner clarified that scrolling signs are prohibited; also that digital billboards will not be allowed.

M. Kelly found that the digital display area permitted is only 25% of the total sign area. T. Morris commented that businesses need options, and people aren’t always reading signs and displays. Electronic message boards are ok, not flashing or scrolling; how long is appropriate. K. Cavanaugh feels that 4 to 8 seconds is most appropriate. Why outlaw scrolling if you are going to allow messages to change every 2 seconds? At 55 mph, would she see 2 – 3 different messages at 2 seconds? That would be just as distracting as scrolling.

A. Warner feels 8 seconds is way too long. Most agreed on 4 seconds. R. Parent said he could live with it, but is concerned about future growth and the impact of many future signs, not fully developed yet. K. Cavanaugh commented they can change it again in the future. R. Parent agreed, but pointed out that existing businesses wouldn’t want things to change. L. Wells found that the reason they are agreed on 4 seconds instead of the recommended 8 seconds is that was a billboard study, not a similar area.

R. Parent asked won’t quicker messages on smaller sign faces make it more difficult and distracting for people to see? M. Kelly commented maybe businesses won’t want to give up 25% of their sign face for digital display, we need to be careful not to be too restrictive that we don’t welcome businesses. R. Parent commented their survey a few years ago showed that people in the township wanted a rural look. A. Warner feels it is rural, but can’t be rural everywhere in the township. A. Warner asked if he is comfortable with the 4 seconds, Parent answered not really, the study recommends 8, why not take it? We don’t know what the future will look like, and he is afraid it could get very distracting. Most agreed with 4 seconds, they move on.

Discussing the Highway Commercial district: Pole signs vs. Monument signs, ordinance now allows for monument signs no higher than 6 feet. They had talked about allowing pole signs the same as allowed in C-1, C-2, pole signs up to 18 ft. L. Wells stated they will meet resistance at the Township Board with this recommendation. She did some comparisons in Cascade, Kentwood — the Kentwood side of the intersection is zoned industrial, not commercial, and allows for 15 ft, 48 sq ft., 17 ft. setback pole signs. A. Warner commented that Gaines has allowed taller signs for businesses that they wanted at their M-6 interchange. L. Wells also pointed out that our Master plan addresses our
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township’s M-6 interchange and having control over signage there.

A. Warner says between Lake Eastbrook Drive and 68th St. there are over 50 signs much taller than 6 ft; between 108th St. to 68th St. there are about 30 signs between 12-18 ft. Why are we limiting an island of businesses in the middle of that and not allowing signs that would make them competitive with other businesses? We have this district by a freeway, but this ordinance will not allow signs to advertise to the freeway.

D. Gunnink indicated businesses will come in for a variance. A. Warner questioned why do we want businesses to have to come in for variance? D. Gunnink feels they have to control the height, we don’t need what 28th St. has, not the same area, we need to figure out what works for Caledonia Township. A. Warner feels there is a faction out there that doesn’t want to see clutter, but he feels there is existing clutter to be addressed already like road signs and electric poles.

M. Kelly feels that HC shouldn’t be more restrictive than the C-1, C-2, doesn’t make sense. L. Wells suggested there are similar communities that are leaning toward the monument signs as more attractive, not the “lollipop” pole sign look. A. Warner questioned at what height? L. Wells suggested they could go taller than the 6 ft, especially for multi-tenant buildings who share signage.

M. Kelly stated that we should develop a fair standard and stick to it, not allow variances. D. Koopmans asked about the signs in D&W and north of it, likes the look of those, building materials are better looking. A. Warner stated we need to be able to make them better looking but still be able to advertise. D. Koopmans feels the signage allowance for something like the D&W plaza advertising 10 businesses needs to be different than an office building with just one or two tenants. He liked the look of the signs in the village, we could start there. M. Kelly stated if we want to see uniformity, height of the bottom of signs should start at the same place.

D. Gunnink feels like the ground signs won’t work for businesses, have to have pole signs. A. Warner clarified that there is a movement in the township to ban all pole signs, making all existing pole signs non-conforming. A. Warner feels that businesses haven’t been asked what they want, they pay the taxes; Koopmans countered of course they are going to have a different opinion than residents. A. Warner questioned who should have more rights, the person driving by or the business owner who pays the taxes? L. Wells commented we have to find the middle ground. T. Morris stated we need to give businesses options while keeping it from looking like 28th St.

D. Koopmans feels they should specify building materials and height for uniformity along the overlay district. He feels like they can agree in the height and square footage, but it’s the overall look they are concerned with. D. Gunnink doesn’t want to pick material, just size and height. D. Koopmans noted we regulate the building material of the building fronts, we can do the same for the signs, so it doesn’t look like downtown Caledonia.

A. Warner inquired do we allow pole signs, that’s what they need to decide, then they can dictate the rest. R. Parent likes monument signs, feels they’re easier to work with. M. Kelly commented the problem with monument signs are tough to see with snow accumulation. R. Parent would like to see less individual signs, see consolidated
advertising on one sign. M. Kelly commented that’s the way it is now, one building with multiple tenants has to divide up the allowed signage among the tenants.

A. Warner inquired if everyone wanted to allow pole signs in HC, everyone agreed, feel restrictions should be the same as the C-2 district, 18 ft height, 100 square feet, clearance from ground to bottom of sign is 8 ft, brightness is controlled, insurance required, still allows for monument signs. We allow same in industrial district.

A. Warner asked do we want to get into building materials or leave it same as C-2? The overlay district suggests sign consolidation and prefers earthen tones, but doesn’t get specific. D. Koopmans found that we do specify building material on the building. M. Kelly commented the ordinance could suggest that similar building material be used on the corresponding sign. D. Gunnink feels we don’t want to be too restrictive about the sign materials, too detailed, we should allow for differences, we can see the proposed signage on their site plans and comment on it then. D. Koopmans agrees, but feels that we will end up with the same mess we have farther up the road. M. Kelly feels like we should strongly encourage it, but not dictate. D. Gunnink feels like we don’t want to go down that road, why suggest if we aren’t going to make them do it, we are going beyond what we should. K. Cavanaugh agrees with pole signs, feels business owners are going to want to make their businesses attractive. R. Parent supported M. Kelly’s recommendation to strongly encourage similar building materials; L. Wells found the commission wanted to include this suggestion in the ordinance as a guideline. R. Parent asked if this will apply to all commercial signs or just the overlay, commission wants it to apply to any commercial sign as a guideline. D. Gunnink feels the only thing he would care about is the color of the sign to be similar to the building. Commission agrees to strongly encourage similar materials and similar colors, A. Warner stated the poles should be neutral colors.

L. Wells addressed wall signs on page 17 of version 1 draft; right now we don’t specify how many wall signs we can have, so total square footage is being divided up into many signs. A. Warner stated one wall sign per business, D. Gunnink stated a larger building could get a variance for more. Every business gets one wall sign, one freestanding sign. L. Wells suggested a guideline of building frontage times 1.5 would equal the allowable square footage of wall sign.

The preamble of the draft ordinance was re-written by township attorney in light of recent court cases, gives rationale for provisions in the ordinance; gets back to health, welfare and safety of township.

Billboards – no new allowed, existing can’t be changed to electronic, digital, or tri-vision.

T. Morris inquired about repair vs maintenance 19.5 c-4 (pg 21) – where does maintaining a sign become repairing the sign? Under non-conforming signs it prohibits rebuilding of non-conforming signs or repairing if cost is greater than 60% of total value of sign. (page 22; d.-7)

A. Warner feels they should table the ordinance again, clean it up with proposed revisions before sending it to the Township Board.
ARCHIE WARNER ENTERTAINS A MOTION:

D. Gunnink moved to table the sign ordinance. Motion was supported by M. Kelly.

VOICE VOTE: All ayes.

7. NEW BUSINESS


Wells stated that the township supervisor had requested the Planning Commission make the required changes to the Master Plan so that it could qualify for the State Farmland Preservation Program. This would require including a new Farmland Preservation land use designation, as well as text describing how we intend to preserve Farmland in the Township, and amend the map to include that designation. Grand Valley Metro Council has identified the best farmland in the county; most townships are following those boundaries on their land use maps, she suggested doing the same. This would not change the zoning ordinance or make us regulate this property any differently. She showed them the parcels on the map.

The rationale is to provide opportunities for farmers to preserve their land if they want to; helps them receive tax credits, etc to permanently preserve that land as farmland. Effort required, public noticing etc, so while opening Master Plan, maybe address some other issues.

- New census figures: update demographics
- Sustainable development: solar power, wind generators, wood burners, etc, should be included in master plan.
- Purchase of Development Rights, Ag Preservation Program needs Qualified Master Plan.
- Future Land Use/Zoning Map should correlate, according to State Enabling Act.
- New Land Use Category for Ag preservation
- Complete streets: accommodate every type of traveler; bike paths, sidewalks, etc.
- R-3/R-4 District: some recommendations for future use map, make modifications in Zoning Ordinance.
- Broadmoor & 84th – dangerous intersection; possibly create a sub-plan for this area. Valley Point is developing more as commercial, Kentwood Excavating PMR will be transitioning into commercial and residential uses in the future, township offices are here; more of a central hub of township.
- Trails/Parks – walkability/connectivity – for health and safety of residents.

A. Warner questioned how long would the process take and what cost? L. Wells answered 6-8 months; Master Plan review is included in her retainer, but depending on how busy she is with incoming projects, there may be cost over her normal rate. Also, there probably will be additional costs from Wilcox Engineering for the maps, and possibly legal fees. A. Warner commented it could take up to a year, and the master plan would have to be redone a year from then anyway. If she has board support for any other costs,
he is for moving ahead with these items. L. Wells suggested a work session that would address these items. R. Parent feels it is an ideal time, not too busy, gives options to some local farmers, loves the idea of connectivity within the township.

8. PUBLIC COMMENTS (EXTENDED – UP TO 5 MINUTES)

Opened public comment at 8:45

Roger Keating, 7166 Thornapple River Dr. - likes their thoughts of leaving sign ordinance open to some creativity. Thinks they are heading in the right direction, some things have to be decided – size, set-backs, but leave some creativity out there.

Mainly wants to talk about last meeting, legality issues. In the 2005 permit (for Cherry Valley Development PMR) which he didn’t get a public hearing notice for, the permit was only for 6 years, one renewal. He got a notice in 2008, there were to be no renewals. But they granted new permit anyway. The statement was made that they shouldn’t limit the developer if there was still material to be mined, but in 1989 those at the meeting were told 15 years, so they thought after 15 years it would all be done with, still ongoing. Another issue is all these renewals have contained revisions. His advice is please look at the original contract before you approve these changes.

Closed public comment at 8:49

9. COMMISSIONER’S COMMENTS

A. Warner thanked everyone for their hard work, doing good work, considering many aspects, but voting their conscience.

10. ADJOURNMENT

D. Koopmans made a motion to adjourn. Motion was supported by D. Gunnink.

VOICE VOTE – all ayes – Meeting adjourned at 8:50 p.m.

CALEDONIA TOWNSHIP PLANNING COMMISSION

Duane Gunnink, Secretary
Approved: July 18, 2011

Sincerely,

Angela Burnside, Recorder

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