

**NORTHFIELD TOWNSHIP PLANNING COMMISSION
NOTICE OF REGULAR MEETING
March 2, 2016 at 7:00 p.m.
Second Floor, Public Safety Building
8350 Main Street, Whitmore Lake, MI 48189**

AGENDA

1. CALL TO ORDER
2. PLEDGE OF ALLEGIANCE
3. ROLL CALL
4. APPROVAL OF AGENDA
5. CALL TO THE PUBLIC
6. CORRESPONDENCE
7. REPORTS
 - A. Board of Trustees Report
 - B. ZBA
 - C. Staff Report
 - D. Planning Consultant Report
8. PUBLIC HEARINGS
9. OLD BUSINESS
 - A. Biltmore request to amend Master Plan (Attachment 1)
 - B. Consider churches in all zoning districts. Review and discuss comments from Planner regarding zoning for churches and related questions. (Attachment 2)
 - C. Review request from Living Water Church in General Commercial (GC) District (Attachment 3)
10. NEW BUSINESS
11. MINUTES: February 17, 2016 Regular Meeting
12. POLICY REVIEW AND DISCUSSION:
 - A. Continuing discussion on Goals and Objectives for 2016 (Attachment 4)
 - B. Review process of how an Applicant Petitions to Planning Commission (Attachment 5)
13. CALL TO THE PUBLIC
14. COMMENTS FROM THE COMMISSIONERS
15. ANNOUNCEMENT: Next Regular Meeting – March 16, 2016
16. ADJOURNMENT

This notice is posted in compliance with PA 267 Of 1976 as amended (open meetings act) MCLA 41.7 2A (2) (3) and the Americans with Disabilities Act. (ADA) Individuals with disabilities requiring auxiliary aids or services should contact the Northfield Township Office, (734) 449-5000 seven days in advance.

8350 Main Street, Whitmore Lake, MI 48189-0576
www.twp.northfield.mi.us

Telephone: (734) 449-5000

Fax: (734) 449 -0123

Website:

(ATTACHMENT 1)

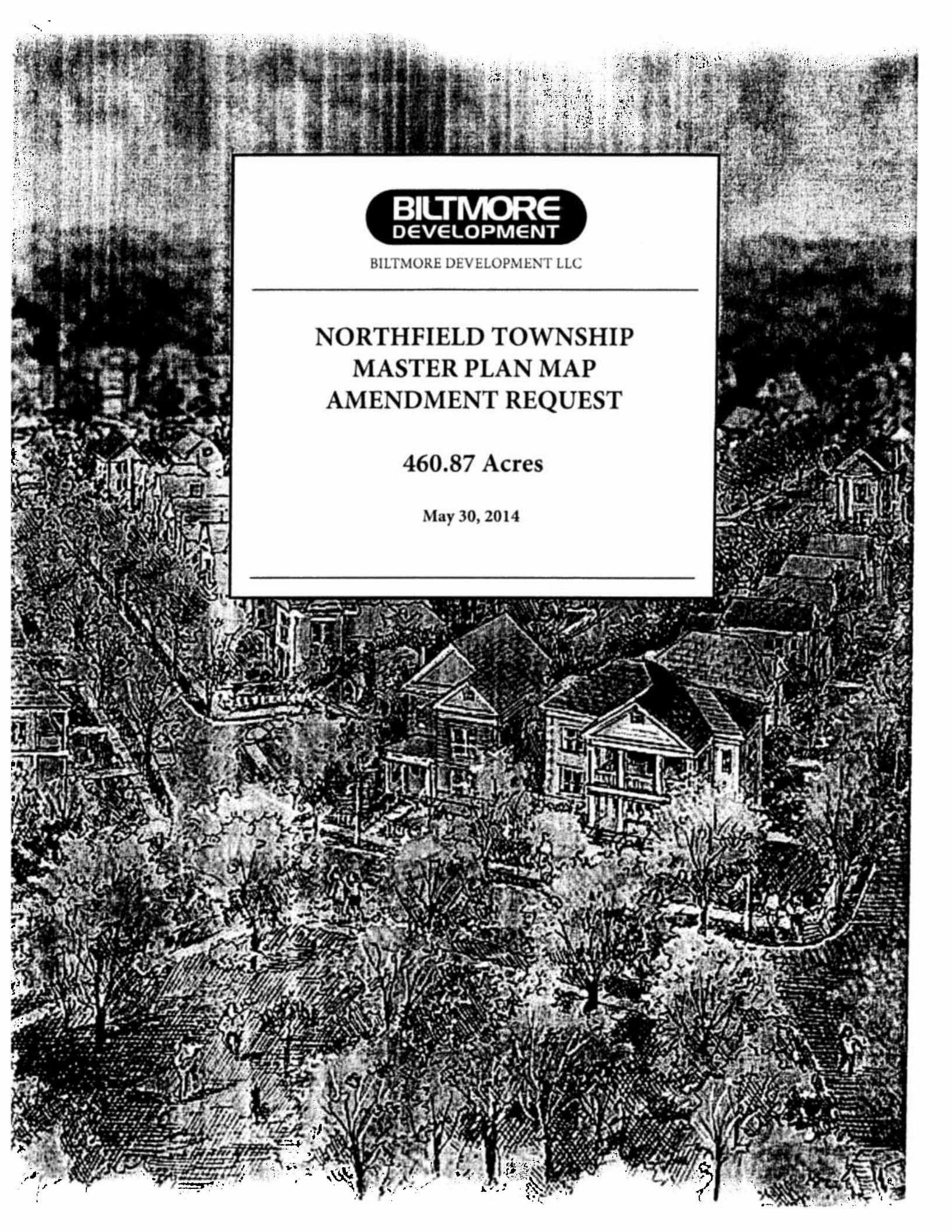


BILTMORE DEVELOPMENT LLC

**NORTHFIELD TOWNSHIP
MASTER PLAN MAP
AMENDMENT REQUEST**

460.87 Acres

May 30, 2014



BILTMORE LAND LLC

555 S. Old Woodward, #1409
Birmingham, Michigan 48009
Phone: 248.563.5800
Email: dstollman@me.com

May 29, 2014

Mr. Howard Fink
Township Manager
Northfield Township
8350 Main St.
Whitmore Lake, MI 48189

Re: ***Request for Amendment of Master Plan Map***

Dear Mr. Fink:

This letter is our formal request that Northfield Township amend its Master Plan map for future land use to designate the nine parcels depicted on Exhibit 1 (the "Parcels") as MDR - Medium Density Residential (1/4 to 1 Ac.). The Parcels are highlighted in yellow on Exhibit 1 and identified as Parcel A through Parcel I. The nine Parcels are owned by seven separate owners; two of the owners own two Parcels.

As shown on Exhibit 1, the Parcels are in Sections 29 and 32, west of US-23. The Parcel Identification Numbers for each Parcel, and the names and addresses of each Parcel owner, are attached as Exhibit 2. Biltmore Land LLC is the contract purchaser of each Parcel. Each Parcel owner has consented to Biltmore filing and processing for approval applications for the development of the Parcel. The consents are attached as Exhibit 3.

The amendment of the Northfield Township Master Plan map for future land use to designate the Parcels as MDR is supported by, without limitation, the following:

- Infrastructure capacity is available nearby, including sanitary sewer. The availability of municipal utilities directly supports MDR designation of the Parcels.
- The economic climate is improving, and demand for housing is steadily increasing. The development of the Parcels pursuant to the MDR designation will measurably increase the Township's tax base.
- Development of the Parcels pursuant to the MDR designation will provide additional population to support and strengthen the existing downtown area by increasing demand for the services and goods offered by the downtown area businesses.
- The MDR designation of the Parcels will also provide additional population to support and strengthen local farms and locally sourced production of agricultural products.

Mr. Howard Fink
Township Manager

Re: Master Plan Map Amendment

May 29, 2014

Page 2

- The MDR development of the Parcels, pursuant to Township ordinances, will preserve and enhance a quality living environment for existing and future residents of the Township.
- Clustering and other development options under the Township's ordinances provide the means to preserve open space and view corridors within the Parcels.

In summary, we ask that Northfield Township process for approval and approve the MDR designation of the Parcels, which will increase the Township's tax base, strengthen businesses in the downtown area as well as locally sourced agriculture and enhance the local economy.

If you have any questions regarding this request or if you need additional information, please call me at (248) 563-5800.

Very truly yours,

BILTMORE LAND LLC

By: 
David J. Stollman, its Manager

DJS/kk

cc: Douglas J. Lewan, Community Planner, PCP, AICP (w/ attachments)

Attachments

Exhibit 1 – Depiction of Parcels Proposed for MDR Designation

Exhibit 2 – List of Parcel Nos., with the name and address of each Parcel Owner

Exhibit 3 – Consents of the Owner of each Parcel

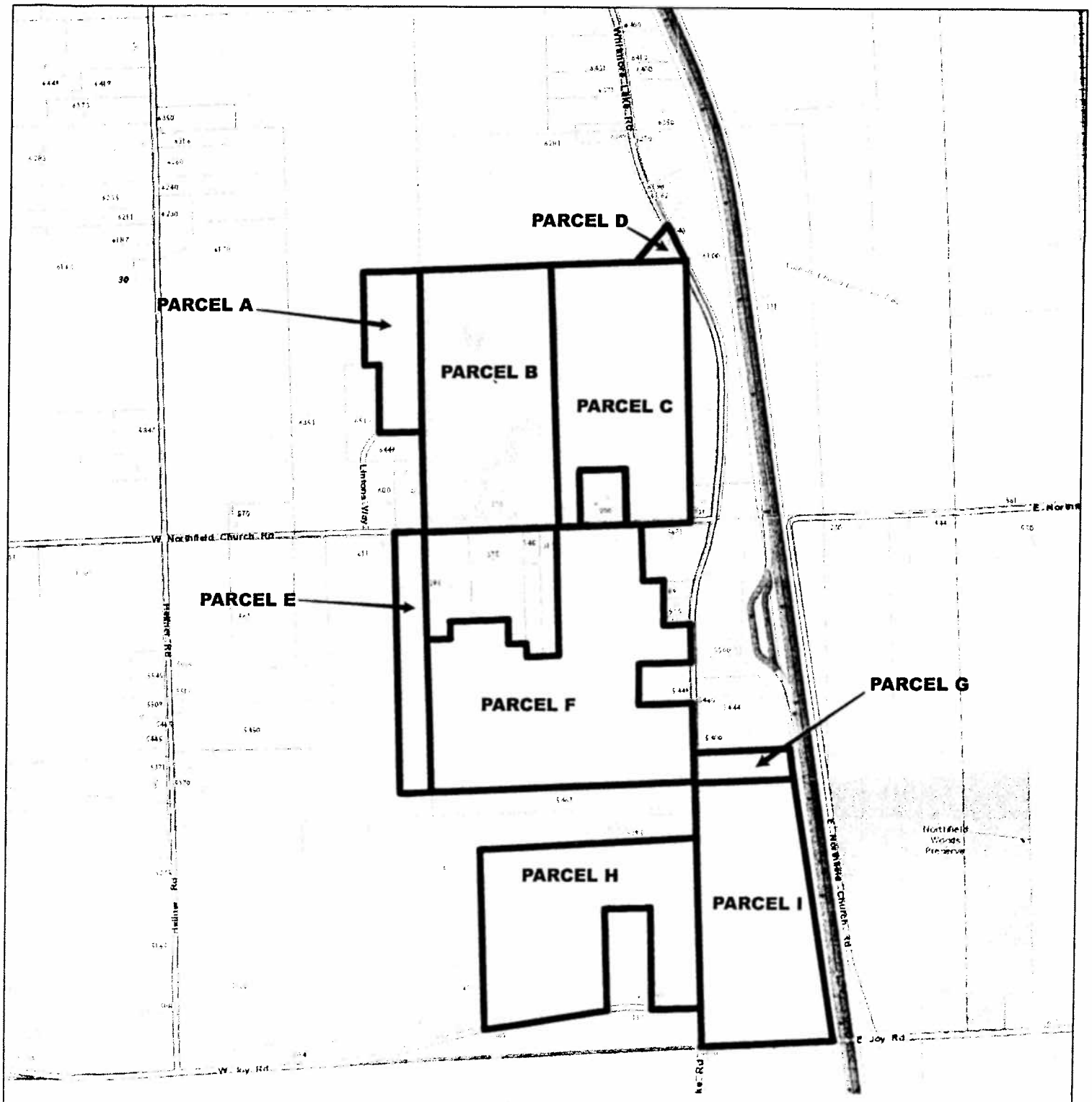


EXHIBIT 2

PARCEL A

OWNER: NOBLE, ROBERT L & ALAINA
PROPERTY ADDRESS: LINTON WAY
ANN ARBOR , MI 48105
PARCEL #: B -02-30-400-007
OWNER ADDRESS: 6124 SWAN LAKE
ROMULUS , MI 48174
ACREAGE: 19.04

PARCEL B

OWNER: BRAUN JOYCE M (TRUST)
PROPERTY ADDRESS: 370 W NORTHFIELD CHURCH RD
WHITMORE LAKE , MI 48189
PARCEL #: B -02-29-300-002
OWNER ADDRESS: 5155 JENNINGS RD
ANN ARBOR , MI 48105
ACREAGE: 80.00

PARCEL C

OWNER: KLEINSCHMIDT FAMILY LIMITED PTN
PROPERTY ADDRESS: W NORTHFIELD CHURCH RD
ANN ARBOR , MI 48105
PARCEL #: B -02-29-300-004
OWNER ADDRESS: 4638 MORNINGSTAR WAY
ANN ARBOR , MI 48103
ACREAGE: 74.0

PARCEL D

OWNER: KLEINSCHMIDT FAMILY LIMITED PTN
PROPERTY ADDRESS: 6107 WHITMORE LAKE RD
WHITMORE LAKE , MI 48189
PARCEL #: B -02-29-200-013
OWNER ADDRESS: 4638 MORNINGSTAR WAY
ANN ARBOR , MI 48103
ACREAGE: 1.96

PARCEL E

OWNER: RAUPAGH PAUL R & BRYNN W
PROPERTY ADDRESS: W NORTHFIELD CHURCH RD
ANN ARBOR , MI 48105
PARCEL #: B -02-31-100-010
OWNER ADDRESS: 5445 HELLNER RD.
ANN ARBOR , MI 48105
ACREAGE: 20.01

PARCEL F

OWNER: PHEASANT HOLLOW ASSOCIATES, LLC
PROPERTY ADDRESS: 5355 WHITMORE LAKE RD
ANN ARBOR , MI 48105
PARCEL #: B -02-32-200-012
OWNER ADDRESS: 451 E WILSON
PONTIAC , MI 48341
ACREAGE: 111.67

PARCEL G

OWNER: VACHHER S PREHLAD TRUST &
TOWNLEY S LOUISE LIVING TRUST
PROPERTY ADDRESS: WHITMORE LAKE RD
ANN ARBOR , MI 48105
PARCEL #: B -02-32-100-016
OWNER ADDRESS: 42814 OATYER CT
ASHBURN , VA 20148
ACREAGE: 6.63

PARCEL H

OWNER: KRAAY LIMITED PARTNERSHIP
PROPERTY ADDRESS: 80 W JOY RD
ANN ARBOR , MI 48105
PARCEL #: B -02-32-300-008
OWNER ADDRESS: 5021 GAMTON COURT
CHARLOTTE , NC 28226
ACREAGE: 76.35

PARCEL I

OWNER: VACHHER (PREHLAD S) & TOWNLEY S
LOUISE LIVING TRUST
PROPERTY ADDRESS: WHITMORE LAKE RD
ANN ARBOR , MI 48105
PARCEL #: B -02-32-400-002
OWNER ADDRESS: 47237 BEACHCREST CT
PLYMOUTH , MI 48170
ACREAGE: 71.12

TOTAL ACREAGE:	460.78
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EXHIBIT 3

PARCEL A


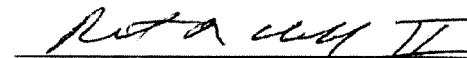
To Whom It May Concern:

We own the property legally described as Parcel No B-02-30-400-007, comprising 19.04 +/- acres and have entered into an Agreement of Sale with Biltmore Land LLC for Biltmore's purchase (and our sale) of that property.

This letter confirms that, pursuant to that Agreement of Sale, we have authorized Biltmore (and its agents and representatives) to undertake physical investigations of the above-referenced property (soil borings, environmental investigations, wetlands evaluations, etc.) site planning (including, without limitation, filing a formal proposed site plan and/or plats, rezoning, submitting a PUD application, submitting a special land use application, locating/relocating utilities, applying for demolition of existing structures and shutoff/removal of existing utilities, etc.) as well as pursuing such other approvals as may be necessary or desirable in connection with Biltmore's Intended use of the property.

All of the matters described in this letter, in Biltmore's discretion, may be undertaken in concert with other land in the vicinity of the Property.

Very truly yours,

Date: May 29, 2014

EXHIBIT 3

PARCEL B

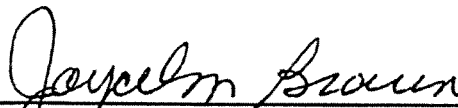
To Whom It May Concern:

We own the property whose address is 370 W Northfield Church Road, containing approximately 80 +/- acres, being Parcel No. B-02-29-300-002 and have entered into an Agreement of Sale with Biltmore Land LLC for Biltmore's purchase (and our sale) of that property.

This letter confirms that, pursuant to that Agreement of Sale, we have authorized Biltmore (and its agents and representatives) to undertake physical investigations of the above-referenced property (soil borings, environmental investigations, wetlands evaluations, etc.) site planning (including, without limitation, filing a formal proposed site plan and/or plats, rezoning, submitting a PUD application, submitting a special land use application, locating/relocating utilities, applying for demolition of existing structures and shutoff/removal of existing utilities, etc.) as well as pursuing such other approvals as may be necessary or desirable in connection with Biltmore's intended use of the property.

All of the matters described in this letter, in Biltmore's discretion, may be undertaken in concert with other land in the vicinity of the Property.

Very truly yours,



Joyce M. Braun, as Trustee of the Joyce
M. Braun Trust under Trust Agreement
dated January 30, 1996, as amended

Date: *May 10, 2014*

EXHIBIT 3

PARCEL C & D

To Whom It May Concern:

We own the property legally described as Parcel No(s). B-02-29-300-004 and B-02-29-200-013 comprising 75.96 +/- acres and have entered into an Agreement of Sale with Biltmore Land LLC for Biltmore's purchase (and our sale) of that property.

This letter confirms that, pursuant to that Agreement of Sale, we have authorized Biltmore (and its agents and representatives) to undertake physical investigations of the above-referenced property (soil borings, environmental investigations, wetlands evaluations, etc.) site planning (including, without limitation, filing a formal proposed site plan and/or plats, rezoning, submitting a PUD application, submitting a special land use application, locating/relocating utilities, applying for demolition of existing structures and shutoff/removal of existing utilities, etc.) as well as pursuing such other approvals as may be necessary or desirable in connection with Biltmore's intended use of the property.

All of the matters described in this letter, in Biltmore's discretion, may be undertaken in concert with other land in the vicinity of the Property.

Very truly yours,

Kleinschmidt Family Limited Partnership

By: 
Charles A. Kleinschmidt
Its: Agent

Date: 5/8/14

EXHIBIT 3

PARCEL E

To Whom It May Concern:

We own the property legally described as Parcel No. B-02-31-100-010, comprising 20.01 +/- acres and have entered into an Agreement of Sale with Biltmore Land LLC for Biltmore's purchase (and our sale) of that property.

This letter confirms that, pursuant to that Agreement of Sale, we have authorized Biltmore (and its agents and representatives) to undertake physical investigations of the above-referenced property (soil borings, environmental investigations, wetlands evaluations, etc.) site planning (including, without limitation, filing a formal proposed site plan and/or plats, rezoning, submitting a PUD application, submitting a special land use application, locating/relocating utilities, applying for demolition of existing structures and shutoff/removal of existing utilities, etc.) as well as pursuing such other approvals as may be necessary or desirable in connection with Biltmore's intended use of the property.

All of the matters described in this letter, in Biltmore's discretion, may be undertaken in concert with other land in the vicinity of the Property.

Very truly yours,

Bryan W. Rappaport
Paul R. Rappaport

Date: May 28, 2014

EXHIBIT 3

PARCEL F


To Whom It May Concern:

We own the property legally described as Parcel No. B-02-32-200-012 whose address is 5355 Whitmore Lake Road, Ann Arbor Michigan 48105, comprising 111.67 +/- acres and have entered into an Agreement of Sale with Biltmore Land LLC for Biltmore's purchase (and our sale) of that property.

This letter confirms that, pursuant to that Agreement of Sale, we have authorized Biltmore (and its agents and representatives) to undertake physical investigations of the above-referenced property (soil borings, environmental investigations, wetlands evaluations, etc.) site planning (including, without limitation, filing a formal proposed site plan and/or plats, rezoning, submitting a PUD application, submitting a special land use application, locating/relocating utilities, applying for demolition of existing structures and shutoff/removal of existing utilities, etc.) as well as pursuing such other approvals as may be necessary or desirable in connection with Biltmore's intended use of the property.

All of the matters described in this letter, in Biltmore's discretion, may be undertaken in concert with other land in the vicinity of the Property.

Very truly yours,

By: 

Date: 5/24/14

EXHIBIT 3

PARCELS G & I

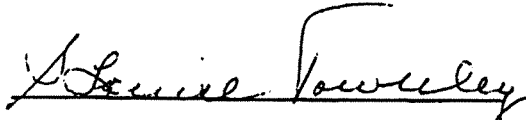

To Whom It May Concern:

We own the property legally described as Parcel Nos. B-02-32-400-002 and B-02-32-100-016 comprising 77.75 +/- acres and have entered into an Agreement of Sale with Biltmore Land LLC for Biltmore's purchase (and our sale) of that property.

This letter confirms that, pursuant to the terms of that Agreement of Sale, we have authorized Biltmore (and its agents and representatives) to undertake physical investigations of the above-referenced property (soil borings, environmental investigations, wetlands evaluations, etc.) site planning (including, without limitation, filing a formal proposed site plan and/or plats, rezoning, submitting a PUD application, submitting a special land use application, locating/relocating utilities, applying for demolition of existing structures and shutoff/removal of existing utilities, etc.) as well as pursuing such other approvals as may be necessary or desirable in connection with Biltmore's intended use of the property.

All of the matters described in this letter, in Biltmore's discretion, may be undertaken in concert with other land in the vicinity of the Property.

Very truly yours,

Date: _____

EXHIBIT 3

PARCEL H

To Whom It May Concern:

We own the property legally described as Parcel No. B-02-32-300-008 whose street address is 80 W Joy Road, Ann Arbor, MI 48105, comprising 76.35 +/- acres and have entered into an Agreement of Sale with Biltmore Land LLC for Biltmore's purchase (and our sale) of that property.

This letter confirms that, pursuant to that Agreement of Sale, we have authorized Biltmore (and its agents and representatives) to undertake physical investigations of the above-referenced property (soil borings, environmental investigations, wetlands evaluations, etc.) site planning (including, without limitation, filing a formal proposed site plan and/or plats, rezoning, submitting a PUD application, submitting a special land use application, locating/relocating utilities, applying for demolition of existing structures and shutoff/removal of existing utilities, etc.) as well as pursuing such other approvals as may be necessary or desirable in connection with Biltmore's intended use of the property.

All of the matters described in this letter, in Biltmore's discretion, may be undertaken in concert with other land in the vicinity of the Property.

Very truly yours,

KARRY LIMITED PARTNERSHIP
Dick & Tracy - Trustees
Ann Arbor - Trustees

Date: 5/23/2014



CARLISLE

WORTMAN
associates, inc.

605 S. Main Street, Ste. 1
Ann Arbor, MI 48104

(734) 662-2200
(734) 662-1935 Fax

MEMORANDUM

TO: Northfield Township Planning Commission

FROM: Douglas J. Lewan, Community Planner

DATE: July 25, 2014

RE: Proposed Master Plan Review in Southwest Area (Sub-Area 3)

As we prepare to discuss potential changes to our Master Plan we have provided you with additional information that should be used to supplement the material previously provided.

The following is attached for your use and information:

1. As required by statute we have prepared our "Notice of Intent to Amend the Master Plan." This is a required first step in this process and we have provided it so that you can see who is notified when we amend the plan.
2. Based on our joint meeting it was clear that both the Board and Planning Commission were in favor of continuing to review the Master Plan for this part of the Township. To that end we have provided two (2) potential options for study. There are other options, but I believe having something to react to will help our discussion on the ultimate boundaries of the study area. "Potential Study Area 1" is broad and encompasses a larger area than "Potential Study Area 2." I would recommend "Study Area 2" as it has a relationship with Whitmore Lake Road and U.S. 23. However both options are provided for your discussion.
3. We have provided four (4) options for considering future land use designations. These again are for illustrative purposes as additional study should be done before selecting one or any alternative.
 - *Current Master Plan* - No change to the current Master Plan is reflected in the "Current Future Land Use Map." As I always say "doing nothing is always an option." This option would of course allow only very low density development and open space uses.

- *Proposed Future Land Use Alternative 1* – This alternative (not in any order of preference) is what is being proposed by the Biltmore Development group. We've also added the property directly north of the Biltmore parcels to avoid an "island" of AG planned property. This option results in a substantial residential density increase, especially if sewer service is brought to this area. As noted previously, this is a significant departure from the current Township Master Plan. It is our recommendation that additional study be carried out by the applicant for this or any proposed change. Please see our comments at the end of this memorandum.
- *Proposed Future Land Use Alternative 2* – This alternative proposes a change to only the northern most portion of the Biltmore area. This alternative also adds the property directly north of the Biltmore area into the MDR category. This is proposed to avoid an "island" of AG planned area bounded by our new Mixed Use – South Designation as noted above. All property south of Northfield Church would remain planned as AG.
- *Proposed Future Land Use Alternative 3* – This alternative is a more modest approach to development and would allow additional density to property along the Whitmore Lake Road Corridor. The proposed LDR designation would allow up to 1 unit per 2 acres. This density would not need sewer service and could of course be clustered. You may also note that the most southern portion of the property is shown as remaining in the AG plan designation.

The alternatives provided above are for discussion purposes only at this point as there are multiple other alternative schemes that could be proposed. Consideration of these alternative will help us determine potential impacts of these alternatives and potential studies that the developer would have to complete moving forward.

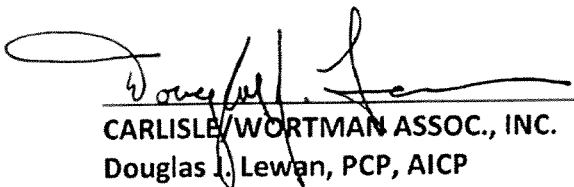
4. For your information we've provided an aerial photograph of the area under consideration. As we noted in previous material provided to the commission and board, wetlands and woodlands can be seen in the central most parcel of the study area.
5. Natural Feature mapping is again provided for your information. As with the aerial photograph the central properties have a significant woodland and wetland complex.
6. Bioreserve Areas – We've provided a description of the "Bioreserve" areas as identified by the Huron River Watershed Council (HRWC). A description of the bioreserves ranging from High to Low is provided along with a map of these areas in the southwest area. As you can see from this mapping the central property included in the Biltmore proposal is described as a "Medium Rank Bioreserve." This designation goes along with information provided in this packet and in other sources available to the Township.

In addition to the information available to us now and to help get a clear picture of where we are going and the implications of density we recommend the following:

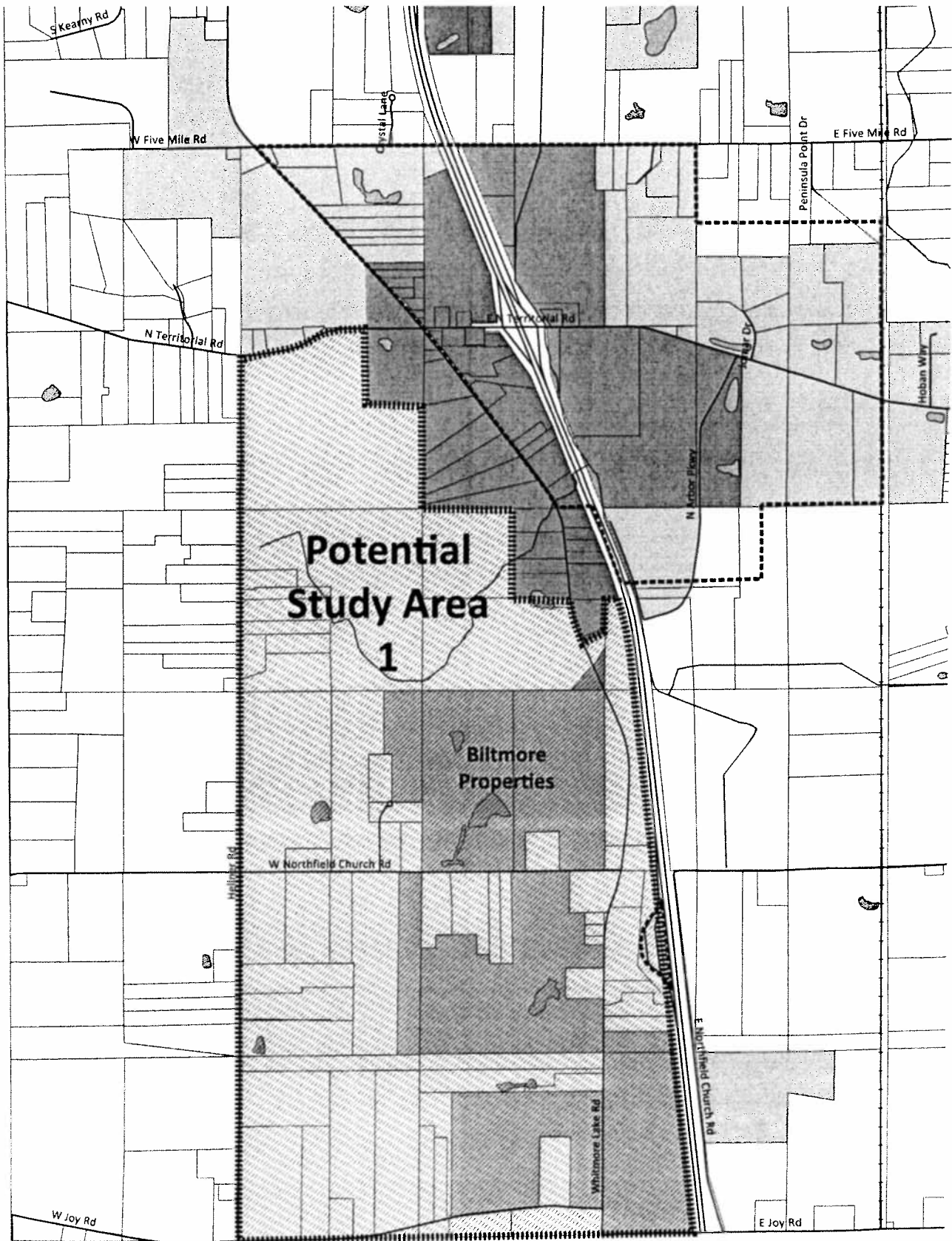
1. A sewer capacity study be completed by the developer. This is particularly important to those properties currently within the district. Once completed our Township Engineer would review the results. Adequate capacity should exist for not only new property being brought into the district, but for those properties already in the district including commercial and industrial properties. This study should also reveal any costs to system improvements that would be borne by the developer.
2. A basic traffic analysis be completed by the developer. Traffic impacts should be clearly known at this stage of the review process for both impact to the Township and so the developer knows his responsibility for any system improvements.
3. That a cost of services study be completed. This would include both negative and positive impacts. There seemed to be a desire from some Board members for this type of study to help determine the positive (or negative) financial effects of growth on the area. Biltmore could provide such a study and have it reviewed by the Township.

As we move forward in reviewing the Township Master Plan, these as well as other important issues should be considered by the Planning Commission as well as the Township Board. As I've mentioned both in writing and at the joint meeting of the Planning Commission and Township Board this is not an all or nothing proposal. One of the alternatives that provides for a "step-down" of density from north to south would seem to be more compatible with the general goals and policies of the current Master Plan. This is particularly true when the significant natural features of the central portion of the study are considered.

The Planning Commission should review the alternatives and be ready to discuss them at our next meeting. Also we should be ready to direct the applicant in the kind of study(ies) that might be needed to help us come to a final recommendation on this issue to the Township Board.



CARLISLE/WORTMAN ASSOC., INC.
Douglas J. Lewan, PCP, AICP
Principal



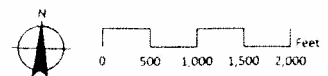
- AG - Agricultural (5 Ac.)
- LDR - Low Density Residential (2 Ac.)
- MDR - Medium Density Residential (1/4 to 1 Ac.)
- HDR - High Density Residential (6 to 14 Units/Ac. & Sewer)
- MH - Manufactured Home
- VC - Village Center - Mixed Use
- MU - Mixed Use
- HC - Highway Commercial
- I - Industrial
- RC - Recreation/Conservation

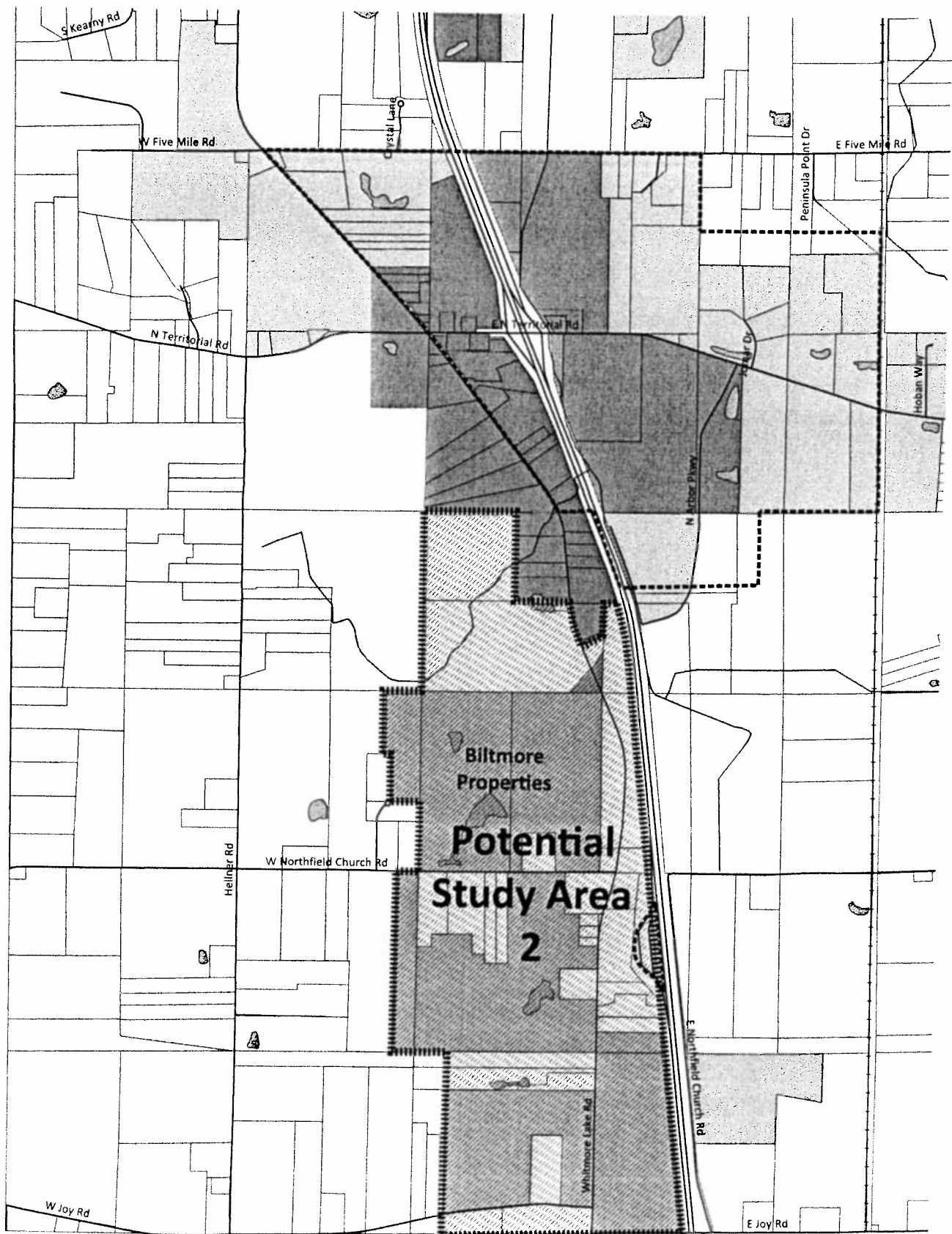
- Potential Study Area
- Biltmore Properties
- Sewer Service Area

Southwest Area Plan

Northfield Township

Washtenaw County, Michigan





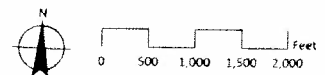
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- Potential Study Area
- Biltmore Properties
- Sewer Service Area

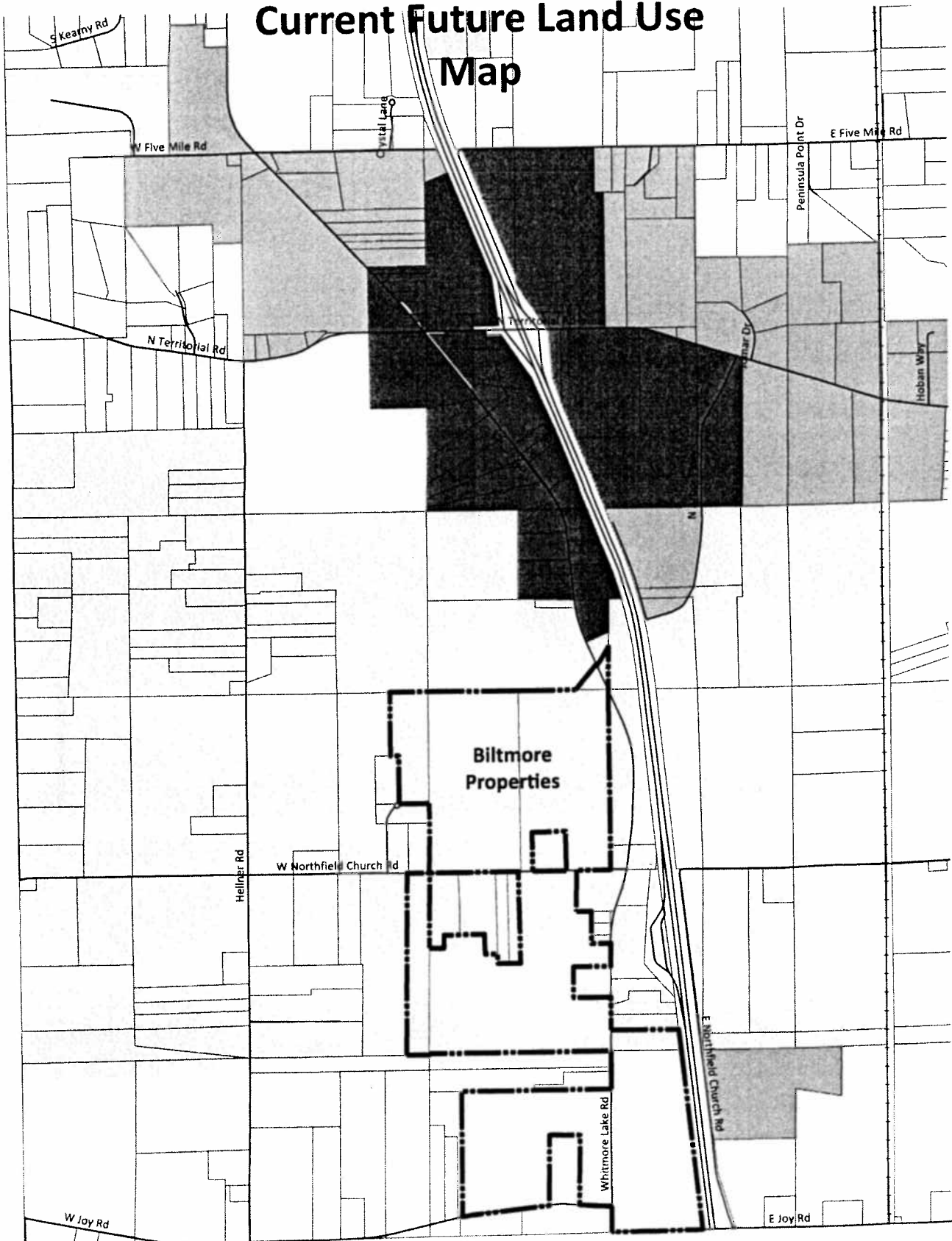
Southwest Area Plan

Northfield Township

Washtenaw County, Michigan

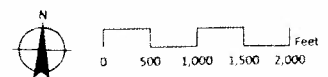


Current Future Land Use Map

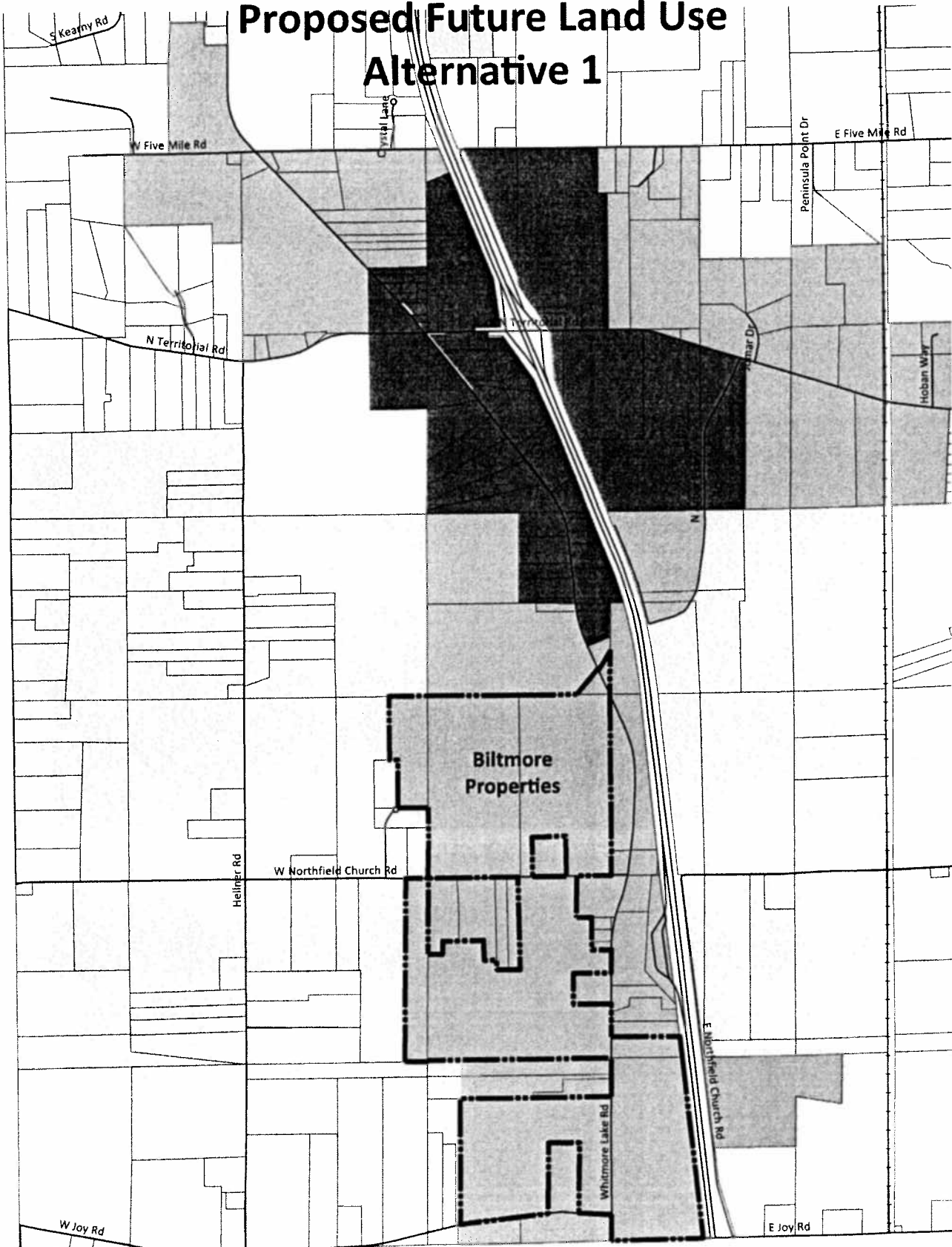


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Southwest Area Plan Northfield Township Washtenaw County, Michigan

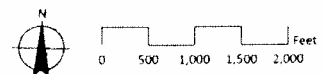


Proposed Future Land Use Alternative 1



- AG - Agricultural (5 Ac.)
- LDR - Low Density Residential (2 Ac.)
- MDR - Medium Density Residential (1/4 to 1 Ac.)
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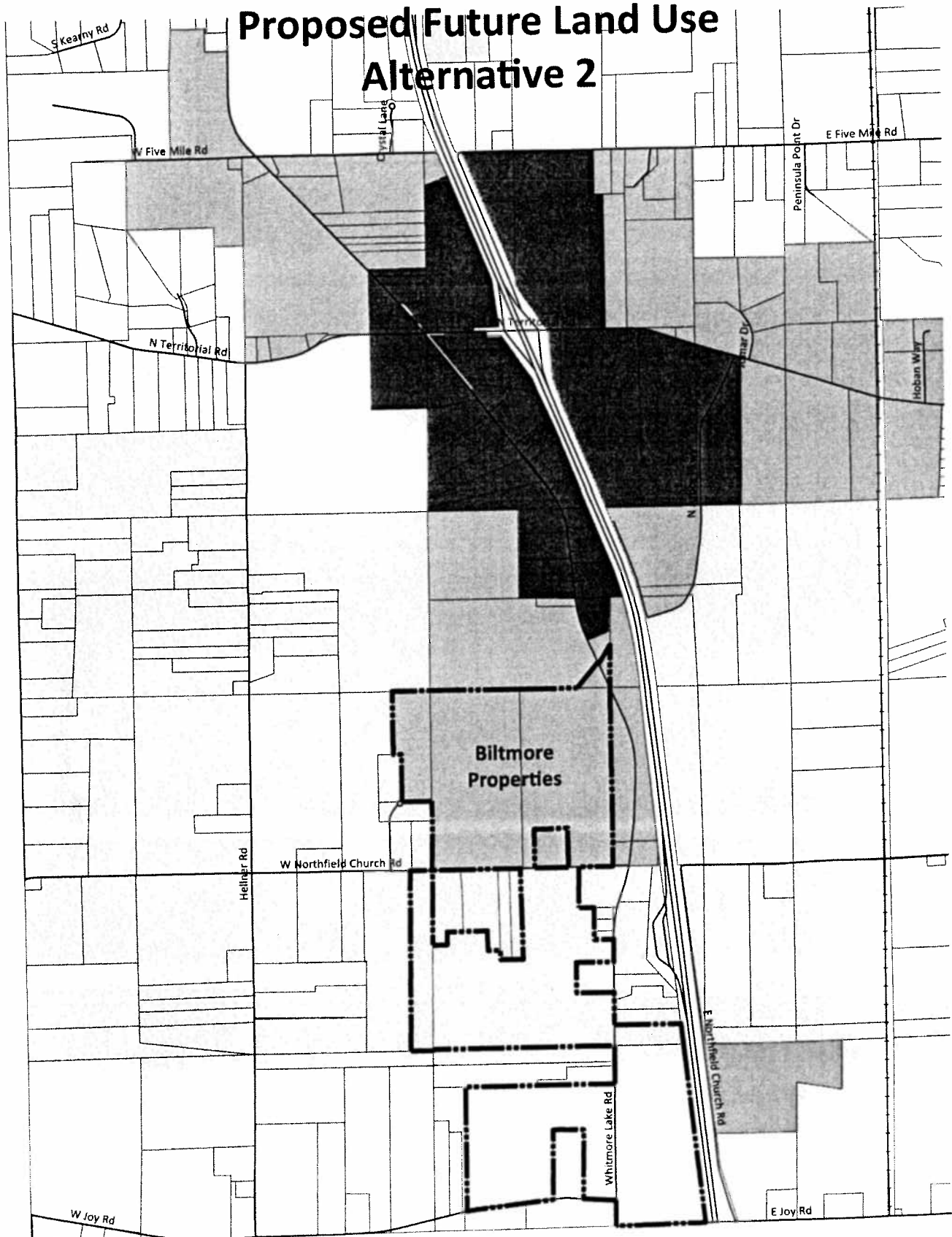
Southwest Area Plan Northfield Township Washtenaw County, Michigan



7-22-14
Carlisle/Wortman Associates, Inc.
Ann Arbor, Michigan

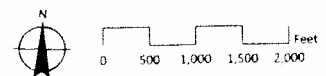


Proposed Future Land Use Alternative 2



- AG - Agricultural (5 Ac.)
- LDR - Low Density Residential (2 Ac.)
- MDR - Medium Density Residential (1/4 to 1 Ac.)
- HDR - High Density Residential (6 to 14 Units/Ac. & Sewer)
- MH - Manufactured Home
- VC - Village Center - Mixed Use
- MU - Mixed Use
- HC - Highway Commercial
- I - Industrial
- RC - Recreation/Conservation

Southwest Area Plan Northfield Township Washtenaw County, Michigan



7-22-14
Carlisle/Wortman Associates, Inc.
Ann Arbor, Michigan

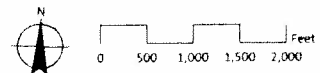


Proposed Future Land Use Alternative 3



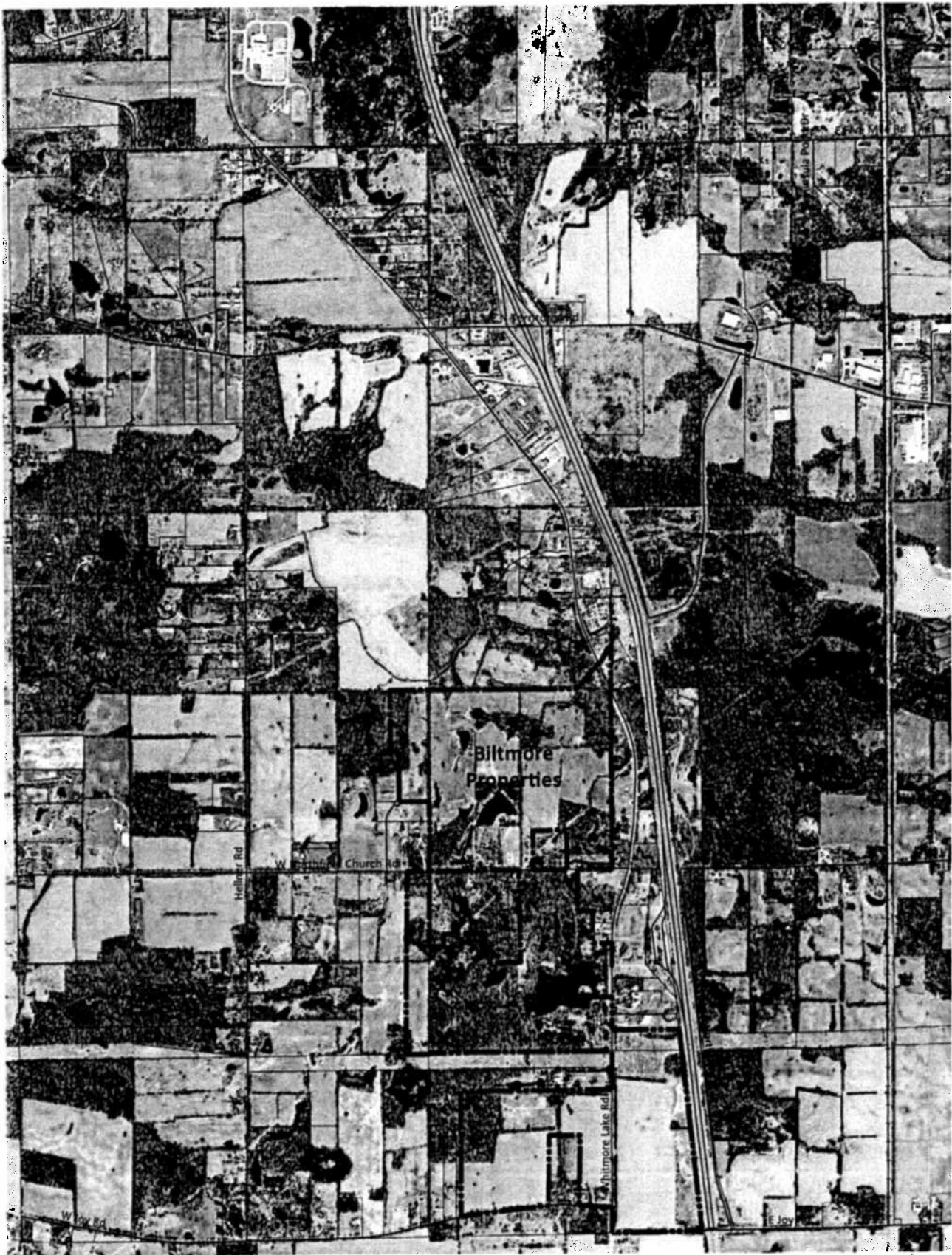
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- RC - Recreation/Conservation

Southwest Area Plan Northfield Township Washtenaw County, Michigan

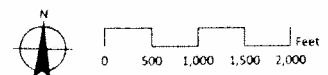


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Southwest Area Plan
Northfield Township
Washtenaw County, Michigan



Natural Features

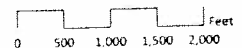


-  Emergent Wetland
-  Scrub-Shrub Wetland
-  Forested Wetland
-  Woodland
-  Lake
-  Stream
-  Floodplain
-  2-Foot Contour

-  Biltmore Properties
-  Sewer Service Area

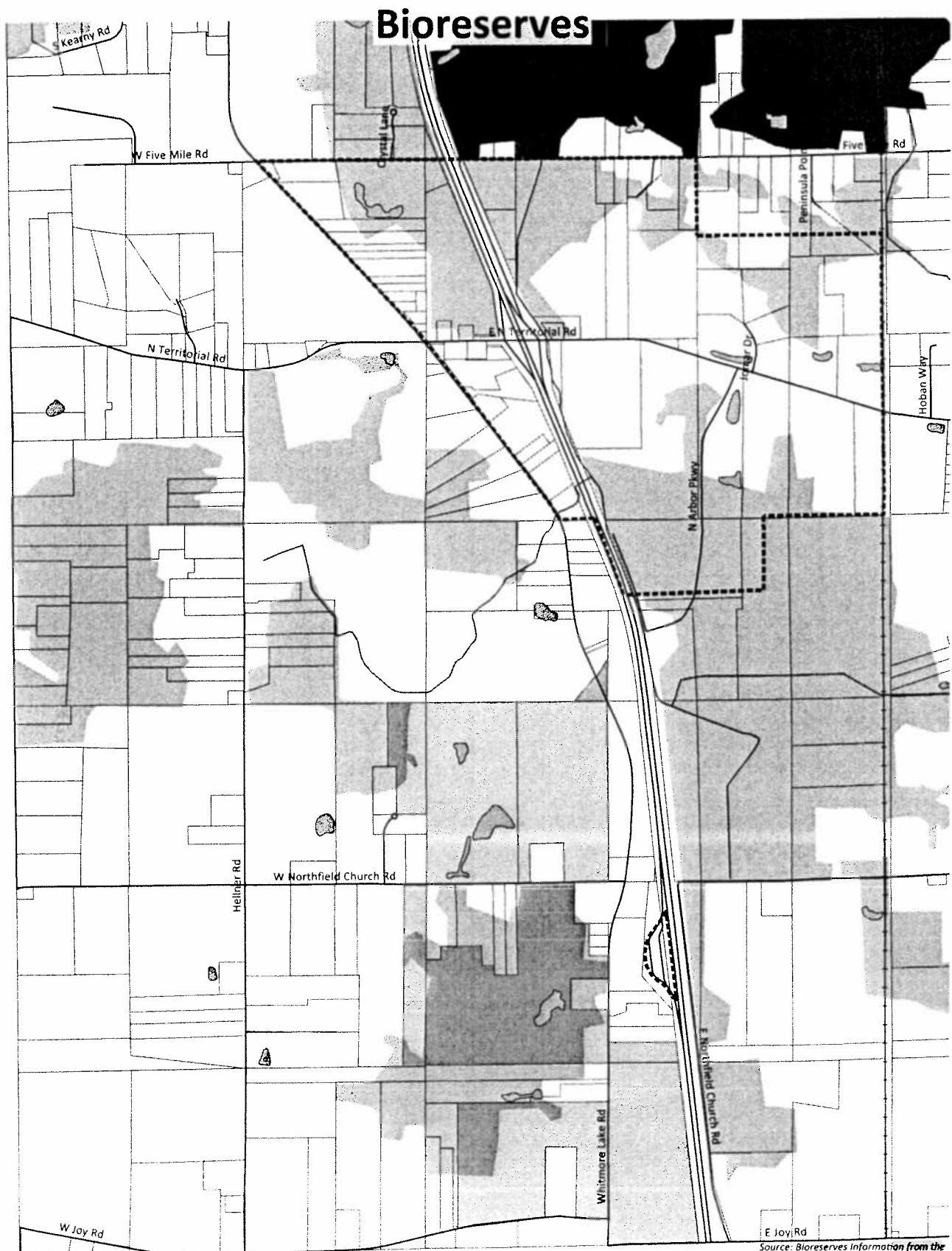
Southwest Area Plan

Northfield Township
Washtenaw County, Michigan



7-22-14
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Ann Arbor, Michigan





Source: Bioreerves Information from the
Huron River Watershed Council

Southwest Area Plan

Northfield Township
Washtenaw County, Michigan

-  Low Rank Bioreerves
-  Medium Rank Bioreerves
-  High Rank Bioreerves
-  Biltmore Properties
-  Sewer Service Area



0 500 1,000 1,500 2,000 Feet

7-22-14

Carlisle/Wortman Associates, Inc.
Ann Arbor, Michigan



NORTHFIELD TOWNSHIP

8350 MAIN ST., P.O. BOX 576, WHITMORE LAKE, MI 48189
(734) 449-2880, x14 * * FAX (734) 449-0123

TO: Contiguous Municipal Legislative Body, County Planning, Public Utilities, and Railroad Company

FROM: Northfield Township Planning Commission

DATE: July 23, 2014

RE: NOTICE OF INTENT TO AMEND THE MASTER PLAN

In accordance with the Michigan Planning Enabling Act (PA 33 of 2008 as amended), the Township of Northfield is preparing an amendment to the existing Master Land Use Plan. The amendment will include a sub-area plan concentrating on the southwest area of the Township.

Please be aware that you will be receiving a digital draft of the update for comment in the near future. At the time the Master Plan amendment is ready for your review, we will provide a second notice and directions on where to send comments and time limits for doing so.

We thank you for your consideration in this matter. If you have any questions or comments on the Northfield Township Master Plan amendment process at this time please contact the Township offices by mail at:

Master Plan Amendment
Northfield Township
8350 Main Street
Whitmore Lake, MI 48189

Ann Arbor Twp. Planning Commission
3792 Pontiac Trail
Ann Arbor, MI 48105

Green Oak Charter Twp.
Planning Commission
10001 Silver Lake Rd.
Brighton, MI 48116

Hamburg Twp. Planning Commission
PO Box 157
Hamburg, MI 18139

Livingston County Planning Comm.
304 E. Grand River Suite 206
Howell, MI 48843

Oakland County Planning Commission
2100 Pontiac Lake Rd. Bldg. 41West
Waterford, MI 18328

Salem Twp. Planning Commission
PO Box 75002
Salem, MI 48175

Scio Twp. Planning Commission
827 N. Zeeb Rd.
Ann Arbor, MI 48103

South Lyon Twp. Planning Comm.
335 S. Warren
South Lyon, MI 48178

Superior Twp. Planning Commission
3040 N. Prospect
Ypsilanti, MI 48198

Washtenaw County Board of
Commissioners
705 N. Zeeb
Ann Arbor, MI 48107

Webster Twp. Planning Commission
5665 Webster Church Rd.
Dexter, MI 48130

Ann Arbor Transit Authority
2700 S. Industrial Hwy.
Ann Arbor, MI 48104

Washtenaw County Road Commission
555 N. Zeeb
Ann Arbor, MI 48103

Conrail Corp.
17301 Michigan Ave.
Dearborn, MI 48126

Norfolk Southern
520 Wabash
Milan, MI 48160

Panhandle Eastern Pipe Line Co.
3990 Crooked Lake
Howell, MI 48843

Consumers Power Co.
1955 Parnall Rd.
Jackson, MI 48201

MichCon
841 Broadway
Ann Arbor, MI 48104

Comcast Public Affairs
100 Briarwood Cir.
Ann Arbor, MI 48108

Detroit Edison Co.
425 S. Main St.
Ann Arbor, MI 48104

SBC – Real Estate Planning
105 E. Bethune, Rm 800
Detroit, MI 48202

(ATTACHMENT 2)

MEMO

TO: Northfield Township Planning Commission

FROM: Sally Hodges, AICP, Senior Vice President
McKenna Associates

SUBJECT: Consideration of Churches in all Zoning Districts

DATE: February 24, 2016

At your last meeting, the Planning Commission discussed our comments pertaining to church uses and asked us to expand our review to examine the uses permitted in the Township's other zoning districts, beyond the GC District. Factors to be considered include consistency and compliance with the Religious Land Use and Institutionalized Persons Act (RLUIPA) and impacts on other parcels in the vicinity if churches are permitted.

In order to facilitate that review and discussion, we have compiled two tables (attached) that list all the permitted and conditional uses currently permitted in each of the zoning districts. While they are still in draft form we believe they will be helpful, not only for your review of church uses, but also to easily compare zoning districts. The tables, one for the residential zoning districts and one for the nonresidential zoning districts, are laid out similar to the use tables included in the WLD District. So while our comments below concentrate on churches, the Residential Use Matrix and Non-Residential Use Matrix allow you to see the spectrum of uses (by district) permitted by right or as conditional uses.

The uses listed are organized into general categories by type. For example, Assembly Uses, Recreational Uses, Restaurant Uses, and so on. Also, some of the use descriptions overlap because the text of the Ordinance frequently describes the same uses in different combinations or with a slightly different context.

COMMENTS

1. Impacts of RLUIPA

As previously reviewed, RLUIPA was adopted by Congress in 2000 because of concerns that communities were "frequently placing excessive or unreasonable burdens on the ability of congregations and individuals to exercise their faith with little to no justification and in violation of the Constitution" (Department of Justice, 2010). You will recall RLUIPA states:

- *No government shall impose or implement a land use regulation in a manner that imposes a substantial burden on the religious exercise of a person, including a religious assembly or institution, unless the government demonstrates that imposition of the burden on that person, assembly, or institution –
(A) Is in furtherance of a compelling governmental interest; and
(B) Is the least restrictive means of furthering that compelling governmental interest.*
- *No government shall impose or implement a land use regulation in a manner that treats a religious assembly or institution on less than equal terms with a nonreligious assembly or institution.*

Religious uses are not exempt from local zoning regulations, and a community may place conditions on its approval of religious uses, provided that the conditions are applied uniformly for all similar uses. We

believe that churches do not have to be permitted in all zoning districts if the distinction is supported by the community's master plan and legitimate planning principles, finding that such uses and all similar uses are inappropriate in those districts. For example, the GI General Industrial District does not currently permit churches or religious institutions; it also does not permit schools, public buildings, assembly halls, dance halls or other uses that are places where large groups of people congregate, or that have "event-based" traffic characteristics (i.e. large volumes at specific times). It is also set aside for intensive uses that tend to have negative off site impacts that should be buffered and separated from most other land uses.

The Planning Commission may also wish to consider permitting churches as a use by right in one or more zoning districts where it would be consistent with other permitted uses. This would open up locations where a church could be established with only site plan approval and lessen the chances of a claim that a substantial burden under RLUIPA has been created.

2. *Where are Churches and Religious Institutions Currently Permitted?*

As you can see from the table below, churches are currently permitted in eight (8) of the Township's zoning districts, all subject to conditional use approval. Five (5) zoning districts, the Local Commercial (LC), General Commercial (GC), Highway Commercial (HC), Enterprise Services (ES), and Planned Shopping Center (PSC) currently do not permit churches but do permit other, non-church uses that have some characteristics similar to churches. Our preliminary recommendations are summarized in the table below for consideration.

Zoning District		Churches Permitted		Uses with Similar Characteristics		Recommendations
		By Right	Conditional Use	By Right	Conditional Use	
RC	Recreation Conservation					No change
AR	Agriculture		✓		✓	No change
LR	Low-Density Residential		✓		✓	No change
SR1	Single-Family Residential		✓		✓	No change
SR2	Single-Family Residential					Consider whether churches should be added – existing church at East Shore Drive and Main St.
MR	Multiple-Family Res.		✓		✓	No change
MHP	Mobile Home Park		✓		✓	No change
WLD	Whitmore Lake Downtown - Downtown Sub district Waterfront Sub district North Village Sub district		✓	✓	✓	Amend to change commercial recreation facilities, (particularly indoor theaters) to conditional uses
LC	Local Commercial				✓	Amend to permit churches as conditional uses

GC	General Commercial			✓		Amend to change commercial recreation facilities, (particularly indoor theaters) to conditional uses; Amend to permit churches as conditional uses
HC	Highway Commercial				✓	Amend to permit churches as conditional uses
RO	Residential/ Office		✓		✓	No change
LI	Limited Industrial					No change
GI	General Industrial					No change
ES	Enterprise Service			✓		Consider amending to add churches as permitted uses. Otherwise - Amend to permit churches as conditional uses; and Amend to change commercial recreation facilities, (particularly indoor theaters) to conditional uses.
PSC	Planned Shopping Center			✓		Amend to change theaters to conditional uses; Amend to permit churches as conditional uses
RTM	Research/ Technology/ Manufacturing		✓	✓		Amend to change theaters, auditoriums, and meeting facilities to conditional uses

We look forward reviewing the districts and potential for church uses in each with you at the next meeting, Wednesday March 2, 2016.

**Northfield Township
Non-Residential District Use Matrix**

	WLD-D	WLD-NV	WLD-W	LC	GC	HC	RO	LI	GI	ES	PSC	RTM
Church, synagogue, cathedral, mosque, temple, or other building used for public worship	C	C	C				C					C
ASSEMBLY USES												
Commercial recreation facilities, including indoor theaters, bowling alleys, skating rinks, racket clubs	P	P	P		P					P		
Commercial, office, and service uses which are located, designed, and intended to support and complement permitted principal uses which are located in an RTM district, such as the following: theaters, auditoriums and meeting facilities												P
Drive-in theater.						C						
Other services, such as automobile service stations, bowling alleys, theaters, and skating rinks											P	
Places of amusement, entertainment or recreation such as a dancehall, bowling alley, miniature golf, commercial swimming pool.						C						
Primary and secondary schools.				C								
Public and private nursery schools, primary and secondary schools, colleges and universities	C	C	C									
Public and private nursery schools, primary and secondary schools.							C					
Public Building	C	C	C									
RECREATIONAL USES												
Bowling alleys, miniature golf courses, commercial swimming pools, skating rinks.					C							
Drive-in theater.						C						
Outdoor commercial recreation, public or private	C	C	C									P
Other services, such as automobile service stations, bowling alleys, theaters, and skating rinks											P	
Uses such as fire, police, and ambulance stations; technical and business schools; recreation facilities, both indoor and outdoor post office												P
RESTAURANT USES												
Bars or establishments principally used for the sale of beer, wine or intoxicating liquor for consumption on the premises					C							
Drive-through as an accessory to a restaurant, financial services, or other permitted use			C									
Drive-throughs, including restaurants, banks, laundries						C						
Food service shops, such as restaurants, cafeterias, cocktail lounges, and ice cream shops.											P	
Motel, hotel, restaurants.						P						
Permanently reserved areas for outdoor seating and/or service when associated with a restaurant	P	C	P	C	C	C						
Restaurants and cafeteria facilities for employees.								C				P

Northfield Township
Non-Residential District Use Matrix

	WLD-D	WLD-NV	WLD-W	LC	GC	HC	RO	LI	GI	ES	PSC	RTM
Restaurants serving alcoholic beverages, provided that the gross receipts thereof derived from the sale of food and other goods and services exceed 50 percent of the total gross receipts.				C	C							
Restaurants, including those primarily devoted to serving alcoholic liquors for consumption on the premises and/or providing entertainment, but not including any business of a drive-in type or which have a drive-through	P	C	P									
PERSONAL SERVICES												
Financial services, not including a drive-through	P	P	P									
Financial services.											P	
Personal service offices, such as accountant, attorney, and real estate offices, provided such use shall not exceed 4,000 square feet of floor area in any building				P	P							
Personal services including clothing and apparel services, including laundry pickup, automatic laundry, dressmaking, millinery, tailor shop, and shoe repair shop	P	C	P	P	P							P
Personal services, including barber shop and beauty salon, medical and dental clinics, music studios, banks and saving and loan associations and other similar uses.				P	P					P	P	P
RETAIL USES												
Clothing and shoe stores.											P	
Contractor wholesale supply when in conjunction with general retail sales of items, including electrical, plumbing, lumber, and/or garden supplies	C	C	C		C					P		
Dry goods stores.											P	
Food services including grocery, meat market, bakery, restaurant, delicatessen and fruit market, and similar self-serve units but not including any business of a drive-in type.				P	P							
Food stores, such as supermarkets, meat and fish markets, delicatessens, bakeries, dairy products, and health food stores.											P	
Furniture and appliance stores, decorating shops, and china and glassware stores.											P	
General merchandise stores, such as department stores, variety stores, and catalog store											P	
Luggage and leather goods stores.											P	
Other retail stores, such as hardware, home improvements, automotive supplies, garden supplies, hobby supplies, records and tapes, musical instruments, books and stationery, pets and pet supplies, flowers, tobacco, drugs and cosmetics, greeting cards and gifts, photography equipment and services, and party supplies, including packaged beer, wine, and liquor.											P	P

**Northfield Township
Non-Residential District Use Matrix**

	WLD-D	WLD-NV	WLD-W	LC	GC	HC	RO	LI	GI	ES	PSC	RTM
Retail sales of items that are the same as the items sold at wholesale on the premises, or are related by use or design to such wholesale items;								C	C			
Retail services, including department stores, furniture stores, appliance stores, and super markets.					P							
Retail services, including drug store, hardware, and gift shop, and dry goods and notions store.				P	P							
Retail, including food services retail, general retail	P	C	P									
Retail, sporting goods sales, souvenir and gift shop, public information booth.						C						
Temporary outdoor sales				C	C							
Temporary outdoor sales when conducted by a permanent business established on site	P	C	P									
OFFICE USES												
Business and professional offices	P	P	P	C	P							P
Commercial, office, and service uses which are located, designed, and intended to support and complement permitted principal uses which are located in an RTM district, such as the following: office supply sales; medical and dental offices; data processing and computing centers; computer and office machine service and repair establishments												P
Executive, administrative, legal, accounting, insurance, real estate and similar offices at a scale that will not generate off-street parking resulting in excessive traffic generated from the use which would be incompatible with the purpose of this district.							C					
Offices of architects, engineers, surveyors and similar professionals; provided that no trucks, drillings, rigs, and similar vehicles shall be stored on the premises and provided that no materials or field equipment shall be stored outdoors on the premises.							C					
Offices, such as legal, accounting, real estate, medical and dental.											P	
VEHICLE-RELATED USES												
Automobile or vehicle dealerships	C	C	C									
Automotive service station, including minor repair services					C	P				C		P
Boat sales and marinas		C	C		C							
Lots for the sale of used cars, used farm machinery, and other used vehicles and equipment, when not sold in conjunction with sales of new cars, machinery, vehicles, or equipment.					C							
Minor automotive repair facilities.					C					P		
Minor or major repair of vehicles.								C				

**Northfield Township
Non-Residential District Use Matrix**

	WLD-D	WLD-NV	WLD-W	LC	GC	HC	RO	LI	GI	ES	PSC	RTM
Showroom and sales of new automobiles, farm machinery, and other vehicle and equipment, and the display and sale of used cars, farm machinery, and other vehicles and equipment when in conjunction with a showroom and sales of new units thereof; and repair of same when in conjunction with a showroom and sales of new units thereof.					P							
Trucking and cartage facilities, truck and industrial equipment storage yards, repairing and washing equipment and yards									P			
Vehicle towing services									C			
Wholesale auto auctions									P			
Wholesale businesses, including warehouse and storage, commercial laundries, dry cleaning establishments, ice and cold storage plants, lumber, fuel and feed yards, automobile repair garages, construction and farm equipment sales and contractor's equipment yards.									P			
LODGING												
Bed and breakfast inns	P	P	P									
Hotel, tourist home and boarding and rooming house					C							
Motel, hotel, restaurants.						P						
Motels, hotels	P	C	P									
Transient lodging facilities												P
MEDICAL AND CARE USES												
Animal hospitals or clinics	C	C	C	C	C							
Child care facilities.					C							P
Family child care homes, adult foster care family homes, foster family homes and foster family group homes	P	P	P				P					
Group child care homes	C	C	C				C					
Hospitals, nursing homes, sanitariums	C	C	C							C		
Medical and dental clinics when associated with a hospital or nursing home (ambulatory health care facility) in which outpatient treatment for patients is provided	C	C	C									
Medical and dental offices	P	P	P									
Offices, such as legal, accounting, real estate, medical and dental.											P	
Public and private nursery schools, primary and secondary schools, colleges and universities	C	C	C									
Public and private nursery schools, primary and secondary schools.							C					
INDUSTRIAL USES												
Assembly of merchandise such as electrical appliances, electronic or precision instruments and articles of similar nature.								P	P			
Automated production equipment, such as robots												P
Concrete and asphalt mixing or production plants.									C			
Contractor wholesale supply when in conjunction with general retail sales of items, including electrical, plumbing, lumber, and/or garden supplies	C	C	C		C					P		

**Northfield Township
Non-Residential District Use Matrix**

	WLD-D	WLD-NV	WLD-W	LC	GC	HC	RO	LI	GI	ES	PSC	RTM
Contractor's establishment not engaging in any retail activities on the site.									P			
Heat treating processes.									C			
Junkyards and inoperative vehicle storage, subject to the provisions of this chapter and also to the provisions of the current junkyard resolution.									C			
Landscape and lawn care businesses.								P	P			
Light manufacturing industrial uses which by the nature of the materials, equipment and processes utilized are to a considerable extent clean, quiet and free from any objectionable or dangerous nuisance or hazard, including any of the following goods or materials: drugs; jewelry; musical instruments; sporting goods; glass products; small household appliances; electronic products; printed matter; baked and dairy products; advertising displays; tents and awnings; brushes and brooms; cameras and photographic equipment and supplies; wearing apparel; leather products and luggage, but not including tanning; products from such finished materials as plastic, bone, cork, feathers, felt, fiber, paper, glass, hair, horn, rubber, shell, or yarn.								P	P			
Manufacturing product warehousing, exchange and storage centers and yards.									P			
Manufacturing.									P			
Manufacturing, compounding, process, or treatment of such products as bakery goods, candy, cosmetics, dairy products, food products, perfumes, pharmaceutical toiletries, and frozen food lockers.								P	P			
Mini-storage										C		
Mini-warehousing,				C	C	C						
Open industrial uses,									P			
Outdoor storage of recreational vehicles								C	C			
Packaging of previously prepared materials, but not including the bailing of discards, old iron or other metal, wood, lumber, glass, paper, rags, cloth or other similar materials; recycling centers.								P	P			
Plating shops.									C			
Printing, lithographic, blueprinting, and similar uses	C	C	C		P			P	P	P		P
Vehicle towing services									C			
Warehousing and material distribution centers; provided all products and materials are enclosed within a building.								P	P	C		
Warehousing, only for principal uses permitted and located in this district.												P
Wholesale businesses, including warehouse and storage, commercial laundries, dry cleaning establishments, ice and cold storage plants, lumber, fuel and feed yards, automobile repair garages, construction and farm equipment sales and contractor's equipment yards.									P			
RESEARCH AND DEVELOPMENT USES												
Business research, development, and testing laboratories.												P

**Northfield Township
Non-Residential District Use Matrix**

	WLD-D	WLD-NV	WLD-W	LC	GC	HC	RO	LI	GI	ES	PSC	RTM
Business/technical schools, when licensed by the state,								C				
Commercial, office, and service uses which are located, designed, and intended to support and complement permitted principal uses which are located in an RTM district, such as the following: office supply sales; medical and dental offices; data processing and computing centers; computer and office machine service and repair establishments												p
Electricity transmission and distribution lines, gas and oil pipelines, and related structures; electricity switching and step-down stations.												P
Equipment services, including repair, radio and television, electrical appliance shop, plumber, electrician, and other similar services and trades	P	C	P		P					P		
Industrial research, development, and testing laboratories.												P
Measuring, analyzing, and controlling instruments; photographic (except chemicals and sensitized materials); medical and optical goods; watches and clocks.												P
Office, computing, and accounting machinery.												P
Pharmaceutical drugs.												P
Production and processing of genetic materials.												P
Prototype or pilot processing, manufacturing, and/or assemble												P
Research and testing facilities.								P	P			
Research oriented and light industrial park uses	C	C	C									
Scientific research, development, and testing laboratories.												P
Space vehicles and parts.												P
RESIDENTIAL USES												
Dwelling unit combined with an office; provided that the proprietor of the office resides in the dwelling unit.							C					
Home occupations	UP	P	UP				C					
Multiple-family dwelling and any use, building, or structure accessory thereto	UP	C	UP									
One dwelling unit within the principal building or structure for security purposes only.				C	C	C						P
Single-family dwellings and any use, building, or structure accessory thereto	UP	P	UP				P					
Two-family dwellings and any use, building, or structure accessory thereto	UP	C	UP				P					
OTHER USES												
Accessory uses, building, or structure	P	P	P	P	P	P		P	P	P		
Agricultural services, including machinery sales and repair establishments, and farm supply stores.					P							
Agricultural uses, as temporary uses prior to development of a parcel in the RTM district.												P
Bus, truck, taxi, and rail terminals	C	C	C					C				

Northfield Township
Non-Residential District Use Matrix

	WLD-D	WLD-NV	WLD-W	LC	GC	HC	RO	LI	GI	ES	PSC	RTM
Commercial communications apparatus (Cell Towers)			C	C	C	C	C		C			P
Controlled uses as defined in section 36-710.					C							
Drive-through facilities for a use permitted in the GC district					C							
Essential services	P	P	P	P	P	P	C	P	P			
Funeral establishments	C	C	C									
Funeral establishments, mortuary.					C							
Open air display area for the sale of manufactured products	C	C	C		C			C				
Outdoor storage of materials and equipment to be used as part of the principal business, and products resulting from the principal business,								C				

**Northfield Township
Residential District Use Matrix**

	RC	AR	LR	SR-1	SR-2	MR	MHP
Church, synagogue, cathedral, mosque, temple, or other building used for public worship or a cemetery.		C	C	C		C	
Church, fire station, police station, government office building, and similar government buildings.							C
ASSEMBLY USES							
Church, fire station, police station, government office building, and similar government buildings.							C
Community or governmental building.		C					
Primary and secondary school, college and university.						C	
Primary and secondary school.				C			
Public and private nursery school, primary and secondary school.			C				
Public or private nursery school, primary or secondary school, business school, college, and university.		C					
Public or private nursery, primary, and secondary school, or day care center.							C
DWELLING USE							
Farm labor housing as an accessory use to a farm comply with all state, county, and local health, building, and zoning regulations.		C	C				
Home occupation.	P	P	P	P	P	P	P
Manufactured home dwelling units.							P
Multiple-family dwelling and any use, building or structure accessory thereto.						P	
Open space development in accordance with sections 36-718 and 36-726.		P	P				
Open space development where a minimum of 50 percent of the total buildable area is permanently preserved as dedicated open space				P	P		
Open space development where less than 50 percent of the total buildable area is permanently preserved as dedicated open space		C	C	C	C		
Planned unit residential development						P	
Single-family dwelling and any use, building or structure accessory thereto.	P	P	P	P	P	P	P
Two-family dwelling and any use, building or structure accessory thereto.		P		P	C	P	
MEDICAL AND CARE USES							
Adult foster care family homes, foster family homes, and foster family group homes.	P		P				
Child care and group child care home	C			C	C	C	
Child care centers and group child care homes.			C				
Family child care homes	P		P				
Family child care homes, adult foster care family homes, foster family homes and foster family group homes.		P		P	P		
Group child care homes, adult foster care family homes, foster family homes and foster family group homes.						P	
Group child care homes.		C					
Hospital, nursing home, or sanitarium.		C					
Medical and dental clinic, when associated with a hospital, nursing home or sanitarium.						C	
Public and private nursery school, primary and secondary school.			C				
Public or private nursery school, primary or secondary school, business school, college, and university.		C					
Public or private nursery, primary, and secondary school, or day care center.							C
Veterinarian or animal clinic and kennels		C					

**Northfield Township
Residential District Use Matrix**

	RC	AR	LR	SR-1	SR-2	MR	MHP
AGRICULTURE USES							
Agriculture/tourism business	C	C					
All buildings and structures accessory and incidental to permitted uses in this district.	C						
Bulk feed and fertilizer outlets.		C					
Farm labor housing as an accessory use to a farm		C	C				
Farm market/roadside stand.	P	P	P				
Farms and farming operations, including a riding academy or stable.	P	P	P				
Growing, stripping and removal therefrom of sod provided that said lot or portion thereof shall be reseeded after stripping by fall of the year in which it was stripped as to reduce the actual or potential erosion of soil by water or wind.	P	P					
Landscape nurseries, greenhouses, and landscaping businesses		C					
Maintenance of animals, not as part of a farm or farm operation and not for the purpose of commercial production of farm products	P	P	P				
Pick your own agricultural products including berries and similar products.	P	P	P				
Public and private conservation area and structure for the development, protection and conservation of open space, watersheds, water, soil, forest, and wildlife resources.	P	P	P				
Raising or growing of plants, trees, shrubs and nursery stock.	P	P					
Removal of soil, sand, gravel, and other materials. See section 36-700.		C					
RECREATIONAL USES							
Club, golf course and country club house, swimming pool, golf driving range, and sale of food, beverages, and recreation equipment which is incidental to a permitted principal recreation use.	C						
Country club, public swimming pool, and recreation club, public and private park and playground			C	C			
Golf course with golf driving range.			C	C		P	
Gun clubs		C					
Marinas, boat launching facilities, and related sales and services, and similar water-related uses and structures; public beaches, swimming pools, and bathhouses	C						
Public and private camping ground.	C						
Public and private recreation areas, such as forest preserves, game refuges, recreation parks and reservations, and similar public and private use of low intensity use.		P	P				
Public or private forest preserve, game refuge, park, or similar recreation areas of low density and which utilize the natural features of the land.	P						
Public or private park, camping ground, golf course, golf driving range, club, hunting lodge, garden nursery, commercial greenhouse, and livestock auction yard		C					
PUBLIC UTILITIES							
Commercial communications		C	C				
Commercial communications apparatus, if located on existing commercial communications or electrical towers, or other existing appropriate structure	C			C	C	C	C
Distribution lines and structures, not including buildings, of essential services	P		P				
Essential services	C	C	C	C		C	
Public utility structure located on the surface of the ground including but not limited to transformer sub-stations, pumping stations, communications relay stations, gas and steam regulating valves and stations		C		C	C		
Public utility structures	C		C				

**Northfield Township
Residential District Use Matrix**

	RC	AR	LR	SR-1	SR-2	MR	MHP
Sanitary land fill site.		C					
Transmission lines and structures, not including buildings, of essential services	C						
OTHER USES							
Airport.		C					
Bed and breakfast operations.	C	P	C	C	C		
Commercial and service establishments							C
Funeral establishment.						C	
Radio and television broadcasting and receiving antenna	C	C					
Sawmills.		C					
Woodworking shop involved in the making of cabinets, furniture, and similar products from wood, but not including a sawmill		C					

(ATTACHMENT 3)

January 14, 2016

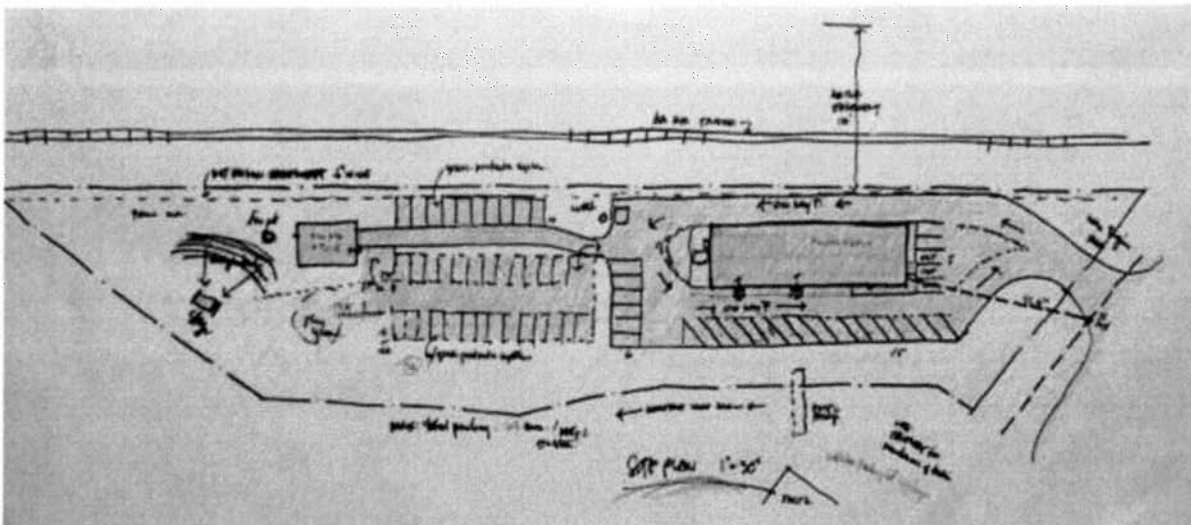
To: Northfield Township Planning Commission

Subject: Request for Change in the General Commercial Ordinance by Living Water Church

Living Water intends to purchase 200 Barker Road for use as a ministry center. One condition of our purchase is that Northfield Township approve of the use of this property as a church. The property is zoned General Commercial. We therefore request the zoning ordinance be changed to permit churches or provide for conditional use by churches. If the zoning is changed to allow for conditional use, then Living Water requests approval for such use based on the following rationale:

This property will provide Living Water with a permanent presence in Whitmore Lake and enable us to expand our ministries to serve Whitmore Lake and the surrounding communities. Living Water has held worship services in the Whitmore Lake High School since 2006. In addition, we have provided a number of programs such as mentoring and tutoring students, Mothers of Preschoolers, Financial Peace University, Vacation Bible School, etc. We have also partnered with Northfield Human Services to provide replenishment for the food pantry, turkeys at Thanksgiving, Christmas gifts for the disadvantaged, etc.

With a full-time presence in Whitmore Lake, we plan to expand these ministries and also provide pre-natal medical services in partnership with St. John's Providence and the 52 Mobile Clinic, a divorce recovery program, an indoor children's play area where mothers can socialize while watching their children, a safe and supervised "hangout" for youth, etc. In addition, we plan to relocate our worship service to the Barker Road facility and make the space available to the community for bridal showers, civic meetings, etc. This will require site work to increase the available parking spaces to 62 with a one-way traffic flow, entering on the east side of the building and exiting on the west side (see sketch below).



I am glad to answer any questions you may have with regard to this request.

Sincerely,

Frank Murdock, Elder
Living Water Church
734-417-7073

(ATTACHMENT 4)

Planning Commission Future Goals and Objectives - 2016

Qtr.	Status	Objective	Comments	Origin
		Review of Business Oriented Zonings	(ask for Planner/Staff Recommendation)	Entire Commission
		Streamlining CUP/Site Plan Process	(ask for Planner/Staff Recommendation)	2015 Priorities
		Township Trail Plan including neighboring Trail Heads	(in conjunction with Parks & Rec)	Commissioner Dignan
		Density of the Agricultural District	(5 acre vs. 2.5 acre)	Commissioner Iaquinto
		Agricultural Survey	??	
		Public Lands Zoning	(ask for Planner/Staff Recommendation)	Commissioner Dignan
		PDR/TDR Viability in Northfield Township	(ask for Planner/Staff Recommendation)	Planner/Staff
		Land use analysis of our current zoning and master plan to determine what a potential build out might look like		Commissioner Chockley
		Study of the economic impact of agriculture in the township		Commissioner Chockley
		Main Street concept and an evaluation of business opportunity and challenges in the downtown		Commissioner Chockley

Retreat/Workshop Topics (Objectives):

- Explore other rebounded lake towns & what allowed them to redevelop into what they are today.
- What does a successful vibrant small town community with a successful rural preservation plan look like?
- What does a developer look for when exploring a property for residential housing?

(ATTACHMENT 5)

Memo

To: Northfield Township Board
From: Howard Fink
Date: 2/25/2016
Re: Informal Requests to the Planning Commission

Dear Planning Commission,

At the last Planning Commission meeting discussion ensued on informal requests made to the planning commission and how that communication is received and processed. Specifically, the issue of Living Waters request was addressed. Please allow this memo to serve as some background information, an explanation of the process staff followed, and our procedures moving forward.

On Friday, January 15th, I received an email from an Elder of Living Water Church which requested a Change in the General Commercial Ordinance by Living Water Church. The document is addressed to the Planning Commission and was sent to me as an avenue for it to be distributed to the full Commission. The document (attached) outlined the Church's desire to purchase the property at 200 Barker Road for use as a ministry center. Specifically, the document states:

Living water intends to purchase 200 Barker Road for use as a ministry center. One condition of our purchase is that Northfield Township approve of the use of this property as a church. The property is zoned General Commercial. We therefore request the zoning ordinance be changed to permit churches or provide for conditional use by churches. If the zoning is changed to allow for conditional use, then Living Water requests approval for such use based on the following rationale:

It is clear that Living Water recognizes that the underlying zoning does not permit churches and has requested that the planning commission review the ordinance and potentially allow churches in General Commercial. They further acknowledge if that if the planning commission changes the ordinance, they would be requesting either a site plan approval or conditional use approval, which ever applies.

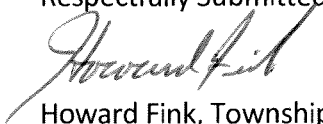
This request is not a rezoning application, but a request for the Planning Commission to review and possibly change the ordinance. One of the functions of the Planning Commission is to discuss debate, review and sometimes change ordinances to achieve a larger vision for the community. This type of request to alter a zoning ordinance does not have a formal procedure in our process, as it does not constitute an actual development request. In this instance, the request is

simply correspondence that is proper to be distributed to the Planning Commission and consultant planner. Once the Planning Commission and consultant planner review the correspondence, it is then the commission's pleasure on how to proceed.

Zoning and Planning Process can often be confusing to petitioners. In this instance, Ignoring the request would be problematic, as there is a clear desire on the part of the Church to actively pursue a process to locate in Northfield Township. While I am NOT offering legal advice, practically speaking, I would be uncomfortable denying this correspondence a path to the planning commission. In my opinion, not providing the correspondence could be construed as preventing due process.

Moving forward, It may be appropriate to create a more formal application and process for requesting a change in an ordinance. I defer to our Planner if this is a necessary change and what such a process should look like.

Respectfully Submitted,

A handwritten signature in cursive script, appearing to read "Howard Fink", written in dark ink.

Howard Fink, Township Manager

NORTHFIELD TOWNSHIP PLANNING COMMISSION Minutes of Regular Meeting February 17, 2016

1. CALL TO ORDER

The meeting was called to order by Chair Kenneth Dignan at 7:02 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
Kenneth Dignan	Present
Sam Iaquinto	Present
Larry Roman	Present
Mark Stanalajczo	Absent with notice

Also present:
Township Manager Howard Fink
Assessing & Building Assistant Mary Bird
Planning Consultant Sally Hodges, McKenna Associates
Recording Secretary Lisa Lemble
Members of the Community

4. APPROVAL OF AGENDA

- **Motion:** Iaquinto moved, Chick supported, that the agenda be adopted as presented
Motion carried 6—0 on a voice vote.

5. FIRST CALL TO THE PUBLIC

No comments.

6. CORRESPONDENCE

Dignan referred to correspondence in Commissioners' packets.

7. REPORTS

7A. Board of Trustees

Chick reported that on February 9th among other actions taken the Board adopted the Parks & Recreation Master Plan.

7B. ZBA

Chockley reported that one of the four sign variances requested by Nowatzke Truck and Trailer was approved and the rest were denied.

7C. Staff Report

Nothing to report.

7D. Planning Consultant

Hodges introduced herself.

8. PUBLIC HEARINGS

None.

9. OLD BUSINESS

9A. Lake Overlay Zoning.

Hodges reviewed the proposal prepared by Leah DuMouchel of Beckett & Raeder and recommended considering building code requirements and what is needed for safe parking on these small lots. The Board discussed other elements of the proposal including rear and side yard setbacks, setbacks from the lake, impervious surface, and the difference between lakefront areas and the Summer Homes subdivision.

9B. Consider the addition of churches as a conditional use in the General Commercial (GC) District.

Dignan and Iaquinto said during the last week they took on positions of responsibility within Living Water Church (which initiated this request) that have created a conflict of interest with this request, so they are recusing themselves. Dignan turned over conduct of the meeting to Chick for this portion of the agenda.

Regarding the question of whether churches should be permitted in the GC district, Hodges said the federal Religious Land Use and Institutionalized Person Act (RLUIPA) does not exempt churches from zoning regulations, and she said they should be allowed in districts with similar uses where they are not currently allowed—LC, HC, GC, ES, and PSC.

Regarding whether the site under discussion should be rezoned to a WLD district, Hodges noted some major differences from GC including parking and building setbacks and dimensional requirements for new construction. As to what the boundaries of the WLD should be, she reviewed how such a zoning change would affect this site and other businesses nearby noting there would be pros and cons with each district.

The Board discussed the need to review the zoning ordinance and court rulings since RLUIPA was adopted to insure legal compliance and consistency, and expressed concern about unintentionally creating a burden on the owners of this property and others nearby by placing them in the VC district.

- **Motion:** Roman moved, Chockley supported, that the Planning Commission review all current zoning districts for compliance with the Religious Land Use and Institutionalized Person Act (RLUIPA) and make any compliance determinations and adjustments. **Motion carried 4—0—2 on a roll call vote, Dignan and Iaquinto abstaining.**

10. NEW BUSINESS

None.

11. MINUTES

February 3, 2016, Regular Meeting

Chockley made several minor corrections.

- **Motion:** Dignan moved, Iaquito supported, that the minutes of the February 3, 2016, regular meeting be approved as **presented**, and to dispense with the reading. **Motion carried 6—0 on a voice vote.**

12. POLICY REVIEW AND DISCUSSION

A. Goals and Objectives for 2016. Commissioners reviewed goals and actions from 2015 and stated preferences for items to work on in 2016.

- **Motion:** Iaquito moved, Chick supported, that Cobalt Research appear at the Commission's next meeting and present the survey they have prepared thus far.

Fink said he can review the Cobalt contract to see if that is supported by the financial arrangements in it. Iaquito said he would like them to appear unless they have a scheduling conflict.

Motion carried 6—0 on a voice vote.

It was noted the sewer capacity study will be available in the next 2-3 months. Other areas of interest included:

- having the planning consultants review business-oriented zoning districts and make recommendations for changes
- creating a trail plan connecting to surrounding Townships
- studying other lake communities for ideas to implement here
- determining whether PDR and TDR programs would be useful for the Township
- surveying agricultural activity in the Township to determine its economic impact, and

- studying the effect 2.5 acre zoning would have on the AR district.

Dignan asked Commissioners to email him other topics to consider at future meetings.

13. SECOND CALL TO THE PUBLIC

Faith Wheeler, 371 Grove, commented on the GC zoning issue, raising the issues of potentially hazardous materials being taken through the Township by rail and FEMA changes to the floodplain designations in that area.

Craig Warburton, 450 W. Joy Road, commented on the proposed by-laws and the approval process for them, the Cobalt survey, comments made by Commissioner at the last meeting and in responses to his emails.

14. COMMENTS FROM THE COMMISSIONERS

Commissioners welcomed Hodges, announced a Michigan Association of Planners educational opportunity, and reviewed at length how various types of items may come to be placed on an agenda.

15. ANNOUNCEMENT OF NEXT MEETING

March 2, 2016, at 7:00 P.M. at the Public Safety Building was announced as the next regular Commission meeting time and location. Dignan noted agenda items will include the Biltmore request under Old Business and continued discussion of how informal requests are handled by the Commission.

16. ADJOURNMENT

- **Motion:** Iaquito moved, Roman supported, that the meeting be adjourned.
Motion carried 6—0 on a voice vote.

The meeting was adjourned at 9:03 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 _____, 2016.

Kenneth Dignan, Chair

Mark Stanalajczo, Secretary

Official minutes of all meetings are available on the Township's website at
<http://www.twp-northfield.org/government/>