

APPROVED
LIVINGSTON COUNTY PLANNING
COMMISSION MEETING MINUTES

April 19, 2023
6:30 p.m.
Hybrid In-Person and Virtual Zoom Meeting

Zoom Virtual Meeting Room Meeting ID: 399-700-0062 / Password: LCBOC
<https://zoom.us/j/3997000062?pwd=SUdLYVFFcmozWnFxbm0vcHRjWkVIZz09>

PLANNING COMMISSION			
COMMISSIONERS PRESENT:	<table style="width: 100%; border: none;"> <tr> <td style="width: 50%; border: none;"> BILL ANDERSON MATT IKLE DENNIS BOWDOIN MARGARET BURKHOLDER </td> <td style="width: 50%; border: none;"> PAUL FUNK JASON SCHROCK BILL CALL </td> </tr> </table>	BILL ANDERSON MATT IKLE DENNIS BOWDOIN MARGARET BURKHOLDER	PAUL FUNK JASON SCHROCK BILL CALL
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COMMISSIONERS ABSENT:			
STAFF PRESENT:	SCOTT BARB ROB STANFORD		
OTHERS PRESENT:	BRUCE POWELLSON – MARION TOWNSHIP; TROY LANGER – HARTLAND TWP PLANNING DIRECTOR; RICHARD PARKER -MARION TOWNSHIP; MARK MYNSBERGE – MARION TOWNSHIP; PATRICK KEOGH – ACE CIVIL ENGINEERING; KATHLEEN KLINE-HUDSON; MARTHA HAGLUND; ERIN HARMON – IOSCO TWP; JOANN HAAS – COHOCTAH TWP. ZOOM ONLINE: KDC, KELLY, KEN C., TF, ROB PORTER, NORRIS HARDEMAN		

1. **CALL TO ORDER:** Meeting was called to order by Planning Commissioner Anderson at 6:30 PM.
2. **PLEDGE OF ALLEGIANCE TO THE FLAG**
3. **ROLL AND INTRODUCTION OF GUESTS:** None.
4. **APPROVAL OF AGENDA**

Commissioner Action: IT WAS MOVED BY COMMISSIONER ANDERSON TO APPROVE THE AMENDED AGENDA, DATED APRIL 19, 2023, SECONDED BY COMMISSIONER IKLE.
All in favor, motion passed 7-0.

5. **APPROVAL OF PLANNING COMMISSION MEETING MINUTES**

Commissioner Action: IT WAS MOVED BY COMMISSIONER IKLE TO APPROVE THE MINUTES, DATED MARCH 15, 2023, SECONDED BY COMMISSIONER BOWDOIN.
All in favor, motion passed 7-0.

6. **CALL TO THE PUBLIC:** None.

7. ZONING REVIEWS:

A. Z-17-23 HARTLAND TOWNSHIP, TEXT AMENDMENT TO THE ZONING ORDINANCE: ARTICLE 5 SITE STANDARDS, SECTION 5 VARIOUS LANDSCAPING CHANGES.

The Hartland Township Planning Commission is proposing to amend several sections of the Township Ordinance that address various components of landscaping. Staff has reviewed the proposed amendments for accuracy and compatibility with the existing ordinance language and offers the following summary for your review.

Township Planning Commission Recommendation: Approval. The Hartland Township held a public hearing on the proposed amendments on March 9, 2023. Meeting minutes have not been completed at time of this writing.

Staff Recommendation: Approval. The proposed landscaping amendments are an appropriate addition to the Township Ordinance.

Commission Discussion: None.

Public Comment: None.

Commission Action:

Commissioner Action: IT WAS MOVED BY COMMISSIONER SCHROCK TO RECOMMEND APPROVAL AS AMENDED, SECONDED BY COMMISSIONER BOWDOIN.

Motion passed: 7-0

B. Z-18-23 MARION TOWNSHIP, CONDITIONAL REZONING, HS HIGHWAY SERVICE DISTRICT TO UR-URBAN RESIDENTIAL DISTRICT, SECTION 2.

Current Zoning: HS Highway Service District

Proposed Zoning: UR Urban Residential District
Section 2

Township Master Plan: The Future Land Use plan and map of Marion Township (2021) designates the site as Commercial. The Township Master Plan further describes these area in the following manner (p. 72).

The intent of the Commercial future land use category is to concentrate future commercial uses within the Township Proposed Water/Sewer Boundary and around the highway interchange for ease of transportation access to and from establishments and to serve a regional customer base. Locating future Commercial development adjacent to the interchange and D-19, the major arterial in Marion Township, will minimize traffic congestion, traffic conflict and traffic hazards and will keep nonresidential uses contiguous to the commercial services of the City of Howell. Traffic generated by commercial uses will also benefit from a future paved roadway that will connect D-19 to Peavy Road just south of the interchange.

The Commercial future land use designation encompasses 238 acres of land. The bulk of this land area surrounds the I-96 interchange extending south to Francis Road and west to Peavy Road. It includes land area on both sides of D-19. Another small node of commercial is noted near the southern boundary of the Township, at the northwest corner of the Schafer Road and D-19 intersection where existing commercial is present. Lastly, small commercially designated Township parcels are scattered amongst City of Howell properties along Mason Road and Michigan Avenue.

Developmental densities within the Commercial future land use designation should not exceed one building or structure per one acre. The Commercial future land use category corresponds to the HS Highway Service District of the Marion Township Zoning Ordinance.

Township Planning Commission Recommendation: Approval with Conditions. The Marion Township Planning Commission recommended Approval with Conditions of this Rezoning at its February 28, 2023 Public Hearing.

Staff Recommendation: Approval with Conditions. While the proposed rezoning to Urban Residential is not consistent with the Township Master Plan designation for the subject parcel, it would, however, be generally compatible with the urbanized, residential nature of the immediately surrounding area and would create a more suitable economic and land use solution for this subject site.

Staff would concur with the township Planning Commission recommendation of Approval with Conditions, conditions being those offered by the applicant as provided in Exhibit A of this review.

In addition, staff would highly recommend and encourage the township to consider approving this proposed rezoning with the conditions that it be developed as a Residential Planned Unit Development (PUD) for the reasons stated in the review. A PUD would allow both the applicant and the township with much more flexibility in site development alternatives, given the level of potential undesirable environmental conflicts and concerns also raised in the review.

A very important decision will also need to be made by the Township Board to determine whether to, and how to, compensate the significant loss of both future planned commercial areas as well as solar farm overlay areas that will occur in conjunction with an approval to residential for the subject site.

Commission Discussion: Commissioner Call asked for justification for not following the master plan. Commissioner Funk asked about timing of the project and how it correlates with the community solar energy decision in the Township. Principal Planner Stanford stated that the Township Zoning Administrator informed him that other developments have been presented on this parcel before, as there is a significant amount of land to be lost to potential commercial and/or residential development. Commissioner Bowdoin asked if the proximity of the Howell racetrack is a land use conflict with this potential development and if the solar energy overlay is being eliminated due to this project. Commissioner Funk asked if the subject acreage would be more valuable if it is rezoned to residential. Commissioner Anderson asked about a future paved road connecting D-19 to Peavy Road. Commissioner Funk stated that traffic counts would drive the location of traffic lights and suggest that the Township document the number of new residences. Commissioner Ikle stated that he thought the development would need two points of access.

Public Comment: Pat Keogh with Ace Civil Engineering spoke and gave a brief history of the property that is being considered for rezoning. Mr. Keogh explained that wetlands are an issue on the property from an access standpoint and that is why residential is being pursued rather than commercial, although the applicant has the ability to develop the property as they wish under the current zoning designation. Joanne Haas, Cohoctah Township, asked if they are going to consider other locations if solar becomes less significant. Mark Mynesberge, resident of The Meadows, is in support of the development and would rather see residential instead of another commercial land use. Bruce Powellson, Marion Township, stated there is a bridge being rebuilt on Peavy Road, and that Kettle Road is being used for access to this development and that there needs to be a permanent traffic light at this intersection. The area under consideration was zoned as UR-Urban Residential in the past, and then rezoned to HS-Highway Service. Traffic counts have continued to increase significantly.

Commission Action:

Commissioner Action: IT WAS MOVED BY COMMISSIONER BOWDOIN TO APPROVE WITH CONDITIONS, SECONDED BY COMMISSIONER IKLE.

Motion passed: 7-0

8. **OLD BUSINESS:** None.

9. **NEW BUSINESS:**

A. **WELCOME MARGARET BURKHOLDER, INDUSTRIAL REPRESENTATIVE ON PLANNING COMMISSION:** The Planning Department and Commission welcome Margaret Burkholder to her new position on the Livingston County Planning Commission.

B. **BRIAN PROKUDA CERTIFICATE OF RECOGNITION FOR NINETEEN YEARS OF SERVICE ON THE LIVINGSTON COUNTY PLANNING COMMISSION:** The Planning Department and Commission formally recognize Brian Prokuda for his nineteen years of service on the Livingston County Planning Commission. **(MOVED TO TOP OF AGENDA AS AMENDED).**

10. **REPORTS:** None.

11. **COMMISSIONERS HEARD AND CALL TO THE PUBLIC:** Commissioner Funk asked what the Planning Commission can do about educating the locals on solar energy. Commissioner Bowdoin stated that our local planning commission visits have been helpful in keeping them advised of issues.

12. **ADJOURNMENT:**

Commissioner Action: IT WAS MOVED BY COMMISSIONER IKLE TO ADJOURN THE MEETING AT 8:15 P.M., SECONDED BY COMMISSIONER CALL.

Motion passed: 7-0