

**City of Howell
Planning Commission
February 21, 2018
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, Jan Lobur, Robert Spaulding and Jeannette Ambrose.

COMMISSIONERS ABSENT: Erin Britten.

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

GUESTS: John Eckstein, Holly Osterholt, Lowell Sprague, Ghassan Abdelnour, Russell Springborn, Tom Houseman, Patrick Cleary, Joni Harvey, Brad Alvord and Debbie Fazica.

APPROVAL OF MINUTES, JANUARY 17, 2018 REGULAR MEETING

MOTION by Proctor, SUPPORT by Vukonich, “To approve the January 17, 2018 regular Planning Commission meeting minutes as presented.” MOTION CARRIED (6-0).

Chairman Streng noted one change to the agenda: consideration of item #9 (#18-02 – 1363 Lakeside Drive – Lot Split request) was postponed until the March meeting per a written request from the applicant.

CALL TO THE PUBLIC

None.

STAFF REPORT

Community Development Director Timothy Schmitt stated that the Howell Estates property management company continues to work with City staff, make improvements and resolve outstanding issues on the site. Three new homes have also been recently installed.

PUBLIC HEARINGS

**#17-30 – 202 WEST HIGHLAND – SITE PLAN AND SPECIAL LAND USE – IHA
MEDICAL OFFICE BUILDING**

Chairman Streng opened the Public Hearing at 7:03 p.m.

Community Development Director Schmitt introduced the agenda item and stated that the issue with the location of the dumpster enclosure has been resolved and the applicant will comply with the City ordinance. The setback is consistent with other buildings along M-59; the shortage of three parking spaces could be accommodated within the overall complex; and staff recommends waiving the requirement of additional trees due to the grade of the south edge of the site and the

utilities located therein. The proposed ground sign is not permitted by code, however two of the three wall signs requested are allowed by ordinance.

Detailed discussion followed regarding signs and corresponding sizes, types, uses, locations and quantity per site. Mr. Schmitt confirmed that directional signs are permitted in any district, with size restrictions, and are not intended to be used as advertising.

John Eckstein, Architect at Lindhout Associates, 10465 Citation Drive, Brighton, Michigan, stated that the two signs proposed along M-59 are intended to provide recognition of the property from either direction. He displayed photos of the Flagstar Bank signs as well as the proposed IHA signs, commenting on the number of signs on the Pet-X property. He added that the IHA building will house three different medical practices originating from different areas, and asked if the Commission would allow two wall signs and an oversized directional sign 20 square feet in size, a minimum of 50 feet from the property line on M-59, if one of the proposed wall signs was removed from the plans.

Discussion followed regarding the need for a sign noting the urgent care facility on site, corresponding hours of operation and sign lighting. Mr. Eckstein noted that the urgent care hours would be noted on the building entry door and the lights would be turned off when the facility is closed.

Debbie Fazica, owner of Pet-X and residing at 83 Flagstaff, Commerce Township, Michigan, stated that she was approached about the easement and IHA using the second driveway, but has not been contacted recently. Patrick Cleary, Boss Engineering, 3121 E. Grand River, Howell, Michigan 48843, responding to Ms. Fazica noting that there are common and private elements on the property: a common entrance for access, parking, etc. and suggested that she refer to the condominium documents regarding the shared driveway. Comments followed from Ms. Fazica and Mr. Eckstein regarding the condominium property and shared access. Business owner issues and disputes surrounding access and maintenance of the property will need to be addressed by attorneys representing the interested parties.

Chairman Streng closed the public hearing at 7:26 p.m.

MOTION by Lobur, SUPPORT by Proctor, “To approve the Site Plan and Special Land Use application (#17-30) for 202 West Highland Road, parcel id number 4717-25-102-005, to allow construction of an approximately 11,500 square foot medical office building on the site, subject to the following conditions (considered individually):

- 1. The construction shall meet all applicable ordinance standards.**
- 2. Modification of the plans to install the proposed dumpster enclosure in a location that complies with the Zoning Ordinance.**
- 3. Modification of the plans to remove the southwest wall sign and to allow for a smaller directional sign for the primary purpose of identifying the urgent care facility, not as an advertising sign, to comply with the Zoning Ordinance, or subject to Board of Zoning Appeals approval.**
- 4. Replatting of the Crossroads Town Center Condominium documents to project parking**

and cross access rights.

5. **Planning Commission waiver of the project perimeter setback of 100 feet to the south, allowing a 50-foot setback along West Highland. (Section 6.22(b)(4))**
6. **Planning Commission waiver of three parking spaces on the site, due to the amount of surrounding parking in the mixed-use project. (Section 10.03(e))**
7. **Planning Commission waiver of four on-site trees, due to the location of the utility easement on the south side of the building. (Section 5.10(f)).”**

MOTION CARRIED (6-0).

#17-29 – 1026 EAST GRAND RIVER – SITE PLAN AND SPECIAL LAND USE – SOAPY BUCKET CAR WASH MODIFICATIONS

Chairman Streng opened the Public Hearing at 7:32 p.m.

Community Development Director Schmitt opened the topic noting that the request includes an extensive overhaul of the property, which will bring it further in line with current ordinance standards. Improvements in the proposed changes include better vehicle maneuvering on site, landscaping and a more aesthetically pleasing building. The main changes from the proposed plan include: a shortage in at least one parking space, but there is not a strong parking demand for this business; the bypass lane will be lost on the north side, but stacking is sufficient; and the building setback is slightly increasing. The design is consistent with other automotive uses in the City. Three vehicle vacuum locations are planned; there is no designated employee parking; and the site will need to comply with barrier free standards.

Russell Springborn, owner of the business located at 1026 E. Grand River, informed the Commission that the proposed project includes an automatic unmanned bay that allows customers to pull in to get their cars washed and dried without being forced to pull out into traffic. The remainder of the building will remain self-service washing bays. The timer on the automatic equipment can be adjusted. He confirmed that the service will be soft touch; payments will be accepted via mobile phone applications and credit cards; after a vehicle is washed, the driver will pull into the next bay for drying, which is faster than washing; and the outside doors will only close during the winter months.

Tom Houseman, Turn-Key Carwash Systems, 4346 Leonard NW, Grand Rapids, Michigan, stated that the system is completely computerized; the exit doors will always be left open; the doors are not airtight, fresh air is continuously allowed in, so no safeguard is needed for carbon monoxide; and the business owner has the discretion to keep the entrance and exit doors open.

Mr. Springborn confirmed that the facility will be open 24 hours per day, 7 days per week. No attendant will be on site. Should any operational issues arise, the owner will be contacted immediately and signs will also be posted on site with contact information.

Mr. Houseman added that the equipment will stop if a malfunction occurs, and the machine cannot constrict on a car. Turn-Key Carwash Systems has been in operation for 50+ years with thousands of similar car washes currently in operation.

Chairman Streng closed the public hearing at 7:48 p.m.

MOTION by Proctor, SUPPORT by Spaulding, “To approve the Site Plan and Special Land Use application (#17-29) for 1026 East Grand River Avenue, parcel id number 4717-36-400-041, to allow for an expansion and renovation to the existing car wash on the site, including expanded vehicle maneuvering, subject to the following conditions (considered individually):

- 1. The proposed construction and use shall meet all applicable ordinance standards and permits shall be acquired for all work on the site.**
- 2. Planning Commission waiver for the required number of parking spaces on the site, five proposed, seven required.**
- 3. Planning Commission waiver for the lack of escape lane, with the finding that it will not have an adverse impact on public safety or convenience of patrons.**
- 4. There is no vehicle washing permitted on the site outside of the building.**
- 5. Vehicle sales shall not be permitted on the premises.**
- 6. No advertising signs may be placed onsite other than the permitted maximum wall and/or ground sign area per Article 7. The prohibited signs include banners and flags.**
- 7. The operations on the site shall comply with all provisions of Article 8 of the Zoning Ordinance.”**

MOTION CARRIED (6-0).

#17-31 – ZONING ORDINANCE UPDATE – MULTIPLE SECTIONS

Chairman Streng opened the Public Hearing at 7:52 p.m.

Community Development Director Schmitt stated that the draft ordinance has been refined and minor changes were implemented based on Planning Commission feedback at the January meeting. He confirmed that updates regarding the Central Business District were removed and options will be addressed separately.

Chairman Streng inquired about Assisted Living facilities and Mr. Schmitt responded that they are included in the definition of Housing for the Elderly, with Nursing Home and Convalescent Centers covered separately.

The Commission concurred to modify the proposed ordinance so that the maximum height of a construction sign shall not exceed eight (8) feet, instead of seven (7) feet.

The Commission also concurred that permission to display a promotional banner for a civic or charitable activity should be moved to Section 7.02 so that no fees would be charged and display of corresponding banners would be authorized by the Zoning Administrator.

Discussion followed regarding storage of recreational equipment on approved, paved areas. Mr. Schmitt confirmed that new or expanded driveways must be paved.

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

MOTION by Spaulding, SUPPORT by Ambrose, “To recommend approval, with the addition of comments made during the discussion period, to the City Council on the proposed ordinance that would make changes throughout the Zoning Ordinance, modernizing and clarifying multiple sections.” MOTION CARRIED (6-0).

NEW BUSINESS

#17-26 – VACANT HIGHLAND – PRELIMINARY PLAN REVIEW – EVANGELISTA DEVELOPMENT ASSISTED LIVING FACILITY

Community Development Director Schmitt reviewed the request, adding that the site is a large seven acre parcel, previously approved for office buildings that were never built. The proposed plans are for a senior continuum of care facility. The front of the building will be two stories, while the middle and rear are only one story. The Michigan Department of Transportation approved the curb cut. The proposed building is 29.5 feet in height, where 25 feet is permitted, but is not out of character for the area due to a three story building to the west. The plan also includes accessory buildings for equipment storage, which may need Board of Zoning Appeals (BZA) approval. The lot is triple fronted, so front parking will be needed and will require a variance granted by the BZA. The building does not meet perimeter setback requirements, however, the northern and northeastern areas of the site are adjacent to MXD zoned property. The applicant will need to meet the open space community amenity requirement in the MXD. A public hearing will be scheduled for the March meeting if the Planning Commission has no major concerns.

Discussion followed regarding the possibility of combining the pedestrian systems; the vacant site to the north of the property owned by the homeowners association, which could be utilized to meet the community amenity requirement; and parking requirements.

Ghassan Abdelnour, GAV & Associates, Inc., 24001 Orchard Lake Road, Suite 180A, Farmington, Michigan 48336, informed the Commission that 35 rooms will have two beds, and the remaining rooms will have one bed. The State of Michigan requires one parking space for every two beds, but the plans include more spaces than generally required and accommodate for staff and shift changes. The proposed building is 86,000 square feet and includes on site doctors and one exam office. The building was designed to appear residential and to match surrounding projects. The two story building includes a roof and gable, and the back area is lower than surrounding houses. The building materials will be comprised of no maintenance stone, brick, and limestone. with shingles on the roof. Mr. Abdelnour displayed architectural renderings of the outside of the building, and added that storage areas were planned to cover needed equipment and to maintain clean and neat areas. A great deal of landscaping has been planned for the site, and more can be added to the back if needed to screen from the residential area. Parking is divided due to the four building wings, and also for aesthetics. Lighting will be directional to the site itself, with no seepage to the neighbors. He noted that most of these types of facilities only need extra parking spaces for visitors. The kitchen and loading area in back will all be screened with landscaping. There will also be an indoor walking area for elderly residents in the winter which will be connected to the exercise room.

The Commission inquired about an outside area for residents, parking, building entry, the loading area for food service deliveries, the storage buildings and similarity to other facilities. Mr.

Abdelnour confirmed that there will be a protected area for residents to go outdoors and sit on benches; employees may enter through the side doors, but visitors must enter through the front for facility safety; the loading area will remain empty except for deliveries 1-2 times per week; food will be housed in a central supply area; a common entrance will be used for incoming food deliveries and outgoing trash; the facility owner currently has three similar locations in southeast Michigan; and the storage buildings will be utilized for maintenance equipment and will be equipped with doors.

Planning Commission consensus was to schedule the public hearing for the March 21, 2018 regular meeting.

#18-01 – 300 SOUTH HIGHLANDER WAY – SITE PLAN – LIVINGSTON COUNTY 911 DISPATCH CENTER

Community Development Director Schmitt reviewed the plan and stated that the proposed location of the dispatch center is to the rear of the existing facility; it will be a two part project; and will be enclosed by fencing. Less landscaping than normally required is proposed due to security requirements of this type of use.

Brad Alvord, Lindout Associates Architect, 10465 Citation Drive, Brighton, Michigan, informed the Commission that the building is designed for wind speeds up to 250 mph, with a hardened shell and clear sight angles to the entryways for the dispatch area in order to maintain visibility to the perimeter of the site. Black vinyl galvanized fencing has been proposed. He confirmed that the building will not be designated as a public shelter according to National Fire Protection Association (NFPA) and Department of Defense (DOD) standards – only credentialed occupants will be permitted to enter the building. He also added that the facility will be 1,200 square feet larger than the existing building, in an attempt to build for future growth. The front parking area on the site will not be fenced. The judicial center will maintain parking to the far south, and they hope that traffic for the dog park will be redirected to that area because front parking is intended for staff fillover. 14-15 cars are expected in the lot at all times for staffing and training. Mr. Alvord noted that the NFPA provides guidelines for construction, whereas 911 International requires adoption of DOD standards.

Patrick Cleary, Boss Engineering, pointed out the parking and perimeter fence location on the drawings.

Joni Harvey, Deputy Director of Livingston County 911 Central Dispatch, 311 S. Highlander Way, Howell, Michigan, stated 911 centers are the central nervous system of public safety, and therefore need to be operational at all times if at all possible. The Livingston County center receives approximately 190,000 calls per year on average. The NFPA sets the standards and guidelines for 911 centers, in addition to DOD standards. The building needs to remain secure and avoid acts of terrorism. The current building is secured and those inside must be credentialed. The 911 Dispatch Center is also Law Enforcement Information Network (LEIN) certified, resulting in even more stringent security requirements.

MOTION by Proctor, SUPPORT by Spaulding, “To approve the Site Plan application (#18-01) for 300 South Highlander Way, parcel id number 4717-34-200-012, to allow for the construction of a new 9-11 Dispatch Center, subject to the following conditions (considered individually):

- 1. The proposed construction and use shall meet all applicable ordinance standards and permits shall be acquired for all work on the site.**
- 2. Planning Commission waiver for the location and amount of trees required for the greenbelt (43 trees required, 11 provided).”**

Chairman Streng proposed a friendly amendment to recommend to City Council that permit fees be waived because the application is from County government. Mayor Proctor voiced his support, adding that the City Attorney previously advised otherwise. Chairman Streng noted that the applicant is purely service and emergency service, and no additional fees should not be added for that type of service. Commissioner Spaulding inquired about funding for 911. Ms. Harvey responded that in Livingston County services are provided by a 100% surcharge; \$1.86 monthly charge is included on mobile phone bills (between state and county fees); they do not receive any money from the County general fund; and their funding is not derived from any property tax fees. Commissioner Spaulding added that although he supports 911, he believes that the City will have fees and costs associated with something that will be used for the whole county and should not be responsible for bearing all of those costs. Community Development Director Schmitt confirmed that the City will incur costs for the project. Mayor Proctor stated that at some point he would like City Council to have the flexibility to waive fees in certain circumstances.

MOTION CARRIED (6-0).

#18-02 – 1363 LAKESIDE DRIVE – LOT SPLIT REQUEST

Postponed until March per applicant request.

OLD BUSINESS

None.

MOTION by Spaulding, SUPPORT by Vukonich, “To excuse Commissioner Britten from the February 21, 2018 Planning Commission meeting.” MOTION CARRIED (6-0).

Commissioner Spaulding thanked Community Development Director Schmitt for all of his work in preparation for the meeting.

MOTION by Vukonich, SUPPORT by Ambrose, “To adjourn the meeting at 8:56 p.m.” MOTION CARRIED (6-0).

Deanna Robson, Deputy City Clerk