

City of Howell
Planning Commission
July 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, Jan Lobur, Erin Britten and Chelsea Dantuma.

ALSO PRESENT: Interim City Manager Erv Suida, City Planner Dick Carlisle, Community Development Director Timothy Schmitt and Deputy City Clerk Deanna Robson.

GUESTS: Joe Hammond, Annia Nodarse, David Murphy, Izabela Weiss, John Boris, Pete and Anthony Coratti, Pete Pfeffer, Stephanie Baker, Jennifer Timer, Michael Mulvahill, Donald Langley, Roman Bonislawski and Phil Baylur.

APPROVAL OF MINUTES, JUNE 19, 2019 REGULAR MEETING

MOTION by Vukonich, SUPPORT by Proctor, “To approve the June 19, 2019 regular Planning Commission meeting minutes as presented.” MOTION CARRIED (7-0).

CALL TO THE PUBLIC

None.

STAFF REPORT

Community Development Director Timothy Schmitt stated that development activity levels in the City have increased and are already higher than last year in regards to numbers of site plans, permits and revenue. He added that the group housing ordinance change would be brought forward for a public hearing in August.

Chairman Streng confirmed that Mr. Carlisle would be in attendance at the August 21, 2019 Planning Commission meeting.

Dick Carlisle, Carlisle Wortman Associates, informed the Commission that the City has retained special counsel on the group housing issue. Research began with transitional homes and sober living homes, and as advised by Council, has been broadened to include forms of various housing as information became available. He noted that data points and preliminary findings were contained in his report, including different types of housing in the City versus in the surrounding area. The City of Howell is the county seat, and that may be one of the reasons for the higher concentration of group housing therein. Provisional housing has been included in the City ordinance for several years, and the current provisions in the City ordinance for transitional housing are inadequate for what has been occurring in the industry. Discussion followed regarding provisional and transitional housing definitions, interpretations, special accommodation uses and classes of individuals, and protections under the Federal Fair Housing Act and the Americans with

Disabilities Act. Mr. Carlisle suggested replacing the ordinance language and referring to special accommodation uses with the provisions intended to allow consideration of different types of residential housing while still recognizing the needs and interests of the neighboring residential homeowners. Two classes were recommended for the ordinance, both of which would require Planning Commission review and approval. Also under consideration was a licensing ordinance, similar to rental registrations, which would include operating conditions.

Vice Chairperson Vukonich inquired about density and Mr. Carlisle responded that there is a standard that allows Planning Commission review. Ms. Vukonich recommended that guidelines be included in the proposed ordinance.

Mayor Proctor inquired about benchmarking and best practices. Mr. Carlisle referenced his research, noting that there is substantial information on the issue of special accommodation uses, however, there is significantly less information regarding sober living homes and their roles in addressing needs similar to those of special accommodation uses. He added that there were newer and different approaches to treatment than in years past, noting the changing needs of society. Discussion followed regarding accommodations; substance abuse and disability classifications; and treatment facility identification requirements

Mr. Schmitt stated that any licensing would require an amendment to the building code and would need approval from City Council.

PUBLIC HEARINGS

#19-19 – 910 SOUTH MICHIGAN AVENUE – MODIFICATION TO FORM BASED CODE REGULATING PLAN

Chairman Streng opened the public hearing at 7:25 p.m.

Mr. Carlisle noted that there are designated site types designed to regulate the Form Based District. The site under consideration was originally listed as site type B, but the applicant acquired additional adjacent property and consolidation of the properties would now qualify as site type C, which could allow a larger multi-tenant retail building. Parcels of varying sizes are located throughout the Form Based District, and the original intention was to encourage consolidation of smaller parcels into developable sites. According to City ordinance, the Planning Commission must review and approve any site type changes in the district. He added that the requested modification would meet the intent of the district; the proposed commercial use was consistent with the master plan; no additional curb cuts would be added onto Michigan Avenue as all access would be through a private drive.

Community Development Director Schmitt provided the property parcel numbers: 4717-01-101-008, 009 and 010.

Chairman Streng inquired about the possibility of future industrial development on the property and Mr. Carlisle responded that future developments would still be restricted by building form and other requirements. Mr. Schmitt added that an industrial development would require a Special Land Use approval.

Stephanie Baker, 904 S. Michigan Avenue, inquired about the potential for increased traffic in the area. Chairman Streng responded that concerns such as traffic would be taken into consideration once a site plan was received from the developer; and local residents and business owners would receive notice of public hearings by the Planning Commission and City Council.

Chairman Streng closed the public hearing at 7:37 p.m.

MOTION by Proctor, SUPPORT by Spaulding, “To approve the modification to the Form Based Code from Building Form B to Building Form C on parcel id numbers 4717-01-101-008, -009 and -010.” MOTION CARRIED (7-0).

Chairman Streng stated that the site plan would still require review, and the change in zoning did not automatically guarantee future site plan approval.

#19-20 – 316 EAST GRAND RIVER AVENUE – REZONING FROM P-1, PARKING, TO CBD, CENTRAL BUSINESS DISTRICT

Chairman Streng opened the public hearing at 7:41 p.m.

Community Development Director Schmitt stated that the site was one of two parcels in the City that was zoned P-1 with a building on site, and CBD was recommended as much more appropriate zoning for the property.

Chairman Streng closed the public hearing at 7:43 p.m.

MOTION by Proctor, SUPPORT by Lobur, “To recommend approval to the City Council for the rezoning request (#19-20) from Roman Bonislawski, on behalf of Coratti’s Restaurant for 316 East Grand River Avenue parcel id number 4717-36-308-038, from P-1, Vehicular Parking, to CBD, Central Business District.” MOTION CARRIED (7-0).

NEW BUSINESS

#19-20 – 316 EAST GRAND RIVER AVENUE – SITE PLAN

Community Development Director Schmitt informed the Commission that the applicant had proposed an addition of approximately 1,000 square feet to the front of the existing building, which would also make the structure closer to Grand River and consistent with many other buildings in the area. He noted that the site would meet all CBD zoning and would be an excellent addition to the eastern entry to downtown. Site plan approval would still be subject to Council approval of the ordinance and zoning change.

Roman Bonislawski, 275 E. Frank Street, Birmingham, MI 48009, complimented Mr. Schmitt on his summary of the project. Vice Chair Vukonich inquired about the location of the handicapped parking spaces and Mr. Bonislawski responded that there will be accessible entrances and parking in both the front and rear of the building. Commissioner Spaulding requested landscaping at the driveway for residential neighbors and the applicant readily agreed to comply.

MOTION by Proctor, SUPPORT Lobur, “To approve the Site Plan application (#19-20) for 316 East Grand River, parcel id number 4717-36-308-038, to permit construction of a 1,017

square foot building addition to the existing building and convert the interior to a new restaurant, with two bocce courts and two outdoor seating areas, subject to the following conditions:

- 1. City Council approval of the rezoning of the property from P-1, Vehicular Parking, to CBD, Central Business District;**
- 2. The construction shall meet all applicable ordinance standards;**
- 3. All signage on the site shall meet ordinance requirements and permits be applied for prior to installation;**
- 4. Landscaping at the street and the two islands on either side of the driveway.”**

MOTION CARRIED (7-0).

#19-18 – 1480 MCPHERSON PARK DRIVE – SITE PLAN

Community Development Director Schmitt summarized the project, reviewed recent expansions and reviewed current plans. Since submittal of the plans, plans changed from the two proposed scrap sheds to one scrap shed rotated 90 degrees on the north side of the building to allow for better access. Doors to the scrap shed would be closed at all times except when in use. He noted that the proposed addition would have no impact to the wetlands and that there were no major staff concerns.

Phil Baylur, 7497 Ornoff, Fenton, stated that he had been working with Thai Summit for the past 30 years and apologized for the late shed change. He noted that the expansion was required for a new project with Ford Motor Company.

Michael Mulvahill, 721 W. Washington, inquired about the existing and proposed retention basins. Annia Nodarese, 7050 W. Saginaw, Lansing, responded that plans included covering the existing retention basin and relocating it to the other side of the site.

MOTION by Lobur, SUPPORT by Britten, “To approve the Site Plan application (#19-18) for 1480 McPherson Park Drive, parcel id numbers 4717-35-300-008 and -009, to permit construction of a 49,492 square foot building addition to the existing manufacturing plant and a 40x54 scrap shed (and eliminate the west scrap shed), along with substantial changes to stormwater and circulation on the site, subject to the following conditions:

- 1. The proposed construction and use shall meet all applicable ordinance standards and permits shall be acquired for all work on the site.”**

MOTION CARRIED (7-0).

#19-21 – 121 SOUTH WALNUT – SITE PLAN MODIFICATION

Community Development Director Schmitt informed the Commission that the applicant has requested several minor changes to the previously approved plans including moving the placement of the CO2 and glycol tanks outdoors. The requested changes are consistent with other projects in the surrounding area.

Izabela Weiss, Think Shop, 1420 Washington Blvd., Detroit, stated that they were initially trying to place as much equipment as possible on the roof but had to make changes, and screening has

been added; the ADA ramp will be widened ramp for accessibility and deliveries; and they are proposing paving the inside patio for maintenance and safety.

MOTION by Lobur, SUPPORT by Britten, “To approve the modified Site Plan (#19-17) for 121 South Walnut, parcel id number 4717-36-307-020, to modify the previously approved plans to add two outdoor equipment areas on the east side of the building, which will be fully screened, along with access modifications associated with these changes, subject to all of the conditions of approval from the November 14, 2018 Planning Commission review.” MOTION CARRIED (7-0).

#19-22 – 170 CATRELL – SITE PLAN EXTENSION

Community Development Director Schmitt noted that the applicant had continued to work on fundraising and hoped to begin construction in the near future.

MOTION by Spaulding, SUPPORT by Dantuma, “To extend the site plan for Recycle Livingston’s new office building on the property at 170 Catrell, parcel id number 4717-36-400-029, subject to all the previously approved conditions of approval.” MOTION CARRIED (7-0).

Chairman Streng inquired about the illegal signage on the IHA building. Community Development Director Schmitt responded that the property owners initially thought that the signage would be acceptable based on the signage at the neighboring property; the signage will be removed; and IHA has applied for a variance through the Board of Zoning Appeals for a ground sign on the site.

Commissioner Lobur inquired about the vacant gas station at 401 E. Grand River. Mr. Schmitt responded that staff would follow up with the applicant who had not yet picked up the building permit.

MOTION by Vukonich, SUPPORT by Spaulding, “To adjourn the meeting at 8:14 p.m.” MOTION CARRIED (7-0).

Deanna Robson, Deputy City Clerk