

City of Howell
Planning Commission
April 20, 2016
611 E. Grand River Avenue
Howell, MI 48843

The regular meeting of the Planning Commission was called to order by Chairman Streng at 7:00 p.m.

PRESENT: Mayor Nick Proctor, Jan Lobur, Robert Spaulding, City Manager Shea Charles, Paul Streng, Jeanette Ambrose, Community Development Director Tim Schmitt, Dick Carlisle of Carlisle Wortman Associates and Recording Secretary Deanna Robson.

ABSENT: Maryanne Vukonich and Erin Britten.

GUESTS: Mike Yost, Wayne Perry, Tony Kisiel, John Eckstein, Holly Osterhout, Lynda and Walt Gerard, Piet Lindhout, Michael O'Leary, Dr. Kellogg.

APPROVAL OF MARCH 16, 2016 MINUTES

MOTION by Ambrose, SUPPORTED by Proctor, "To approve the March 16, 2016 minutes as presented." MOTION CARRIED (5-0-1). Commissioner Ambrose abstained.

CALL TO THE PUBLIC

None.

STAFF REPORT

Timothy Schmitt, Community Development Director, provided updates in addition to his staff report, noting that the alley north of Grand River behind the Heart of Howell will be reconstructed this summer; Parking Lot #2 will be expanded and rebuilt; the Heart of Howell project is ready to undergo the build out of the development's last two open spaces; and the Howell Theater is restoring three apartments on the second floor. He added that the Livingston County Dental Clinic on Byron Road has been approved, is largely a tenant buildout with interior renovations, and plans will be brought to the Planning Commission once they are received for informational purposes. Commissioner Spaulding inquired about the Regal Recycling property and Mr. Schmitt responded that the plans have been approved by the Livingston County Drain Commissioner, but the property owner needs to pay for site violations before the plans are submitted to the City. Commissioner Lobur asked about the gas station on West Grand River, and Mr. Schmitt responded that he has been working with the property owner to ensure maintenance of the property. Mr. Schmitt also informed the Commission that plans have been submitted for the gas station at Grand River and Barnard, but the City is still waiting for the application and permit fees.

PUBLIC HEARINGS

#16-009 – 1601 Town Commons Drive – Town Commons Apartments – Planned Unit Development Amendment

Chairman Streng opened the public hearing at 7:06 p.m.

Community Development Director Schmitt stated that the request is for approval of three carriage house style buildings, as well as an apartment building. Dick Carlisle, Carlisle Wortman Associates, added that the request is for approval of a modified final PUD Agreement; this is a minor change and therefore may be approved by the Planning Commission; the only official difference is the addition of the carriage house building; the proposed carriage style units will be built above 22 enclosed garages; and the proposed apartments will be two bedroom and 1,200-1,300 sq. ft. in size. He noted that the requested changes will be compatible with the Town Commons development. Commissioner Spaulding asked if there would be sufficient parking and Mr. Carlisle responded that there will be a net loss of six parking spaces but the development will gain enclosed garages for residents.

Chairman Streng closed the public hearing at 7:10 p.m.

MOTION by Proctor, SUPPORTED by Spaulding, “To approve the amendment to Town Commons PUD Agreement (#16-009) for 1601 Town Commons Drive, contingent upon revision of the Master Deed, bylaws and Exhibit B if necessary, and meeting all other applicable ordinances.” MOTION CARRIED (6-0).

#16-010 – 1250 Byron Road – Kellogg Dental Expansion and Sign – Site Plan and Special Land Use

Chairman Streng opened the public hearing at 7:12 p.m.

Community Development Director Schmitt opened the topic by stating that the request is for an expansion to the Kellogg Dental offices. No new land will be acquired for the expansion, but the parking will be reconfigured and a new sign is being proposed. The site plan meets all applicable standards. The development is located on two parcels, and staff recommends the combination of those parcels. The request includes a wall sign, which will be attached to a new wall of the building and above the roof line - taller than permitted by the current ordinance. Discussion followed regarding landscaping; the proposed greenbelt waiver; parking; materials used in the proposed sign structure; height and size of the sign; and the suggested combination of the two parcels.

Piet Lindhout, Lindhout Associates, 10465 Citation Drive, Brighton, presented an overview of the site plan. He stated that the plan includes changing staff areas to the front door area and moving the front entrance to the back. He added that the purpose of the wall with the sign was to attract incoming clients to the new entrance, and that the sign will only be visible to drivers entering the property and will be invisible to drivers traveling on Byron Road. He stated that in submitting the plan there was no intent to circumvent the sign ordinance; the building was designed as Dr. Kellogg requested and then the architects reviewed how the ordinance applied to the request. Chairman Streng requested visual confirmation of the sign’s location and visibility to drivers on Byron Road; Mr. Lindhout provided the requested vantage points; and Chairman Streng confirmed that drivers’ views of the sign will be obscured at the property line. Discussion followed regarding view of the building and sign from different vantage points and surrounding properties. Commissioner Spaulding stated that the plan was architecturally pleasing, but stated that the wall is a focal point in and of itself. He also expressed his concern about setting a precedent for future proposed signs. Mayor Proctor and Commissioner Lobur voiced support for

aesthetics of the plan. City Manager Charles noted that approving the sign would set a precedent for future sign requests, and that the Commission may have a different perspective if the features were visible from Byron Road. Commissioner Ambrose questioned placement of the sign in directing pedestrian clients to the entrance and Mr. Lindhout responded that the sign is intended to direct drivers.

Mike Yost, 713 West Grand River, noted his prior involvement in City of Howell government, including the Planning Commission. He stated that the City's sign ordinance has evolved along with building innovations, and added that the original intent was to prevent highway signs in the City. Mr. Yost suggested that the Commission may want to consider changes to the ordinance. He voiced his support for the proposed renovation.

Chairman Streng closed the public hearing at 7:53 p.m.

MOTION by Proctor, SUPPORTED by Lobur, "To approve the Site Plan application (#16-010), including the proposed sign, for 1250 Byron Road, parcel id number 4717-26-400-004 and -005 and allow for a 3,744 square foot addition to the existing dental clinic and reconfiguration of the parking lot subject to the following conditions:

- 1. Planning Commission approval for the sign extending above the roof of the main structure, with the determination that it is still considered a wall sign.**
- 2. Applicant clarifying their usable floor area calculation to determine the parking requirement.**
- 3. Owner combining parcels 26-400-004 and 26-400-005 into one parcel, to meet all applicable setback standards.**
- 4. Planning Commission waiver of the rear yard greenbelt requirement, as it is an existing condition that cannot be met without substantial reworking of the entire site.**
- 5. Meeting all other applicable ordinance standards."**

Chairman Streng commented that it is very seldom that the Planning Commission does not follow staff recommendations; staff continuously provides the Commission with ordinance interpretations; and this occurrence is not a reflection on staff's work. City Manager Charles commented and Chairman Streng concurred that the Planning Commission considered this particular request because it is viewed as a unique situation, and the proposed sign is set back from the edge of the road and is not a prominent feature for drivers. Mayor Proctor recognized Dr. Kellogg for his community contributions and donations for the Downtown Development Authority. Dr. Kellogg responded that he is honored to be part of the community and is glad that he has remained in Howell. **MOTION CARRIED (6-0).**

#16-006 – 102 & 202 West Highland Road – Crossroads Town Center – Conditional Rezoning from B-2 to MXD

Chairman Streng opened the public hearing at 7:59 p.m.

Chairman Streng stated that there have been ongoing discussions regarding the Crossroads Town Center conditional rezoning request, and changes are anticipated regarding the request. Therefore, another public hearing will be scheduled.

Walt Gerard, 1704 Carlisle, asked if fast food drive through restaurants will be allowed on the property if the zoning is changed to General Business. Chairman Streng replied that the Commission will be able to respond once a new request has been submitted. Lynda Gerard, 1704 Carlisle, stated that she and her husband will be out of town for the next meeting. Chairman Streng informed Mr. and Mrs. Gerard that they can send in their comments and they will be read at the meeting and entered into the record.

Chairman Streng closed the public hearing at 8:02 p.m.

Chairman Streng asked Mr. Kisiel if he consented to continue discussions regarding his request and bring the topic back to the Planning Commission in May. Mr. Kisiel agreed. Chairman Streng added that there was a mistake in the minutes of the previous meeting, noting that there was no malicious intent. He apologized for the unintentional, legitimate mistake; stating that staff made the correction as soon as the error was realized. Mr. Kisiel accepted the apology and commented that the error was fixed and staff responded appropriately. Chairman Streng stated that Mr. Kisiel's revised request, along with a public hearing, will probably be included in the May Planning Commission meeting. The Planning Commissioners concurred with the course of action.

NEW BUSINESS

Capital Improvements Plan

Community Development Director Schmitt introduced the Capital Improvements Plan (CIP) draft and stated that the CIP is required by State law and must be adopted by the Planning Commission. He added that the CIP is the first step in the implementation of the Comprehensive Plan. He remarked that it is not a spending plan or budget, but a way for the City to plan for the long-term capital needs of the community. Mr. Schmitt also noted that it facilitates grant funding and is becoming a standard requirement for State funding. Staff will ask for a public hearing in May so that the Planning Commission may adopt the CIP and include it as the Commission's contribution to the budget. Mayor Proctor inquired if the Master Plan can form the template for the CIP and Mr. Schmitt affirmed. Commissioner Spaulding inquired if the City has applied for the SAW (Stormwater, Asset Management and Wastewater) grant and City Manager Charles responded that the City has applied and is preparing to re-apply for the grant; funds have been built in to the 2016-2017 proposed budget; and corresponding expenses can be applied to the grant.

OTHER BUSINESS

Chairman Streng informed the Commission that Stewart Howe's term on the Planning Commission has ended and will not be renewing his appointment to the Commission. He requested a City Council resolution for Mr. Howe's service to the City. The Commission directed staff to prepare a resolution for presentation to Mr. Howe at the May 9th regular Council meeting.

MOTION by Spaulding, SUPPORTED by Ambrose, "To excuse Commissioners Vukonich and Britten from the April 20, 2016 Planning Commission meeting." MOTION CARRIED (6-0).

**MOTION by Spaulding, SUPPORTED by Proctor, “To adjourn the meeting at 8:13 p.m.”
MOTION CARRIED (6-0).**

Deanna Robson, Recording Secretary