

1. Call to Order - THE MEETING WAS CALLED TO ORDER BY CHAIRMAN LARRY FOX AT 7:00 PM

2. Pledge of Allegiance

3. Roll Call

PRESENT: Joe Colaianne, Larry Fox, Jeff Newsom, Sue Grissim, Michael Mitchell

ABSENT: Thomas Murphy, Keith Voight

4. Approval of Meeting Agenda

Motion to Approve Agenda

A Motion to approve the Meeting Agenda was made by Commissioner Colaianne and seconded by Commissioner Mitchell. Motion carried unanimously.

RESULT:	APPROVED [UNANIMOUS]
MOVER:	Joe Colaianne, Trustee
SECONDER:	Michael Mitchell, Commissioner
AYES:	Colaianne, Fox, Newsom, Grissim, Mitchell
ABSENT:	Murphy, Voight

5. Approval of Meeting Minutes

a. Planning Commission - Regular Meeting - Jun 27, 2019 7:00 PM

A Motion to approve the Meeting Minutes of June 27, 2019 was made by Commissioner Grissim and seconded by Commissioner Newsom. Motion carried unanimously.

RESULT:	ACCEPTED [UNANIMOUS]
MOVER:	Sue Grissim, Commissioner
SECONDER:	Jeff Newsom, Vice Chairman
AYES:	Colaianne, Fox, Newsom, Grissim, Mitchell
ABSENT:	Murphy, Voight

6. Call to Public

None

7. Old and New Business

a. Newberry Place PD (Planned Development) - SP 535-P

- Director Langer summarized the location and scope of the request.
- Located on both the north and south sides of M-59 at Fenton/Pleasant Valley
- Designated a Special Planning Area since the late 1990s.
- Approved a plan in 2007 but it was never constructed.
- Current applicants reapplied in 2016 and have been moving forward since that time.
- Changes since 2016:
 - Apartment Management Company wanted apartments located on one side, currently the south side.
 - Applicant acquired 40 acres to the west.
 - Site Plan Review Committee wanted to have the Planning Commission advise them as to the direction of the plan since it has not been seen for some time.

The Applicant, David Straub, Chief Operating Officer of Mayberry Homes, stated the following:

- Spent the last year working very hard with the staff to come to an understanding which direction this project should go.
- They were getting mired in the details rather than focusing on the broader concepts.
- Trying to focus on a road map approach, developing a pattern book that will allow for some flexibility but provide structure. The 2007 pattern book was pretty good as a starting point.
- Last officially seen by the Township in 2016.
- Currently 147 acres included in this project.
- In 2007 they proposed 328 residential units and 280,000 square feet of commercial space with multifamily concentrated on the north parcel.
- In 2016 they proposed 499 residential units and 140,000 square feet of commercial space.
- Proud of where they are today; more residential units 529 and 134,000 square feet of commercial space with the multifamily district located on the 40 acre parcel recently added to the project which is a good location for that use.
- Density chart is included: residential density is three (3) units per acre; multifamily density is eight (8) units per acre.
- Single-family residential; looking at variety over time, not just detached houses, possibly some townhome style condominiums.
- Intend to limit the northern portion to single-family detached homes as a buffer.
- Flexibility in multifamily to not only focus on apartments as there are different styles of rental homes that could be offered such as townhome style condominiums, detached motor court designs, shared access driveways, or single-family detached rental. They would like flexibility to bend with the changes in the market.
- Currently shown are 17 triplexes 28 ten-plexes for a density of 8 units per acre.
- Mixed Use district could be a variety of uses: small scale retail, office, live/work units, senior care, and maybe some townhome style condominiums on 17 acres designated as mixed use 85,000 square feet in that area. It may or may not be two-stories; one story would be retail.
- Commercial district just under 10 acres for 49,000 square feet of commercial which could be a drive-through, service station, coffee shop on the corners. Intend to retain the signage, nice monumentation and landscaping on the hard corners coming into the community, as discussed in the committees.
- Excited about the project, appreciative of the Township team of reviewers they have worked with. They are hopeful for feedback that will give them good solid direction to aid them in continuing the design charettes with the staff, move it through the Township process, and put a shovel in the ground.

Commissioner Colaianne asked about the parking for the townhome complex if there would be carports. The Applicant stated no.

Commissioner Colaianne asked about the two-story Mixed Use concept that looks similar to the design of the complex on Hagadorn Road and Mt. Hope Road on the east side of Michigan State University campus. The Applicant stated they did not use that as a guide but the concepts are similar. Commissioner Colaianne clarified he is interested to know what is planned for the parking. The Applicant stated there is parking planned for both sides; on the M-59 side and the interior of the community as well. The parking shown they consider banked parking unless they decided to go with the two-story residential above plan; then they would need those parking spaces.

Chair Fox stated the plan shows a single drive with parking on both sides, not a parking lot. Commissioner Colaianne stated his concern is that he does not want to look at a sea of parking lot. He would like to see some design elements in terms of landscaping and screening.

Commissioner Newsom asked about the north side commercial area. The Applicant stated there are more commercial buildings. Director Langer clarified some of the graphics are not showing up very well on the screen.

Commissioner Mitchell asked about the oval. The Applicant stated it is a detention basin.

Commissioner Colaianne asked for more information about the buffer on the northern side. The Applicant replied those are going to be limited to single-family detached homes with frontload garages and nice backyards, nothing else is planned for that area.

Director Langer asked if that could continue and wrap around to where the other existing single-family homes are located. The Applicant stated yes, they could.

Commissioner Newsom stated he likes the single-family uses located there for a buffer but there would have to be some other buffering elements in between the existing residential area and the higher density of this development such as landscaping. The Applicant stated they have that intention as well.

Commissioner Grissim confirmed the center area in white is a park. The Applicant confirmed it is a mid-block park.

Commissioner Colaianne stated if he were a resident, one of his concerns would be the lighting given the proximity of the possible gas station to the residential area; it could be restricted further than the Township requirements. The Applicant stated he would assume they will need to follow the commercial lighting requirements for the various uses but there are so many different types of fixtures with the shields and shades that comply with Dark Sky communities but still meet the required foot-candles.

Director Langer summarized the Applicant is showing a plan and requesting some flexibility. For example single-family could be townhomes, but there will be no more units in that designated area, it might be configured differently but the number of actual units would remain the same. The apartments would be apartments but might be configured differently than what is shown. The commercial would be commercial with the same amount of square footage. The one area that is not clear is the mixed use option, he did not specify the number of units so that is an area that has to be worked out along with the townhomes. We do not know how many townhomes. The question the Site Plan Review Committee had is what do you think? Is that too many units? Is it too dense or not dense enough?

Commissioner Colaianne asked what the number of units originally proposed in 2007 was. The Applicant stated 328 residential units with more commercial and now there is additional acreage.

Chair Fox stated it is a hard comparison to make with the commercial area cut in half and the additional 40 acres; it has some density to it. The Site Plan Review Committee is hoping to get the flavor of where the Planning Commission is as a whole with this plan. They need flexibility for this project to succeed. It has been in the planning phase for a long time; housing styles and types change over time in order to keep the product fresh and sellable in the years to come. What is proposed is we have a guide like this with some regulations to guide us through. Those homes will not be exactly those homes but they will be like in nature with some guidelines and regulations for percentage of siding, etc. The next step is developing those guidelines and parameters. We will not get a full landscape plan but there will be a regulation for the number of street trees and shrubs, that sort of thing.

Commissioner Colaianne asked when the Planning Director says configured, what that means is the roads may not be exactly where we are seeing them now, we are talking in terms of areas at a certain

density. He feels that is important for the public to know that this is not the final plan, it is a density plan.

Chair Fox replied true in totality but by color or zone he would say it is true. The Applicant is saying that in the blue zone they would like the flexibility to put up one of these three types of housing products. They may choose to go with one or the other or a blend depending on the market at the time. The Applicant concurred.

Commissioner Newsom stated he did not have a problem with the density, it is pretty ambitious. He agrees it will be a long buildout and would not expect it to be full anytime soon. He asked the Applicant if we were to approve this project, where would they start, what would they do first. What major elements could we expect?

The Applicant replied if all goes well, the story he is telling to his associates and people that ask questions about this is by this time next year, I hope we have a shovel in the ground. He expects another four to six months in the planning and public process, and hopes over the winter to obtain the permits so that next spring they can begin. Our wish would be that we would be in a position to begin the multifamily and provide the infrastructure for the commercial elements. Using the pattern book that we will develop as a guide, whether it is Mayberry Homes developing and building that or another end user for the commercial or the apartments, everyone has a guide to follow that will not venture from what we will discuss over the next several months and will land on a sheet of paper. He does not know it will be phased at this time, but if all goes well, by next spring they will have a phasing plan and a good roadmap for how this will get started and come out of the ground.

Commissioner Grissim asked about the drive accesses and the approvals from MDOT. The Applicant stated they have been through one iteration of review with MDOT, which has taken most of a year. We believe it has been sent to another department for signal review so we are hoping by the end of the summer or early fall to have feedback from them on the access drives, signaling and the other improvements that will be needed on M-59 and the surrounding roadways. Right now, this is where we think they will be located.

Chair Fox stated it is pretty close to where they have always been proposed and for the public's benefit; this will never get approved by MDOT without improvements to M-59. Something will happen. It has to go through the process.

Commissioner Newsom stated we have always had a concern with Pleasant Valley Road as well; it is mostly dirt to the south. There are one or two access roads from the residential area. It might need to be looked at.

Director Langer asked about the unit count for the multi-family area as the listed types did not add up to the 321 units proposed. The Applicant stated they will have to clarify the unit count.

Commissioner Newsom asked what the target monthly rental value is for those units. The Applicant replied any market study will tell you something different. Ultimately they are as strong as the market will yield. The one-three unit luxury apartments may garner something a little stronger than the existing complexes here. They intend to continue to research that and make sure they are not overambitious as they want to fill the units.

Commissioner Newsom stated generally he likes the plan; it has moved along quite well. He is not concerned with the comparison in densities with mixed use, commercial, and the residential. He encouraged the Applicant to keep in mind walkability. They might want to think about a way to cross over M-59, maybe as a community benefit. He would also like to see a bit more open space to make the property usable for the residents.

Commissioner Mitchell concurred. He asked if there is a community center planned. The Applicant replied there is a community center planned for the multi-family section that would be exclusive to the apartment residents. Commissioner Mitchell continued if that is the case then he strongly would suggest more open space for the density that is proposed. Other than that conceptually it fits quite well on that parcel.

Commissioner Grissim reiterated what Commissioner Colaianne said about the commercial area parking adjacent to M-59. Now it looks like the parking for the two commercial areas each have one row of parking, everywhere else the parking is buried internally which she would like to promote. Also, one of the desires of this community is walkability and the connections. The park is across M-59 so if there is a way to hurdle it, that would be a recognizable benefit. Something like that would go far.

Chair Fox suggested they add an open space calculation to the plan; we understand it will shift but that will give an idea of how much open space there is. The Applicant stated they are within the parameters of the required open space and can add that figure.

Commissioner Colaianne asked about the location of the fire station site as a community benefit.

RESULT:	INFORMATIONAL
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b. Initiate Ordinance Amendment - Lake Lots

Director Langer gave an overview of the amendment and stated the following:

- Has been discussed over many years and is not isolated to a single area or simple changes.
- Almost all of the single family residential development around the lakes in the Township is within the SR (Suburban Residential) zoning classification. Several existing residential subdivisions in the Township are also in the same SR zoning classification. Any changes to the SR zoning district standards would also impact several other residential areas.
- Surveyed other communities for how they handle these issues.
- Explained lot coverage as it is counted now: all impervious surface.
- Some other communities do not count the driveways but only the house.
- Many of the existing had lot coverage of 40% to 50%.
- Ambiguous driveway exception language: there is no real consistency in how it has been applied in the past.
- Proposing to strike the driveway exception language; if so, then must add more lot coverage.
- Vacant lots across a street from some lake lots where a detached accessory building is not allowed but many exist.
- Hamburg Township allowed, with some standards, for a detached garage across the street from the principal structure which was used as a guide.
- Most of the single family lots around the lakes are existing non-conforming lots.
- Met with the Lake Home Owners Associations to get their input, which revealed many of the same issues with lot coverage and non-conforming lots.
- Another concern shared was with new homes being too big.
- Increase lot coverage percentage to be consistent with what other communities have and maybe a little more 50% to 60%, and cap how large the house can be at 30%.
- May need to look at High Density Residential and the Medium Density Residential too.

Sections Proposed for Amendment

Section 3.1.6.E.

This section outlines the maximum lot coverage for the SR zoning district. Currently, the maximum lot coverage is 20% for lots on public sewer and 15% for lots on private septic. The amendment would be to increase those amounts to 30% and 25%, respectively. In addition, the ordinance provides for an exception to the lot coverage standards for lots smaller than 32,670 square feet in lot area, qualify for a reduction in the lot coverage for a 15 foot area of the driveway.

Section 3.25

This section permits an exception to the lot coverage requirement by exemption of a portion of the driveway. However, the language is somewhat ambiguous in how the 15 foot section should be applied. Also, the historical application of this provision is mixed. As a result, staff has proposed to eliminate this provision and provide an increase in the total lot coverage standards.

In addition, with this section being made available, new language on waterfront lots are proposed to permit accessory structures that would be on vacant lands across the street from a waterfront lot that has a principal structure.

Section 7.3.A.

This section outlines standards for non-conforming lots. However, in order for these provisions to apply, the lot must have been created prior to September 18, 1959. The date provision is being proposed to be eliminated. Also, the requirement for a minimum house size is being eliminated; instead the normal zoning district requirement would apply. Lastly, the lot coverage requirements for non-conforming lots are being increased from 30% to 60%; however, an additional stipulation that the structures shall not exceed 30% is being proposed. This would help ensure that homes aren't too large. The percentage of lot coverage appears similar to other communities in the survey; and also based after staff examined many different lots around the lakes.

Commissioner Newsom asked how many of these properties have a Home Owners Associations (HOA). Director Langer stated many have associations but some are more active than others. Commissioner Newsom stated if the HOA wants to make lot coverage stricter they would be allowed to do so.

Director Langer clarified there are Zoning regulations that are enforced by local governments and HOA standards or deed restrictions or covenants that are enforced by the HOA. They could up their standards. They cannot up ours. We cannot enforce their standards and they cannot enforce ours. We are focusing on our standards.

Commissioner Colaianne suggested the language about impervious surface materials be very specific to avoid future ambiguity. Director Langer stated the language has not been proposed yet, this is conceptual but yes, they will want to look at that.

Commissioner Colaianne asked how a shed or gazebo is treated. Director Langer stated they are all treated as accessory structures.

Commissioner Grissim asked about the non-conforming lots increasing the lot coverage from 30% to 60%. She is assuming non-conforming is due to all different kinds of conditions and suggested a percentage ratio might be fairer.

Chair Fox expressed appreciation for the Director and Planning staff being willing to take on this issue after so many years of dealing with it.

The Planning Commission concurred.

Director Langer stated the changes are minimal but they should have an impact.

Commissioner Colaianne stated this should help the Zoning Board of Appeals as well many changes required variances. He would like to understand how we can enforce the across the street properties to ensure a lot is not sold with only an accessory building on it.

Director Langer explained some communities allow a tax id number with a property across a street; this Township does not allow that. If that person wants to have an accessory building across the street, they will have to provide us with a recorded deed restriction requiring the two properties to be sold together. Commissioner Colaianne stated that would not solve the problem as a quit claim could be filed the next day removing the deed restriction.

The Planning Commission and the Director discussed the various options.

Commissioner Newsom offered the following Motion:

Move to initiate a Zoning Ordinance Text Amendment, as outlined in the staff memorandum above.

Seconded by Commissioner Colaianne. Motion carried unanimously.

RESULT:	APPROVED [UNANIMOUS]
MOVER:	Jeff Newsom, Vice Chairman
SECONDER:	Joe Colaianne, Trustee
AYES:	Colaianne, Fox, Newsom, Grissim, Mitchell
ABSENT:	Murphy, Voight

8. Call to Public

- Dana Gardner, Hartland Township; asked about a fence that was discussed earlier as part of the Newberry project.
- Nicole Johnson, Hartland Township; expressed concern about lot coverage amendment.
- Joel Maguire, Hartland Township; expressed a desire to keep the rolling nature of the topography for the Newberry project, the proposed density and asked why we need more commercial development.
- An unnamed person complained about not being able to hear members of the Planning Commission.

9. Planner's Report

Director Langer reported the following:

- A new type of swimming pool covers in lieu of a fence. A resident would like us to waive the fence requirement. Commissioner Grissim stated the State of Michigan is in the process of adopting this product. Director Langer asked if the Planning Commission would like this to go to the Ordinance Review Committee. Livingston County Building Department has concerns. Commissioner Newsom stated it is worth looking at.

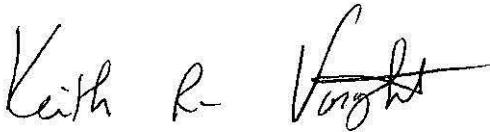
10. Committee Reports**11. Adjournment**

Motion to Adjourn

A Motion to adjourn was made by Commissioner Mitchell and seconded by Commissioner Newsom. Motion carried unanimously. The meeting was adjourned at approximately 8:28 PM.

RESULT:	APPROVED [UNANIMOUS]
MOVER:	Michael Mitchell, Commissioner
SECONDER:	Jeff Newsom, Vice Chairman
AYES:	Colaianne, Fox, Newsom, Grissim, Mitchell
ABSENT:	Murphy, Voight

Submitted by,



Keith Voight
Planning Commission Secretary