

City of Howell  
Planning Commission  
September 21, 2016  
611 E. Grand River Avenue  
Howell, MI 48843

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

COMMISSIONERS PRESENT: Paul Streng, Maryanne Vukonich, Mayor Nick Proctor, Jan Lobur, Robert Spaulding, Jeanette Ambrose.

COMMISSIONER ABSENT: Erin Britten.

ALSO PRESENT: City Manager Shea Charles, Community Development Director Tim Schmitt, and Recording Secretary Deanna Robson.

GUESTS: Howell Area Parks & Recreation Director Paul Rogers, Jerry Douglass, Mark Allen, John and Sherri Kessel, Eric Kraus, Vern and Lana Brockway, Tim Church.

**APPROVAL OF AUGUST 17, 2016 MINUTES**

**MOTION by Ambrose, SUPPORT by Spaulding, “To approve the August 17, 2016 minutes as presented.” MOTION CARRIED (6-0).**

**CALL TO THE PUBLIC**

None.

**STAFF REPORT**

Timothy Schmitt, Community Development Director, provided updates in addition to his staff report, noting that Governor Snyder just signed the Medical Marijuana legislation enacting a package of five laws that will be the basis of regulating the Medical Marijuana industry in Michigan. Staff will review the legislation in depth, which establishes an opt-in provision for municipalities which will require communities to make an affirmative finding to allow any of the following five types of facilities: grower, processor, transporter, tester and provisioning center. The legislation would establish an excise tax and corresponding distribution percentages to different governmental agencies. Municipalities may also be permitted to charge annual licensing fees. The legislation will go into effect in 90 days and the State has one year to implement the legislation. Chairman Streng noted that medical marijuana is still considered illegal by the federal government.

**NEW BUSINESS**

**#14-023 – 1450 MCPHERSON PARK DRIVE – SITE PLAN EXPANSION**

Community Development Director Schmitt displayed and reviewed the submitted plans, noting that the plans include a new building on the south end, there are no formal tenants at this time, and staff has no concerns.

**MOTION by Proctor, SUPPORT by Lobur, “To extend the site plan 1450 McPherson Park Drive, parcel id number 4717-35-100-008, subject to all of the previously approved conditions of approval.” MOTION CARRIED (6-0).**

**#16-022 – 1345 LAKESIDE LOT SPLIT/COMBINATION**

Community Development Director Schmitt introduced the topic stating that the property owner at 1345 Lakeside approached the property owner at 1363 Lakeside, all property taxes have been paid on both parcels, and staff has no concerns.

Jerry Douglas, 1345 Lakeside, stated that he has been taking care of the property for the last 35 years and it will be used for a boat lift and lake access down the side of the house.

**MOTION by Proctor, SUPPORT by Spaulding, “To approve the land division/combination application (#16-022) for 1345 Lakeside Drive and 1363 Lakeside Drive, parcel id numbers 4717-25-403-018 and -019, to remove 10 feet from 1363 Lakeside and transfer the land to 1345 Lakeside.” MOTION CARRIED (6-0).**

**#16-023 – 940 WEST GRAND RIVER – FRONT PORCH ADDITION**

Community Development Director Schmitt informed the Commission that the property is zoned HL-2 – Historic Limited residential use. The proposed plans are not adding square footage but include a major architectural change to the building. He displayed the plans and explained the submitted plans, noting that they meet all the required standards; the structure does not meet the traditional historic standard because it is less than 50 years old; the proposed change in the roofline does not fundamentally alter the structure; and there is no major change proposed to the architectural integrity.

Sherri Kessel, 940 W. Grand River, stated that the existing porch needs to be replaced and the proposed porch will add more outdoor living space and will better match surrounding houses.

**MOTION by Lobur, SUPPORT by Proctor, “To approve the Site Plan application (#16-023) for 940 West Grand River Avenue, parcel id number 4717-35-201-019, to allow the construction of a covered front porch for the existing house.” MOTION CARRIED (6-0).**

**HOWELL AREA PARKS & RECREATION AUTHORITY TEEN CENTER**

Community Development Director Schmitt stated that staff is seeking approval/affirmation from the Planning Commission for the Howell Area Parks & Recreation Authority to utilize the currently vacant building at 214 North Walnut Street (zoned B-2) for their Teen Center, previously located at the Barnard Center and then moved to the Bennett Center where the teens share space with the senior citizens. He noted that no fundamental changes to the outside and no major modifications to the interior are proposed, which would normally lead to an administrative approval. He added that the property is zoned B-2 but using the property as a Teen Center would be specifically non-commercial, whereas the B-2 district allows commercial recreation facilities. The use will be temporary, staff has no major concerns and is requesting that the Commission formally review the request and confirm that is permitted in the B-2 district.

Discussion followed regarding the proposed temporary use of the space, and Parks & Recreation Authority Director Paul Rogers confirmed that the Authority is negotiating a three year lease with an opt-out clause if the property is sold during that time. Further discussion continued regarding the facility and Mr. Rogers confirmed that there will be adult supervision at all times. Mayor Proctor noted that he would like to see the property used for future commercial development.

**MOTION by Ambrose, SUPPORT by Spaulding, “To affirm that the Howell Area Parks & Recreation Authority Teen Center, a non-commercial use, is permitted in the B-2 district at 214 North Walnut Street.”** Mayor Proctor stated that he will continue to highlight the property for development. **MOTION CARRIED (6-0).**

### **OLD BUSINESS**

#### **MICRO-ALCOHOL ORDINANCE**

Community Development Director Schmitt introduced the topic by stating that the draft ordinance was updated based on the Commission discussion, questions and comments from the August 2016 Planning Commission meeting. He noted that sales information is not tracked by the State, only purchase information. Based on Commission feedback, small distillers were added to the proposed ordinance and all micro-alcohol uses will only be permitted as Special Land Uses. The Commission concurred to hold a public hearing at the October 19, 2016 regular Planning Commission meeting.

Chairman Streng brought up the issue of A frame signs recently observed in the Right of Way, as well as a car for sale parked in a front yard near City Hall.

Chairman Streng expressed his concern over police officers delivering Planning Commission packets to Commissioners and suggested that the Code Enforcement Officer might be a more suitable candidate for the task. City Manager Shea Charles noted that there is a degree of operational efficiency in having packets delivered by the police officers, adding that it does not take them away from other duties and also that the hours of the Code Enforcement Officer vary due to the nature of the job.

**MOTION by Spaulding, SUPPORT by Ambrose, “To excuse Commissioner Britten from the September 21, 2016 Planning Commission meeting.”** **MOTION CARRIED (6-0).**

**MOTION by Lobur, SUPPORT by Proctor, “To adjourn the meeting at 7:52 p.m.”** **MOTION CARRIED (6-0).**

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Deanna Robson, Recording Secretary