

TYRONE TOWNSHIP PLANNING COMMISSION

Approved Regular Meeting Minutes

February 8, 2005 7:30 p.m.

PRESENT: Sally Eastman, Dave Hanoute, Richard Hartigan, Steve Hasbrouck, S. Randy Laue

ABSENT: Joe Fumich, Laurie Radcliffe

CALL TO ORDER: 7:30 p. m. by Chairman Hasbrouck

PLEDGE OF ALLEGIANCE:

CALL TO THE PUBLIC:

Cliff Allen, 10480 Denton Circle, said he wanted to discuss a bill he had received for a fire run. Mr. Hasbrouck explained that the Planning Commission did not deal with fire department issues. Mr. Laue told him that there would be a special Township Board meeting on Thursday which he could attend or there would be a regular Township Board meeting on February 15, 2005 where he could bring up the subject.

APPROVAL OF AGENDA: Approved as presented

APPROVAL OF MINUTES:

January 11, 2005, approved as corrected:

Page 3, Line 4: (...easement should **be** labled...)

Page 3, Line 19: (...to the developers although ~~the~~...)

Page 3, Line 26: (...had been raised ~~since~~ recently.)

Page 3, Line 28: (...noted that **the** township...)

Page 5, Line 35: (...suggested that an **addition** apartment could be added...)

January 25, 2005, approved as corrected:

Page 1, Line 44: (...because **he** had planned...)

Page 2, Line 25: (...allowed a **form** ~~from~~ of...)

Page 3, Line 15: (...based **on** the same formula...)

Page 4, Line 10: (...probably should ~~probably~~ be located...)

Page 5, Line 18: (...alternate **while** Joe Fumich is absent.)

CORRESPONDENCE:

- 1) Letter from Rowe Incorporated regarding the Fenton Township Master Plan amendment schedule.

The letter was received and placed on file

- 2) Memo from Dave Chenault, Township Ordinance Enforcement Officer, for consideration of revisions to the sign ordinance for regulation of seasonal signs and yard sale signs

Mr. Van Hecke commented that many of the signs posted around the township were temporary signs or seasonal signs and many of them were put up on telephone poles. He suggested establishment of some simple regulations and a small fee so that we would have a record of the signs and could establish a time period for their display.

Mr. Fecho, Township Planner, commented that regulating signs of this type created enforcement problems. Getting the signs down was a much bigger problem than issuing the permits and it took a lot of effort to enforce the regulations.

Mr. Hasbrouck observed that the Township no longer had an enforcement officer and asked to have the request added to the Planning Commission's list of future projects.

SUBCOMMITTEE REPORT:

- 1) Request of **William Staricha** for land division of property at 12275 Alcoy Drive, Section 35, FR parcel 35-200-009, to create proposed parcels 'A,' 'B' and 'C.'

The Subcommittee had recommended Planning Commission review of Mr. Staricha's land division request pending receipt of a revised drawing showing the actual location of the driveway access for proposed parcel 'A.'

Mr. Hanoute commented that when the request had been reviewed earlier, it had been determined between the Planning Commission and the Assessor that the applicant did not have rights of access to proposed parcel 'A' from the property on the west where the cul-de-sac occurs. Based on the revised drawing, we still have to question the access and there is no documentation which would suggest that he has rights to the private cul-de-sac easement.

MOTION: Moved by Hanoute, seconded by Laue, to table the request pending clarification of the access for Parcel 'A' by documentation of Mr. Staricha's right to use the private cul-de-sac easement on parcels 35-200-018 and 35-200-019 or by locating an access easement across his own parcel. Motion carried by voice vote.

OLD BUSINESS:

- 1) Finalization of open space ordinance language

Mr. Hasbrouck informed the Planning Commission that the public hearing did not reference the changes to the text in Section 21.51, so he had asked to have the hearing re-advertised. He also wanted to discuss increasing the wet land open space ratio allowance to thirty five (35) or forty (40) percent for inclusion in the new hearing.

During discussion of McKenna's recommended changes to the open space ordinances (dated 2/2/05), the Planning Commission considered:

- Maintaining the open water percentage at twenty-five (25) percent;
- Increasing the protected wetland percentage to thirty-five (35) percent;
- The potential differences between seasonal and permanent wetlands;
- Wetlands definition criteria;
- Preservation of the area tributary to the wetland;
- Conditions which would require the applicant to provide a wetlands delineation;
- Establishing a maximum limit for any combination of open water and wetland open space at sixty (60) percent;
- Revising the new definition to: **Buildable Developable Area - The area of the lot The net lot area not intended to be....**);
- Replacing 'buildable' with 'developable' throughout the text;
- Revising AA., Paragraph 2, Line 2 to: the Planning Commission may allow that **designated the required** permanent open space must be shown...;
- Revising 21.51.A.3 to: Buffer areas adjacent to **property lines**, public streets, and roads...;
- Revising 21.51.B.2 to: Areas devoted to public or private streets or ~~part of the~~ easement...;

- Revising 21.51.D to reference Option 1 of the 2/2/05 Memo: If the Planning Commission allows required open space to be located ~~within required yard setbacks,~~ **at the yard perimeter**, the setback shall be measured...;
- Revising 22.51.F to: Not more than ~~twenty-five (25)~~ **thirty-five (35)** percent of...;
- Revising 21.51.G to: An open space calculation chart must be provided, ~~and~~ designated permanent open space...; and
- Reviewing the provisions of 21.51. from H to the end of the document for any additional changes to be discussed at the Public Hearing.

The Planning Commission established a Public Hearing for March 8, 2005 at 8:00 p.m. at the Tyrone Township Hall to review Section 20.02.AA Open Space Area; Section 21.51 Open Space Design Requirements, Section 21.53 Ponds and the deletion of Section 21.09 Driveway Access; Equivalent Grades and Section 21.15 Ingress and Egress Along Arterial Roads.

2) Review of the PIRO district zones, the uses to be located within the zones, and the procedures for implementing the PIRO Use District overlay

The Planning Commission reviewed the use category list provided by Township Planner Greg Milliken for inclusion in the proposed PIRO sub-districts. The Planning Commission decided to:

- Include manufacturing in both the 'Higher Intensity' and 'Lesser Intensity' districts;
- Consider some types of plastics manufacturing for the less intense zones;
- Relocate truck terminals, propane storage and sales, outdoor storage and other uses with high traffic volumes to the 'Higher Intensity' PIRO section;
- Establish special uses for each of the districts;
- Consider total building area when evaluating use intensity;
- Reference injection molding with plastics manufacturing;
- Consider alternative composting locations;
- Provide for outdoor recreation and sporting complexes in the 'More Intense' and 'Less Intense' districts;
- Consider hours of operation, lighting, noise, odors, traffic, security, and type of structure as characteristics of 'High Intensity' uses;
- Consider the types of commercial uses which might be suitable for the 'Higher Intensity' district;
Consider low intensity zones for businesses which utilize commercial structures with a potential for conversion to industrial uses;
- Relocate hospitals, nursing homes, hotels, high rise residential, public services, regional shopping centers, and life style centers to a planned commercial district or quasi-public area;
- Establish maximum or minimum building areas for the use districts;
- Combine architectural standards with building size to control the development's appearance;
- Include post offices and similar uses with 'Quasi-Public' uses;' and
- Locate open air venues (tracks, music theaters, etc.) in the 'Higher Intensity' district.

The Planning Commission also discussed the process needed to implement the proposals for the use of the PIRO district. It was decided to amend the Master Plan to include the PIRO District overlay and to establish the general types of uses which could be included in the district.

Mr. Fecho reminded the Planning Commission that the ordinance had to be based on the Master Plan. The Master Plan text would establish the PIRO district general goals and objectives and list the general conditions which would define the use district, i.e., traffic, number of employees, noise, odor, lighting, hours of operation and so on. The list of specific uses would be located in the zoning text.

Mr. Milliken said they had started to develop some language which could be used to update the Master Plan and would provide a time table to be used in making the amendments at the next meeting.

NEW BUSINESS:

1) Retention of application fees

The Planning Commission agreed to investigate the retention of application fees once a project has been accepted for review and set a time limit for retaining projects after no action had been taken by the applicant. Mr. Hasbrouck asked for determination of what could be done before going further with the discussion.

2) Progress report regarding 'The Preserve' condominium and 'The Coyote-Preserve, golf course

Mr. Hasbrouck reported that he had met with the Preserve owner, the purchaser of the golf course, their attorneys and Township Attorney John Drury (2/2/05). No major changes to the plan have been proposed and the golf course will stay in tact. The residential project will move forward as designed, but there is some difficulty with the road dedication and open space.

The goal of the golf course owner was to not have any open space on the course, and they are close to being able to do that. If we permit an increase in the wetlands allowed, the open space requirements could be met with the land in Section 9 and the area in Section 8 retained by the site condominium. At the same time the boundary realignment is taking place, TCF Bank would like to donate the Section 9 open space to the Township. As long as the agreement allowed the Township to use the property as it saw fit, he didn't think that would be a problem.

That donation would create an issue involving the golf course sign. At present the golf course and the land in Section 9 both have the same parcel ID number. A maintenance easement would have to be created and the sign would become an 'off premise' sign. The ZBA probably would have to make a determination about the open space and the sign because the open space area and the sign location would not meet the current ordinance requirements.

Mr. Fecho commented that PUD's and Special Uses were a form of contract zoning and the ZBA could not rule on them. The special use conditions could be changed by agreement of the applicant and the board to cover any special circumstances, and that should be negotiated at the time the applicant makes the request to divide the golf course from the site condominium.

3) Revisions to Zoning Ordinance Article 29, Amendments, to permit contract rezoning and expiration of rezoning approvals

Mr. Milliken provided a discussion paper prepared by McKenna Associates regarding contract rezoning. Mr. Hasbrouck asked to have the topic discussed at the next Planning Commission meeting.

ZONING BOARD OF APPEALS REPORT:

No ZBA meeting was held during the month of January or February.

ZONING ADMINISTRATOR'S REPORT:

No report

OTHER BUSINESS FROM MEMBERS:

- 1) Township Clerk David Kuzner addressed the meeting and commented about a recent newspaper article regarding the lay-offs made by the township. He also referred to township and fire authority finances. He explained that there would be a meeting on Thursday at the Township Hall to discuss the matter further.

NEXT MEETINGS:

February 15, 2005 - Subcommittee Meeting

February 22, 2005 - Work Session

March 8, 2005 - Regular Meeting and Public Hearing

ADJOURNMENT: 9:50 p. m.


Laurie Radcliffe, Secretary
Tyrone Township Planning Commission


Barbara Burtch, Recording Secretary
Tyrone Township Planning Commission

CORRECTIONS TO THE MINUTES:

Page 2, Line 41: (The use potential differences...)