

TYRONE TOWNSHIP PLANNING COMMISSION

Approved Regular Meeting Minutes

March 8, 2005 7:30 p.m.

PRESENT: Sally Eastman, Joe Fumich, Dave Hanoute, Richard Hartigan, Steve Hasbrouck, Laurie Radcliffe

ABSENT: S. Randy Laue

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

PLEDGE OF ALLEGIANCE:

CALL TO THE PUBLIC: No response

APPROVAL OF AGENDA: Approved as presented

APPROVAL OF MINUTES: February 22, 2005 - Work Session, approved as corrected

Page 1, Line 33: (...a policy for project fees. **When** no action has been taken...)

Page 3, Line 2: (Mr. Hanoute questioned ~~the~~ some of the...)

CORRESPONDENCE:

SUBCOMMITTEE REPORT:

- 1) Request of **Gary Edwards** for state statute land division of vacant RE parcel 20-100-002, to create six (6) parcels and a boundary realignment as shown in the drawing revised 11/20/04. Proposed Parcel 'A' will be accessed from an existing ingress/egress easement. Proposed Parcel 'F' will be attached to existing Lot 158 of Lake Shannon #5 and proposed Parcel 'G' will be accessed from McGuire Road. Parcels 'B,' 'C,' 'D' and 'E' will be accessed from a new shared driveway easement connected with Ledgewood Drive.

The plan has been forwarded to the Planning Commission with Road Commission approvals for the access points connected with Ledgewood Drive, ZBA approval for an easement width variance, and a signed maintenance agreement for the existing ingress/egress easement for proposed Parcel 'A'. The maintenance agreement for the new shared driveway is on file and Tetra Tech has approved future construction and drainage plans for both of the Ledgewood driveway easements.

Mr. Van Hecke has reviewed the open space calculations and recommended changes for Parcel 'B.'

Mr. Hanoute informed the Planning Commission that all Planning Commission requests had been complied with and he did not feel that the difference in the open space calculations was significant.

MOTION: Moved by Hanoute, seconded by Fumich, to recommend to the Township Board approval of Mr. Edward's land division request as shown in the site drawing revised 11-2-04, as the request meets the township zoning ordinance requirements. Motion carried by voice vote.

OLD BUSINESS:

- 1) Further discussion of the PIRO language to be included in the Master Plan amendments and consideration of the final changes to the PIRO District Map.

Township Planner, Greg Milliken, commented that the requested changes had been made to the proposed Master Plan text, and today they wanted to discuss the rest of the industrial area outside of the main PIRO district on the north side of Dean Road. He asked for recommendations regarding the use of that area. He also wanted to discuss other Master Plan amendments which might occur at the same time the PIRO changes were made; for instance conditional zoning, changes to map areas, and references to the sewer plan.

A discussion followed regarding:

- Updates to the public utilities text;
- The existing light industrial uses already located between Dean Road and Center Road;
- Establishment of the rest of the area as a high end research/office district;
- Rezoning the property to another classification based on the amount of industrial land located north of Center Road;
- Inclusion of high intensity residential development as an alternate use; and
- Maintenance of the zoning and the future land use while requiring less intense uses and more development restrictions.

Mr. Fecho commented that recent changes in the planning statute required specific notification requirements for revisions to the Master Plan. Because of the units of government to be notified and the review period allowed, the shortest possible time period to approve the revisions would require one hundred and twenty (120) days. The new requirements also required review of the Master Plan every five years, so this would be a good time to review the rest of the master plan. We could establish a new five year time period when the amendments are approved. In addition to neighboring units of government, the Township Board also has review privileges prior to final adoption of the plan.

Mr. Hasbrouck asked the Planning Commission members to review their copies of the Master Plan and consider any other changes that we might want to make while we are working with the PIRO district. The new sewer service area needs to be included and we might want to consider conditional zoning.

Mr. Fecho explained that a conditional zoning agreement was the only way in which an expiration term could be established for rezoning. Normal zoning runs with the land and any use by right for the district is allowed. Conditional zoning must be proposed by the applicant but can be used to restrict the site to a specific use and a zoning approval time period for the use.

The Zoning Ordinance doesn't have to be amended to allow conditional zoning but it might be helpful to establish some specifications that would lead developers into a negotiated approach or it might state that PIRO zoning would be allowed only as contract zoning. An amendment to the Master Plan just might state that the PIRO district was not a zoning district although the developer could request it as a contract rezoning or the Master Plan could specify that some areas would be subject to conditional zoning (or not) without making a change to the zoning map. Amending the Ordinance to agree with Master Plan is something that needs to be talked out.

Mr. Hanoute asked if the Planning Commissioners were supposed to individually review the Master Plan text revisions and bring suggestions back to the next meeting in addition to the suggestions from the planners. Mr. Hasbrouck said that was the plan.

- 2) Discussion of sewer district restrictions and uses prior to developing language for inclusion in the Master Plan

Mr. Hasbrouck asked if we could set up a plan for sewer unit allocations to make sure that we have capacity for the industrial and commercial districts. The total capacity of the system is designed for about 6,000 REU's, and the township has allocated approximately 2000 so far. He thought it would be a good idea to designate a certain number of taps for the PIRO district based on the Master Plan.

The meeting was recessed at 8:00 p. m. for a public hearing and reconvened at 9:05 p. m.

The Planning Commission members estimated that the PIRO area would need up to 2400 REU's. Mr. Hasbrouck was interested in designating a certain number of units for the PIRO area. Mr. Fecho explained that the Board would have to make the determination, but the Planning Commission could recommend a specific number of units to them. A mention of the reserve policy should be made in the Master Plan.

Without establishing a specific development density, the Master Plan text might include a statement about the protection of soils and the water table and overall standards requiring that developers would have to pay for their own extensions to the system, the sewer extension would be limited to a specific project only, all extensions would have to be approved by Livingston and Genesee Counties, and the system was initially developed to meet the needs of the Tyrone Township lakes.

- 3) Recommendations regarding zoning amendments for Article 20.02 AA - Open Space Area,, 21.51 - Open Space Design Requirements, and 21.09 - Driveway Access, Equivalent Grades, 21.15 - Ingress and Egress Along Arterial Roads and/or 21.53 proposed for 'Ponds.'

Mr. Fecho said he would make the revisions discussed at the hearing and provide them for review at the next meeting.

- 4) Discussion of conditional zoning (including rezoning expiration provisions) as Master Plan or Zoning Ordinance amendments

Mr. Fecho explained that conditional zoning establishes a time limit or certain conditions for a project, but it is not negotiable with developers. The ordinance should list specific standards you are looking for if developers want to submit conditional proposals. The ordinance might contain language which states that if you grant conditional zoning, a bond would be required. Other conditions might not allow duplexes in certain residential districts or tie density to quality of units and so on, or limit conditional zoning to specific districts like the PIRO or Commercial districts.

Mr. Hanoute wondered if we needed any language in the Master Plan or Zoning Ordinance. Conditional zoning was a state statute and we could entertain any offer.

Mr. Hartigan asked if we didn't have standards for heavy, medium, or light industrial uses what standards we could measure against. We need to have some sort of minimums to work with. If we rezoned to PIRO, what would we use as the underlying zoning? He envisioned the PIRO district use areas as having minimum uses by right with additional restrictions on some of them. The PIRO district was a Master Plan within a Master Plan.

Mr. Hanoute commented that most municipalities employ PUD's as a form of conditional zoning. Mr. Fecho replied that PUD's didn't allow exactions and that he felt conditional zoning had been developed as a response to some of the PUD problems. Conditional

zoning would still have to meet the zoning requirements of the Master Plan. Overlays, planned districts, or separate classes of PUD's could all be used in connection with conditional zoning.

The Planning Commission asked for suggestions about developing a strategy for getting from the industrial Zoning Districts in the ordinance to a planned PIRO district which permits a variety of uses within each of the zones.

NEW BUSINESS:

ZONING ADMINISTRATOR'S REPORT:

Mr. Hasbrouck said that the landscaping at the Baptist State Convention Headquarters really didn't look like they had done any and had taken down most of the trees that were on the site. Mr. Van Hecke said that they had planned to complete their landscaping project when the weather breaks in the Spring and he would check back with them at that time.

Mr. Hasbrouck said it looked like the trailers parked there would be there forever. Mr. Hartigan said that outside storage was not acceptable at that location and Mr. Van Hecke needed to look into that.

OTHER BUSINESS FROM MEMBERS:

Mr. Hanoute reminded Mr. Fecho and Mr. Milliken to make sure that the Zoning Ordinance revisions for 'discretion of the owner;' deletion of the reference to 'common' space; and the 'relocation of open space' that had been discussed at the hearing were included in the new text for Section 21.51.

NEXT MEETINGS:

March 15, 2005 - Subcommittee Meeting

March 22, 2005 - Work Session

April 12, 1005 - Regular Meeting

ADJOURNMENT: 9:45 p. m.



Laurie Radcliffe, Secretary
Tyrone Township Planning Commission



Barbara Burtch, Recording Secretary
Tyrone Township Planning Commission

CORRECTIONS TO THE MINUTES:

- Page 2, Line 14: (Updates to the **public utilities text sewer plan**)
- Page 2, Line 50: (...would be subject **to** conditional zoning...)
- Page 3, Line 12: (...the PIRO area would need up to **2400 4000** REU's.)
- Page 3, Line 15 (A mention **of or** the reserve policy...)
- Page 3, Line 45: (Conditional zoning was a ~~was~~ a state statute...)