

TYRONE TOWNSHIP PLANNING COMMISSION
Approved Regular Meeting Minutes

August 28, 2007

7:30 p. m.

PRESENT: Gary Butler, Bob Byerly, Joe Fumich, Dave Hanoute, Ed Kempisty

ABSENT: Mark Meisel, Laurie Radcliffe

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

PLEDGE OF ALLEGIANCE:

CALL TO THE PUBLIC:

APPROVAL OF THE AGENDA:

MOTION: Moved by Butler, seconded by Fumich, to approve the Agenda as published.
Motion carried by unanimous voice vote.

APPROVAL OF THE MINUTES:

1) August 14, 2007 - Work Session Minutes

MOTION: Moved by Fumich, seconded by Byerly, to approve the August 14, 2007
Work Session Minutes as corrected. Motion carried by unanimous voice vote.

Page 1, Line 38: (Determining a way to **require force** the Clerk's Office...)

Page 1, Line 45: (being urged **by several people.**)

Page 4, Line 20: (which would be specifically note...)

2) August 14, 2007 - LK-1 Public Hearing Minutes

MOTION: Moved by Byerly, seconded by Kempisty, to approve the August 14, 2007
LK-1 Public Hearing Minutes as corrected.

Page 1, Line 20: (Chairman **Hanoute Hasbrouck**)

CORRESPONDENCE:

SUBCOMMITTEE REPORT:

1) Ad Hoc Subcommittee Report regarding Zoning Ordinance publication and distribution

Chairman Hanoute rescheduled the report for the September 11, 2007 Meeting.

Mr. Fumich referred to an August 20, 2007 Memo forwarded from Deputy Clerk Terri Medor.
She wanted to know if the Planning Commission would prefer to wait for a completed
Ordinance, or get sections as they are approved.

Township Zoning Administrator George Van Hecke commented that the major problem was to determine which copies of the ordinance have been updated and those that haven't. Ms. Medor would like to know which parts of the Planning Commission Ordinance books have been updated and which parts are lacking. She suggested updating the versions that are being used now to meet the present needs until the new ordinances take effect.

Mr. Hanoute recalled that in the past, a few books at a time were turned in and checked against the master copy. He wanted to hear suggestions from the Subcommittee before he made a recommendation.

Mr. Butler suggested drawing a line in the sand and informing the members that they would be getting a basic ordinance copy as of today. Then when changes are made, the basic articles can be exchanged for new ones. The Ordinance should start with the Master Copy on file now. That way everyone will have the same stuff—good or bad.

SUBCOMMITTEE REPORT:

OLD BUSINESS:

- 1) Review of the Private Road Ordinance text revisions requested by the Township Board

Township Planner Greg Milliken explained that his memo of July 17, 2007 was based on comments received from the Planning Commission. The July 26, 2007 memo was prepared to address some comments made by Township Board members.

The revisions to Section 24.03.R referenced in the July 17, 2007 memo were added to clarify the use of private roads associated with parallel adjacent property lines while the language in Section 24.03.E was related to stub road connections for adjacent parcels perpendicular to the end of the easement. Section 24.03.G was revised to be more specific about the way the length of a cul-de-sac was measured

The July 26, 2007 memo references changes to Section 24.04.D which clarifies the use of existing non-conforming private roads and the requirements to be met for road improvement or replacement.

Section 24.07 - Access Management was removed to Section 21.54 as requested by the Planning Commission. The text was relocated to the general reference section (21.00 - Supplemental Regulations) because the text references many types of access easements, not just private roads or shared driveways.

Mr. Hanoute asked Mr. Milliken to revise all references to "registered maintenance agreements" to "recorded maintenance agreements" in sections 24.02.C.1, 24.02.D, 24.04.A.2, and any others to be consistent with other documents filed with the County Clerk.

Following a lengthy discussion, The Planning Commission asked for revision to Section 24.06.R - Adjacent Properties. The object of shared drives is to minimize public thoroughfare access. To promote good access management, the ordinance should mandate the use of a

shared driveway by adjacent properties. Once a property owner creates a shared driveway easement, any adjacent property owner(s) should be required to access their property from the easement.

Mr. Milliken asked if the Planning Commission meant to force shared use of an easement set off by a property owner for development of his own property even if the owner doesn't want to allow shared use by an adjacent parcel owner and if the adjacent property owner's use created a condition which would prohibit the original easement owner from making further land divisions, he would have to convert the easement to a private road. The Planning Commission said that was the intent of their recommendation.

The ordinance should mandate shared driveway use by any adjacent property owners. If that created the potential for more than four parcels with access from the driveway, the developer who wanted to add additional parcels would have to pay for the road development whether he was the original easement owner or not. In the case of mandatory easement sharing, language could be added to the shared driveway maintenance agreement which would require all users to share in the cost of private road development if it becomes necessary.

Mr. Hanoute asked Mr. Milliken to replace "may" with "shall" in Section 24.06.R.

MOTION: Moved by Byerly, seconded by Kempisty, to forward Article 24.00 to the Board as revised with a recommendation for approval. Motion carried by unanimous voice vote.

2) Review of the Access Management Standards moved from Section 24.07 to Section 21.54

Mr. Milliken explained that the section was relocated to give it a broader application by including it as part of the general ordinance provisions in Article 21.00 - Supplemental District Regulations.

MOTION: Moved by Fumich, seconded by Butler, recommend relocation of the Access Management requirements from Section 24.07 to Section 21.54. Motion carried by unanimous voice vote.

3) Discussion of the proposed Planned Commercial Services (PCS) text

Chairman Hanoute explained that the commercial text (PCS) was being reviewed before the PIRO revisions because of a proposed commercial project currently in the early development stages.

Mr. Milliken noted that the Future Land Use Map proposed commercial uses in Sections 4, 9, 17 and 20 and industrial uses in Sections 17 and 20. Within the industrial classification, a Planned Industrial, Research and Office subdistrict (PIRO) was set off in Section 17. The Master Plan text has been revised to include references to the Planned Commercial (PCS) and Planned Industrial (PIRO) districts.

The Zoning Ordinance has no references to PCS or PIRO districts. New language will be required in the Ordinance to implement the zoning districts described in the Master Plan. The goal of planned development is not to exclude or limit development, but to insure quality development.

Industrial uses are referenced in the M-1, M-2, and ROM Zoning Districts while the B-1, B-2, and ES Zoning Districts reference commercial uses. Currently, the Township zoning map shows some properties zoned M-1, but no properties zoned M-2 or ROM. He recommended removing the M-2 and ROM designations from the Zoning Ordinance with provision for the uses in the PIRO district under certain conditions.

The Township zoning map shows some B-2 zoning and one ES (Expressway Service) zoning use. He recommended rezoning the ES district and elimination of the B-1 and ES districts from the Zoning Ordinance to simplify rezoning requests.

The M-1 and B-2 categories could be retained as they exist, but future rezoning requests for parcels currently zoned RE or FR should be based on the new PIRO or PCS standards. Sub areas within the PIRO or PCS districts could be established based on intensity of use rather than specific zoning district classifications. In the PCS district, the more intense uses would be the ones currently referenced in the B-2 zoning text and the less intense uses would be based on the B-1 criteria.

Mr. Hanoute commented that the current ordinance classifies Planned Unit Developments (PUD) as a zoning district classification rather than a process. The Zoning Ordinance is confusing on that point. Mr. Milliken explained that part of the Township's PUD Ordinance application process is a request for rezoning. When applicants present a PUD request, they could specify rezoning to a PIRO PUD or a PCS PUD. The preliminary development plans would become part of the rezoning request, so that approval of the rezoning and approval of the preliminary plans would be simultaneous.

To encourage creative design, the PIRO and PCS district requirements would allow flexible standards for minimum lots size and setbacks so some sort of plan would be required to establish standards in place of zoning district requirements. The plans would have to be associated with the rezoning request and the PUD process would establish the standards for the site.

Mr. Van Hecke commented that the Irish Hills rezoning was shown on the current Zoning Map as a PUD. The current PUD ordinance was designed for residential PUD developments.

Mr. Hanoute thought the PUD designation should be taken from the Land Use Map. The ordinance needs PUD process language not a PUD zoning district. The PUD agreement should address issues like loading docks or overhead doors. There were many things in the industrial sections of the Zoning Ordinance that weren't addressed in the PCS proposal (8/06/07 rev). There was nothing requiring the separation of service drives and general traffic.

Mr. Hanoute questioned the use of self service lumber yards, collision repair, livestock sales, machinery sales, and mini-warehouses as special uses in a planned commercial service district. They would fit better in the PIRO district as lower intensity uses, or special uses in the Research-Office area. Mr. Milliken recalled that uses like smelters, propane storage and sales, bus terminals and adult uses had been discussed earlier in reference to the PIRO district. Mr. Hanoute said those were uses that should be considered high intensity uses in the PIRO district and shielded from public view. Mr. Milliken noted that some of the proposed commercial uses were currently referenced in the existing B-1, B-2 and ES zoning text and were included in the PCS district for purposes of discussion. Some of the current B-1 and B-2 uses had also been discussed in connection with the PIRO district.

Mr. Van Hecke asked about the "inside the corridor" and "outside the corridor" references. The colored area on the corridor study map is different than the area described in the proposed PCS text. He thought our intent was to keep all of the commercial or industrial development between Linden Road and Old US 23. Mr. Milliken explained that at some future point, the Township might want to change its future land use map or want to allow for a small low impact operations outside of the corridor area. Mr. Hanoute commented that the herb farm restaurant was an example of the beginning of commercial expansion outside the corridor.

Mr. Van Hecke asked if something like that couldn't be done with contract zoning. Mr. Milliken said it could, but the PCS district was being designed to deal with the commercial areas already shown on the Future Land Use Map in order to direct applicants to the areas where the Township wanted to locate commercial uses. The Planning Commission could revise the Future Land Use Map and show some additional purple areas beyond the corridor if they wanted to expand the use.

Mr. Hanoute commented that someplace during the process, someone would have to evaluate aesthetics and we would need to get the architectural committee involved. Mr. Milliken said that was a benefit of the PUD process. It allows for negotiation between the applicant and the Township.

Referring to Item D on Page 4, Mr. Hanoute asked for a reference to improved roads as well as arterial roads to avoid small isolated parcels. Mr. Fumich recommended providing some sort of general information showing where roads should be located within the project area based on some sort of layout.

Mr. Hanoute requested inclusion of language which would establish a minimum parcel size for a PCS site. He has heard criticism that Tyrone Township has a reputation for being anti-development. He felt that was a reference to the fact that we don't encourage a lot of little fragmented sites along arterial roads like you see in Flint Township. That type of use encourages spot zoning.

Mr. Van Hecke asked if there were any PIRO district measurements locating where the high intensity use area would start or how far it would have to be from the Expressway. Mr. Hanoute recalled that the boundary lines had been purposely undefined. The PIRO district plan is a concept plan showing how the higher intensity uses could be buffered from the highway by other uses. The refined uses would be used to border the expressway. Mr. Milliken suggested inclusion of a standard requiring provision of access points from US 23 to the rear of the site for parcels with frontage on the expressway. The access points should be located in such a way that the frontage doesn't get walled in by small parcels without direct access to the remainder of the commercial area behind the frontage.

Mr. Van Hecke suggested one or two feeder access roads, with a network of interior roads. He thought there should be some consideration given to a minimum setback requirements for high intensity uses in relation to Old US 23. Mr. Milliken suggested consideration of intense use setbacks from residential areas as well US 23. Mr. Hanoute asked for a more detailed explanation of the PIRO map and how it would be used in the Zoning Ordinance and suggested a 10 acre minimum parcel size for the PIRO district.

Mr. Hanoute commented that the current PUD Ordinance is residentially oriented. He recommended getting rid of it and developing a PUD process for planned unit developments in general. Mr. Milliken said he had reviewed the text and thought changes could be made in regard to the residential emphasis instead of writing a new Zoning Ordinance Articles. The PUD text could also add permitted and special use references for each of the proposed PUD zoning districts.

Mr. Hanoute said that PCS and PIRO zoning classifications could be added to the Township Zoning Ordinance text, but we need a have a PUD Process Ordinance to manage the new zoning classifications. Mr. Milliken said the options were to keep a separate PUD Ordinance chapter or to integrate the PUD process requirements into the PIRO and PCS texts. He recommended retaining a separate PUD chapter to make it available for use with any of the zoning classifications. That would avoid having to add PUD process language to every individual zoning classification in the Ordinance.

The Planning Commission agreed to continue discussion of commercial and industrial PUD uses of the PUD process for Commercial and Industrial Uses and to forward recommendations for of comments regarding the PCS district to Mr. Milliken (gmilliken@mcka.com).

- 4) Discussion of the proposed Planned Industrial, Research and Office (PIRO) text
Postponed for the September 11, 2007 meeting
- 5) Revision of the PUD text to reference the PCS and PIRO districts
Postponed until September 11, 2007

NEW BUSINESS:

OTHER BUSINESS FROM MEMBERS:

ZONING ADMINISTRATOR'S REPORT:

ZONING BOARD OF APPEALS REPORT:

BOARD ACTION:

FUTURE AGENDA ITEMS:

- 1) Discussion of the proposed PCS Zoning Ordinance Text
- 2) Revisions to the PUD Zoning Ordinance to accommodate commercial and industrial PUDs.
- 3) Discussion of the proposed PIRO Zoning Ordinance Text

NEXT MEETINGS:

September 11, 2007 - Work Session

September 18, 2007 - Subcommittee Meeting

September 25, 2007 - Regular Meeting

ADJOURNMENT: 9:15 p.m.



Laurie Radcliffe, Secretary
Tyrone Township Planning Commission



Barbara Burtch, Recording Secretary
Tyrone Township Planning Commission