

City of Howell
Planning Commission
April 17, 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, Robert Spaulding, Chelsea Dantuma and Erin Britten.

COMMISSIONERS ABSENT: Jan Lobur.

ALSO PRESENT: City Manager Shea Charles, Community Development Director Timothy Schmitt and Deputy City Clerk Deanna Robson.

GUESTS: Melissa Kendall, Andrew Ketchum, Roxanne Sawallich, Steve Morgan and John Ditri.

APPROVAL OF MINUTES, February 20, 2019 REGULAR MEETING

MOTION by Vukonich, SUPPORT by Britten, “To approve the February 20, 2019 regular Planning Commission meeting minutes.” MOTION CARRIED (6-0).

CALL TO THE PUBLIC

None.

STAFF REPORT

Community Development Director Timothy Schmitt stated that the site plan and special land use application was approved by the Planning Commission in February 2018 for the IHA medical facility at 202 West Highland Road. The motion to approve included guidance for a small directional, not advertising, sign for the urgent care facility on the site. The newly proposed sign did not contain any directional elements, and the Commission concurred that the applicant should be referred to the Board of Zoning Appeals, per the motion from the February 21, 2018 meeting.

PUBLIC HEARINGS

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

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

Community Development Director Schmitt stated that the Planned Unit Development (PUD) preliminary plan was submitted in February, and next steps included preparation of final plans, a public hearing and official rezoning to PUD. The proposed development will consist of ten duplexes, some of which are proposed 10 feet from the property line instead of 35 feet. A total of five ordinance deviations will be requested for the project. As outlined in the draft PUD agreement, the applicant is offering \$5,000 to be used for Doc May park. Plans have also been included for enhanced pre-treatment of the stormwater from the site

Roxanne Sawallich, 219 N. National, voiced her concerns regarding neighboring property notifications; traffic; parking; taxes; water and sewer connections, flows, improvements and drainage; the type of development, pricing, size, occupancy limitations and resident age restrictions; property maintenance; and rezoning.

In response to Ms.Sawallich's concerns, Mr. Schmitt confirmed that the City had followed the PUD requirements in the City's ordinance. City Manager Shea Charles stated that, under Proposal A, taxes could only increase at the rate of inflation, but no more than 5%. Steve Morgan, consultant for the developer, 4432 Glen Eagles Court, Brighton, responded to water and sewer concerns, stating that water and sewer system improvements were included with the plans. He also provided information regarding the design of the units, as well as residency and maintenance requirements, citing the condominium documents, master deed, PUD agreement and stormwater agreement.

Melissa Kendall, 225 E. Park, expressed her concerns regarding flooding issues in the area. Mr. Morgan provided information regarding the implementation of bioswales so that storm water will flow into the storm sewer and residents should expect to see a reduction in water flowing into the pond area behind their houses.

Andrew Ketchum, 207 E. Park, inquired about the property line variance, expressing his concern about proximity to his driveway. Mr. Morgan noted that there will be a six foot solid fence between the properties, and that all adjoining property fences will be removed and replaced with new fences, with permission from affected property owners. Mr. Ketchum expressed concern about access to his gate and property if a new fence were installed. A condition was suggested for the motion to allow Mr. Ketchum limited trespass rights in order to access his property. Both the developer and Mr. Ketchum agreed on the condition.

Mr. Ketchum asked about the construction schedule. Mr. Morgan stated that the underground infrastructure was proposed to begin August 1, 2019 with a completion by October 1, 2019, and that actual structures may be built during the same timeframe. Mr. Schmitt confirmed that the City ordinance allows for construction between the hours of 7:00 a.m. and 6:00 p.m. and prohibits construction on Sundays.

Samples of the exterior building materials and roof shingles were displayed. Attics will not be constructed to be used for additional living space. Crawlspace will be completely sealed, insulating and venting controlled, but not intended for storage use.

Chairman Streng closed the Public Hearing at 8:07 p.m.

MOTION by Proctor, SUPPORT by Vukonich, "To recommend approval to the City Council for the Planned Unit Development Agreement and Final Site Plan application (#19-05) from KRS Enterprise LLC for the vacant property at 904 East Clinton, parcel id number 4717-36-402-047, to allow construction of five duplex buildings on the property and all necessary infrastructure, subject to the following conditions:

- 1. The construction shall meet all applicable ordinance standards.**

2. **Modification of the plans to meet all applicable ordinance requirements.**
3. **Finalization of the Planned Unit Development Agreement prior to City Council’s review of the request.**
4. **Construction of a fence and gate with access easement rights in order to allow the property owner at 207 Park Street access to his property.”**

MOTION CARRIED (6-0).

Chairman Streng thanked the local property owners for attending the meeting and addressing the Commission.

Community Development Director Schmitt noted that the Planned Unit Development Agreement and Final Site Plan application would be introduced at the next City Council meeting.

#19-10 – ZONING ORDINANCE UPDATE – DONATION BINS

Chairman Streng opened the Public Hearing at 8:11 p.m. and introduced the letter from City Attorney Dennis Perkins.

Chairman Streng noted that the proposed ordinance would provide the City with more control over the placement of donation bins and that the ordinance also has held up in court in another Michigan community. Commissioner Spaulding inquired about the fee structure. Mr. Schmitt responded that typically the fee is related to activity and administration, and cannot result in a profit for the City. Mayor Proctor asked if existing donation bins would be grandfathered in and Mr. Schmitt replied that they would have 90 days to comply with the ordinance after adoption.

Chairman Streng closed the Public Hearing at 8:15 p.m.

MOTION by Vukonich, SUPPORT by Spaulding, “To recommend adoption of the Zoning Ordinance for Donation Bins to City Council.” MOTION CARRIED (6-0).

2019 – 2024 CAPITAL IMPROVEMENTS PLAN (CIP)

Chairman Streng opened the Public Hearing at 8:15 p.m.

Community Development Director Schmitt informed the Commission that the City is pursuing DWRF (Drinking Water Revolving Fund) and SRF (State Revolving Fund) grants and loans for improvements to the water and sewer systems, which will alter the Capital Improvements Plan before the May 15, 2019 public hearing. Discussion followed regarding items in the CIP. As well as the City’s current budgetary restrictions.

Chairman Streng closed the Public Hearing at 8:20 p.m.

The 2019-2024 Capital Improvements Plan will be on the May 15, 2019 Planning Commission agenda for a second public hearing and potential approval.

MOTION by Proctor, SUPPORT by Britten, “To excuse Commissioner Lobur from the April 17, 2019 Planning Commission meeting.” MOTION CARRIED (6-0).

**MOTION by Spaulding, SUPPORT by Vukonich, “To adjourn the meeting at 8:22 p.m.”
MOTION CARRIED (6-0).**

Deanna Robson, Deputy City Clerk