

**City of Howell
Planning Commission
January 16, 2019
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.

COMMISSIONERS PRESENT: Paul Streng, Maryanne Vukonich, Mayor Nick Proctor, Erin Britten, Jan Lobur, Robert Spaulding and Chelsea Dantuma.

ALSO PRESENT: Community Development Director Timothy Schmitt and Deputy City Clerk Deanna Robson.

GUESTS: Steve Morgan and John Ditri.

APPROVAL OF MINUTES, DECEMBER 19, 2018 REGULAR MEETING

MOTION by Lobur, SUPPORT by Vukonich, “To approve the December 19, 2018 regular Planning Commission meeting minutes.” MOTION CARRIED (7-0).

CALL TO THE PUBLIC

None.

STAFF REPORT

Community Development Director Schmitt stated that the Brownfield Redevelopment Authority met earlier in the day for an initial discussion regarding “The Pearl” building at 309 East Grand River including development plans for the property. A formal brownfield submittal is anticipated in the near future. The property owner has until June 2019 to begin work under plans previously approved by the Planning Commission.

Mr. Schmitt also noted that building permit extension requests were expected for the assisted living development on M-59 as well as the Soapy Bucket car wash on Grand River.

PUBLIC HEARING

#19-01 – 401 EAST GRAND RIVER – SITE PLAN AND SPECIAL LAND USE – VACANT GAS STATION

Chairman Streng opened the public hearing at 7:03 p.m.

Community Development Director Schmitt stated that the displayed plans were the same as those approved by the Planning Commission in 2016, and no work other than signage had been completed on the property since that approval. Dangerous building proceedings were initiated after the building on the property was broken into and had to be boarded up by City staff due to lack of action and response from the property owner. Plans were submitted by the property owner just before City Council was scheduled to review the dangerous building proceedings. City Council postponed action until January 28, 2019. The plans would also require multiple variance re-

approvals through the Board of Zoning Appeals. Staff suggested postponing action, given the applicant's absence.

Chairman Streng asked if the applicant had submitted a new site plan request and Mr. Schmitt confirmed. Commissioner Spaulding inquired if the applicant had communicated that they could meet the recommended work commencement date of May 1, 2019 and Mr. Schmitt confirmed.

Chairman Streng closed the public hearing at 7:08 p.m.

MOTION by Vukonich, SUPPORT by Spaulding, "To approve the Site Plan and Special Land Use application (#16-020) for 401 East Grand River Avenue, parcel id number 4717-36-307-043, to allow for a new gas station to open on the site, subject to the following conditions:

- 1. The proposed construction and use shall meet all applicable ordinance standards.**
- 2. Building permits shall be acquired for all work on the site.**
- 3. There is no vehicle washing, service, or repair permitted on the site.**
- 4. Inoperative or unlicensed vehicles shall not be stored outside for more than seven (7) days. Such storage shall not occur in front of the building front line.**
- 5. Vehicle sales shall not be permitted on the premises.**
- 6. The applicant shall apply for the necessary variances to address the deficiencies noted for the existing site: the minimum lot area, the canopy height, and the existing building setbacks in the front and side yards.**
- 7. Work shall commence on bringing the site back into operation by May 1st, 2019."**

Mayor Proctor stated that he would not support the motion for the following reasons: the applicant purchased the property in December 2014, but did not submit a site plan until 2016; there has been no activity on the property; the property owner repeatedly ignored ordinance code violations; the City was forced to spend City funds to board the windows; and the applicant presented the same plans only after they were notified about the dangerous building proceedings. The Mayor added that he had no faith that the applicant would meet the proposed requirements; and he questioned their business model and whether it would result in a large enough profit margin.

Commissioner Lobur voiced her agreement with the Mayor's comments, adding that she would like to see the property developed but is hesitant to approve based on the business model.

MOTION FAILED (2-5). Members Proctor, Streng, Lobur, Britten and Dantuma opposed.

Community Development Director Schmitt stated that the next course of action for the applicant would be to appeal to the Board of Zoning Appeals.

NEW BUSINESS

#19-05 – 904 EAST CLINTON – PLANNED UNIT DEVELOPMENT – PRELIMINARY PLAN REVIEW

Community Development Director Schmitt introduced the agenda item, stating that the vacant property is located on the north side of East Clinton between National and Park streets. The applicant has proposed five duplex buildings as affordable housing for residents aged 55 and over. The property was zoned B-2, and the staff review was based zoning of the nearest properties. Variances would be required for front and rear setbacks. The applicant also proposed a six foot

privacy fence as perimeter buffering to adjacent homes. The PUD (Planned Unit Development) ordinance requires a public benefit, and the applicant has proposed a non-specified \$5,000 donation toward improvements at Doc May Park. The final PUD agreement will require Planning Commission review.

Vice Chair Vukonich inquired if the applicant would seek MSHDA (Michigan State Housing Development Authority) financing. Mr. Morgan responded that they would not seek MSHDA financing; the housing will be considered affordable in Livingston County with a price point of under \$250,000, and would not fall under Section 8 housing.

Steve Morgan, 4432 Glen Eagles Court, Brighton, introduced John Ditri, 3119 Hidden Cove Court, Brighton, and informed the Commission that he helped to prepare the application and added that the property offers the security of the City, is walkable to the City center, and is appealing due to its location, size, etc. The development will house residents aged 55 and over; individually owned; all single story; and completely maintenance free. The applicant would like to install a modest gate, not for security, but as a deterrent. The development would not impact local schools and would benefit the community by adding residents and additional tax revenues; increasing recreation through a donation to the local park; and rezoning to a residential use would benefit surrounding residents with less commercial traffic, noise, outside visitors and policing than a commercial development. The development would be ADA (Americans with Disabilities Act) compliant and barrier free, utilizing the accessible mobility universal design, so that retrofitting would not be needed as residents age.

Discussion followed regarding ideas for donations to Doc May Park; planned attics that could also be utilized as additional bedrooms; anticipated 1,200 square foot per unit overall living space; requirements for residents to park vehicles inside their garages; and the anticipated self-policed HOA (Homeowners Association). Vice Chair Vukonich expressed concern regarding the crawlspace and voiced preference for a slab or mechanically vented foundation.

Chairman Streng noted that the official price point would be needed in the final review of the project; and expressed his support for Vice Chair Vukonich's comments regarding the foundation as well as support for affordable housing pricing to encourage residents to remain in the City.

Mr. Morgan confirmed that sample building materials will be presented with the final plan review.

Mr. Schmitt noted that he would work with the applicant regarding the PUD format; modifications to the underlying code are part of the final PUD site plan.

OTHER BUSINESS

Chairman Streng stated the he had completed some research on ordinance changes regarding donation bins based on samples from other communities. Possible changes could include: requiring that the bins are provided by Michigan-based non-profit organizations; collecting application fees; requiring complete contact information; determining rules regarding distances between bin locations on different sites; and requiring a signed affidavit from the property owner. He requested

that staff provide ordinance modifications for review at the February 20, 2019 Planning Commission meeting. The Commission concurred.

Commissioner Spaulding inquired about a joint meeting with the Marion Township Planning Commission, and Chairman Streng stated that he would try to coordinate scheduling with the Marion Township Supervisor.

**MOTION by Proctor, SUPPORT by Spaulding, “To adjourn the meeting at 8:01 p.m.”
MOTION CARRIED (7-0).**

Deanna Robson, Deputy City Clerk