

# TYRONE TOWNSHIP PLANNING COMMISSION

## Approved Regular Meeting Minutes

July 12, 2005 7:30 p. m.

**PRESENT:** Sally Eastman, Joe Fumich, Steve Hasbrouck, S. Randy Laue, Laurie Radcliffe

**ABSENT:** Dave Hanoute, Richard Hartigan

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

**PLEDGE OF ALLEGIANCE:**

**CALL TO THE PUBLIC:** No response

**APPROVAL OF THE AGENDA:** Approved as presented

**APPROVAL OF THE MINUTES:**

June 14, 2005 - Regular Meeting, approved as corrected:  
Page 1, Line 21: (...by Vice Chairman **Hartigan Hanoute**...)

June 14, 2005 - Public Hearing, approved as presented.

June 28, 2005 - Joint Meeting, approved as corrected:  
Page 1, Line 36: Specifically reference the Planning Commission's intent to promote growth and development within the areas indicated in the Master Plan.

Page 1, Line 39: Specifically note that David Kuzner volunteered to act as the Township's economic development contact with Fred Dillingham to promote development of the PIRO district.

**CORRESPONDENCE:**

- 1) Letter from Darrell Fecho regarding the ordinance amendments reviewed by the Livingston County Planning Department and the Livingston County Planning Commission.

The Planning Commission complimented Township Planners Darrell Fecho and Greg Milliken on the letter contents, but asked for clarification of the lot size and density references in Paragraph 3 on page 2, before forwarding the letter to the board.

**SUBCOMMITTEE REPORT:**

**OLD BUSINESS:**

- 1) Review of the language proposed for an amendment to the "useable area" section of Zoning Ordinance Article 2, Definitions

Mr. Milliken explained that the definition of "useable area" in the zoning ordinance referred primarily to commercial uses, but there were other applications referenced in the parking and home occupation Ordinance sections. Because the existing language was so limited, new language was provided which was more general and also allowed for an alternate useable area formula based on the total area of the building in unique circumstances.

The Planning Commission discussed:

- Application of useable area standards based on the use of the building or number of employees as well as the size of the building;
- Avoiding over-sized parking lots or poorly located parking areas (i.e., Fenton Cinema);
- "Useable area" ordinance alternatives currently available for adjusting the size or location of parking areas to suit the site or the use;
- Postponing further action pending comments from Mr. Hartigan and Mr. Hanoute before finalizing the proposed language; and
- Inclusion of language which would allow for Planning Commission approval of flexible parking arrangements as part of the PIRO or Site Plan requirements.

**2) Review of the urban services district boundaries discussed at the June 28, 2005 joint meeting**

During the general discussion of the urban services map provided by McKenna Associates (dated 5/25/05), the Planning Commission:

- Didn't feel opinions expressed at the Joint Meeting which would require major map changes;
- Commented that the proposed urban services district was designed to support the Master Plan;
- Noted that extending services outside of the district would be extremely expensive because of infrastructure and special assessment requirements;
- Wanted to consider the proposal provided by Tetra Tech;
- Discussed whether to include the map in the Master Plan or define the urban services district by text;
- Planned to use the map as an aid to direct growth to the areas of the township where we have infrastructure capacity;
- Felt that expanding sewage treatment services outside of the urban services district would invalidate the master plan and disrupt the proposed expansion districts;
- Were told that the current capacity would be able to service the area shown on the Urban Services map;
- Favored promoting growth in areas where it would provide the most benefit to the Township; and
- Agreed that we needed to provide developers with information that showed where sewers could be made available in a financially sound rather than a haphazard way.

MOTION: Moved by Hasbrouck, seconded by Eastman, that the map of the proposed Urban Services boundary submitted by McKenna Associates dated 5/25/05 and listed as "Draft" be included in the Master Plan to show the areas where sewers will be made available as the need arises. Motion carried by voice vote.

**3) Suggestions for Zoning Ordinance revisions to permit the Planning Commission to review and approve Land Division, Site Plan, and Special Land Use Permit requests**

The Planning Commission reviewed the guidelines (dated 7/7/2005) prepared by McKenna Associates for ordinance Section 23.00 Site Plan Approval and Section 22.00 Special Land Use Permits. Mr. Fecho noted that there was new language on page 3 (Section 22.07.D) which complied with the state statute for Special Use Land Use Permit appeals.

Mr. Laue said that he was concerned about the legality of having the Planning Commission approve Site Plans and Special Land Use Permit requests. Mr. Fecho said that in some communities, Site Plan Reviews approvals were an administrative function. State statutes allow Townships to include approval standards they want to use in the Zoning Ordinance.

Mr. Laue said that he thought the Township Board should vote on the recommendations because of liability issues. Mr. Fecho said he understood Mr. Laue's concerns, but it was more common in most communities to have the Planning Commission approve the Site Plans and Special Uses. In terms of liability, any appointed body that fulfills their duties as directed by the Board is covered. Aside from political pressure, the make up of the Planning Commission stays the same or changes much more slowly than the Board, so there is more continuity and familiarity with the ordinance. They had also revised the language to better define when approvals would expire.

State acts are silent about Land Divisions, so those could be approved administratively, by the Planning Commission, or by the Board. Site-condominiums are another form of site plan, but subdivisions are based on provisions of the plat act and must be approved by the Board.

Mr. Laue asked about establishing escrow accounts. Mr. Hasbrouck thought that was a procedural issue and didn't need to be part of an ordinance. Mr. Fecho commented that escrow funds and bonds could be done by Board Resolution. In the case of the Site Condominium language, the approval standards are established in the ordinance. He recommended changing the Site Plan and Special Land Use Permit ordinances before dealing with Site Condominiums and Subdivisions. Right now, the Planning Commission has authority over Site Condominiums when they are uses by right. Mr. Laue said he was confused because the ordinance allowed the Board to request bonds for private roads and he wondered if the Planning Commission should be responsible for that.

In response to questions from Planning Commission members, Mr. Fecho said that a Public Hearing would be required because amendments are being made to the Zoning Ordinance Text. They would finalize the language and then it could be reviewed with the other proposed changes at the next public hearing.

**4) Review of the proposed PIRO Zoning Ordinance Section forwarded from McKenna in April (4/19/05)**

Mr. Milliken said that the language had been drafted in a form which could be added to the Zoning Ordinance. The Table of Permitted and Special Uses (Section \_\_.01.D, page1) reference previously discussed uses evaluated in terms of the PIRO subdistricts. The general requirements in most cases reference language already in the Ordinance, but the lot coverage has been reduced to thirty (30) percent in the PIRO District. (\_\_02.H). Item K (page 5) is included to require that the facades of very large buildings are broken up with offsets or architectural changes.

During discussion of the setbacks proposed for addition to the Schedule of Regulations (footnotes, page 5), comments concerned:

- The intent of the setback requirements to preserve future space for interior roads and access roads;
- The actual easement required for Old US 23 according to the Inter-County Highway Plan;
- Revising the proposed setback distances to reflect the county's easement requirements (Inter County Highway Plan of 1972);
- Correspondence between the text and the Master Plan revisions;
- The benefits of requiring site plan review for changes in use;
- Application of the floor area percentage formula to determine parking requirements for 'spec' buildings;
- Whether to retain the existing M-1 and M-2 Zoning District texts for use outside of Section 17;
- Expanding the list of PIRO uses (page 1) to reference some of the uses included in the ES, M-1, and M-2 zoning text;
- Review of the provisions for shared parking and loading areas in Section 25 and revision if needed;
- Allowing for exceptions in the ordinance to cover flexible site design standards for the development of campus settings or shared use parcels; and
- Inclusion of parking reviews as part of the site plan review for changes of use.

No action was taken on the text as presented pending further discussion of the PIRO district uses as they related to the existing ES, M-1, and M-2 uses and comments from Mr. Hanoute and Mr. Hartigan. Mr. Milliken said he would make a comparison chart of the PIRO uses and current industrial uses for future discussion.

#### **NEW BUSINESS:**

#### **ZONING BOARD OF APPEALS REPORT:**

Mr. Van Hecke reported that the ZBA had reviewed five appeals at their last meeting.

The appeal forwarded from the Planning Commission for a land division creating four parcels on Allen Road was denied because one of the proposed parcels did not meet the Township's requirements. The ZBA recommended splitting the property into three parcels.

Two requests were tabled. One because of incomplete information and the other because the property was too small to qualify for an additional accessory structure. Although the owner had recently purchased additional land, it wasn't enough to meet the net area requirements. At the time of the purchase, he wasn't aware of the accessory building location and setback requirements.

A previously approved land division resulted in a parcel with a barn and no residence. Rather than remove the barn as required in the approval, the owner decided to convert it to a residence which would create a setback closer to the open space than the ordinance allowed. That request was denied and the applicant was instructed to apply for an open space relocation.

Mr. Hasbrouck asked Mr. Van Hecke to investigate the number of signs allowed for the non-conforming real estate business on Old US-23.

**OTHER BUSINESS FROM MEMBERS:**

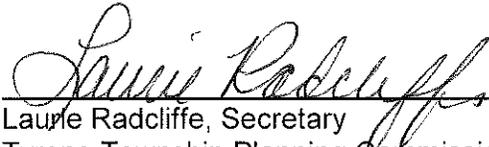
**NEXT MEETINGS:**

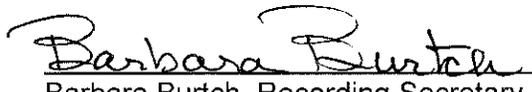
July 19, 2005 - Sub Committee Meeting

July 26, 2005 - Work Session

August 9, 2005 - Regular Meeting

**ADJOURNMENT:** 9:10 p. m.

  
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Laurie Radcliffe, Secretary  
Tyrone Township Planning Commission

  
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Barbara Burtch, Recording Secretary  
Tyrone Township Planning Commission