

LIVINGSTON COUNTY PLANNING COMMISSION MEETING MINUTES

April 21, 2021

6:30 p.m.

- Virtual Meeting Held in Accordance with Public Act 228 of 2020 -

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%;">BRIAN PROKUDA</td> <td style="width: 50%;">BILL ANDERSON</td> </tr> <tr> <td>MATT IKLE</td> <td>DENNIS BOWDOIN</td> </tr> <tr> <td></td> <td>BILL CALL</td> </tr> </table>	BRIAN PROKUDA	BILL ANDERSON	MATT IKLE	DENNIS BOWDOIN		BILL CALL
BRIAN PROKUDA	BILL ANDERSON						
MATT IKLE	DENNIS BOWDOIN						
	BILL CALL						
COMMISSIONERS ABSENT:	JEANNE CLUM						
STAFF PRESENT:	KATHLEEN KLINE-HUDSON ROB STANFORD SCOTT BARB						
OTHERS PRESENT:	PAUL FUNK, HOWARD FINGERROOT, NICKKI JEFFRIES, GAYLA RUETER-ALM, MIKE L, MARK SZERLAG						

1. **CALL TO ORDER:** Meeting was called to order by Planning Commission Chair Prokuda at 6:35 PM.
2. **PLEDGE OF ALLEGIANCE TO THE FLAG**
3. **ROLL AND INTRODUCTION OF GUESTS:** Roll call by Principal Planner Stanford indicated the presence of a quorum. Members of the public were acknowledged in the audience.

Present:

Prokuda	[X]	Location: Deerfield Township
Ikle	[X]	Location: Genoa Township
Anderson	[X]	Location: Howell Township
Bowdoin	[X]	Location: Conway Township
Call	[X]	Location: Handy Township

Absent: Jeanne Clum

4. APPROVAL OF AGENDA

Commissioner Action: IT WAS MOVED BY COMMISSIONER CALL TO APPROVE THE AGENDA, AS PRESENTED, DATED APRIL 21, 2021, SECONDED BY COMMISSIONER IKLE.

All in favor, motion passed.

Yea: Prokuda [X] Ikle [X] Anderson [X] Bowdoin [X] Call [X]

Nay: None.

5. APPROVAL OF PLANNING COMMISSION MEETING MINUTES – Commissioner Anderson noted one correction to the March 17, 2021 minutes; Abramson was noted as being present at adjournment.

Commissioner Action: IT WAS MOVED BY COMMISSIONER IKLE TO APPROVE THE MINUTES AS AMENDED, DATED MARCH 17, 2021, SECONDED BY COMMISSIONER ANDERSON.

All in favor, motion passed.

Yea: Prokuda [X] Ikle [X] Anderson [X] Bowdoin [X] Call [X]

Nay: None.

6. CALL TO THE PUBLIC: No members of the public wished to speak.

7. ZONING REVIEWS:

A. Z-10-21: GREEN OAK CHARTER TOWNSHIP – REZONING

Current Zoning: RE- Rural Estates

Proposed Zoning: PUD Rural Estates

Section 13

Township Master Plan:

The Green Oak Charter Township Master Plan adopted in 2014, designates the site and the parcels immediately to the north, south, east and west, as Low Density Single-Family Residential. The master plan defines this future land use category as follows:

Low Density Single-Family Residential is planned for areas with existing and adjacent low density development. Unlike Very Low Density Residential, Low Density Residential areas warrant road improvements in areas of poor road conditions because existing population densities are sufficient. However, Low Density Residential is similar to Very Low Density Single-Family Residential in providing for the following:

- *Preservation of Rural Character- Low density and very low density designations are also preferred for the location of large acreage horse or livestock operations. These rural residential uses, in conjunction with optional livestock use, help preserve the preferred rural residential character of the Township.*
- *Consideration of Sensitive Natural Features- The areas designated for low density uses include large portions of land where soils and groundwater conditions warrant larger lots. Soils are often heavy in these areas and are often not suitable for smaller size lots. The proximity to natural river areas and tributaries make these areas sensitive to watershed resources and groundwater quality and are therefore only moderately capable of supporting additional development due to these natural resource conditions.*

Low density residential development occurs primarily within the southeast quadrant of the Township, the Dixboro Road corridor, and select additional areas of established large lot development. The Zoning Plan of the Master Plan notes that RE Rural Estates is the zoning district that corresponds to the Low Density Single-Family Residential master plan designation.

The Green Oak Charter Township Master Plan adopted in 2014, also designates the site and the parcels immediately to the north and west, as Natural River Overlay. The master plan defines this future land use category as follows:

Green Oak Charter Township includes rivers and creeks which are designated for protection under the Natural River Act (PA 59 of 1995 and PA 451 of 1994) by the Michigan Department of Natural Resources and under the Township Natural Rivers Overlay District. Generally, the area four hundred (400) feet from the ordinary high water mark on each side of and parallel to the Huron River and its tributaries, Davis Creek and Spring Mill Creek, is designated as Natural Rivers Overlay District. Regulations includes a building setback of one hundred twenty-five (125) feet from the river or fifty (50) feet from the tributaries.

County Comprehensive Plan:

The 2018 Livingston County Master Plan does not direct future land use patterns, or development within the Township or surrounding area. A county-wide land use perspective is considered when reviewing potential rezoning amendments. The County Master Plan notes land use opportunities and constraints for each quadrant of the county. The opportunities and constraints pertinent to this rezoning amendment include:

- *The Huron River, its tributaries and the lakes that they connect, are noted as opportunities for a connected waterway trail.*
- *Possible Land Use Conflicts along much of the township boundary between Green Oak and Brighton Townships is noted as a potential land use constraint between commercial land uses and parks and recreational land use.*
- *The Fonda, Island & Briggs Lake Joint Water Authority has an established wellhead protection area at the border of Green Oak and Brighton Townships that is noted as an opportunity for water quality.*

Township Planning Commission Recommendation: Approval. At the November 19, 2020 public hearing there was one public comment regarding the proposed number of homes, the rural character of the area and the potential impact on traffic.

Staff Recommendation: Approval. The proposed PUD/RE rezoning is compatible with surrounding RE Rural Estate zoning and Low Density Residential master planning. It is also compatible with the majority of surrounding residential land uses, although not entirely compatible with the industrial park land uses to the northwest. The proposed PUD Planned Unit Development will be far more protective of the natural environment surrounding Dove Lake than a conventional rezoning to RE Rural Estates would be. This is extremely important since the Davis Creek tributary of the Huron River is adjacent to the northern boundary of the site.

Commission Discussion: Commissioner Ikle inquired if the applicant has requested water and sewer hook-up. Director Kline-Hudson said that to her knowledge, this has not been requested. Commissioner Prokuda asked about the parallel plan process and the natural area around Davis Creek. Director Kline-Hudson explained the parallel plan process that resulted in 37 lots between approximately ¼ - ½ acre in size, and that the required 125 foot buffer around Davis Creek will remain undisturbed.

Public Comment: None.

Commission Action:

Commissioner Action: IT WAS MOVED BY COMMISSIONER CALL TO RECOMMEND APPROVAL. SECONDED BY COMMISSIONER ANDERSON.

Motion passed: 5-0

**Yea: Prokuda [X] Ikle [X] Anderson [X] Bowdoin [X] Call [X]
Nay: None.**

B. Z-11-21: GREEN OAK CHARTER TOWNSHIP – REZONING

Current Zoning: RO Research Office/LI Limited Industrial

Proposed Zoning: RM Residential Multiple Family

Section 8

Township Master Plan:

The Green Oak Charter Township Master Plan adopted in 2014, designates the site as Research Office. The master plan defines this future land use category as follows:

Research-Office is a category that provides areas for research and office uses which are clean, attractive, and developed in a campus-type setting. The area planned for research/office activities is focused at the southwest corner of Whitmore Lake and Maltby Roads, to provide maximum visibility from and accessibility to the expressway and may be appropriate in mixed use developments.

This future land use designation is associated with the RO Research Office zoning district.

County Comprehensive Plan:

The 2018 Livingston County Master Plan does not direct future land use patterns, or development within the Township or surrounding area. A county-wide land use perspective is considered when reviewing potential rezoning amendments. The County Master Plan notes land use opportunities and constraints for each quadrant of the county. The opportunities and constraints pertinent to this rezoning amendment include:

Trail System Recreation Opportunity - There is an opportunity for a trail system that would connect the Lakelands Trail State Park to downtown City of Brighton. This trail opportunity was mapped by participants as extending from the commercial node at Chilson and M-36 (Kroger Plaza) to traverse along Chilson, Winans Lake, Hamburg, Maltby and Rickett Roads through Hamburg and Green Oak Townships to the City of Brighton.

Additionally, for multi-family housing the Livingston County Master Plan recommends:

Missing Middle Housing (pages 119-121) - Missing middle housing is a range of multi-unit or clustered housing types that are blended within or next to blocks of single-family housing. It is reminiscent of pre-1940's housing construction where blocks of housing had varied types of structures. The suggested types of housing structures include: duplex; triplex; four-plex; courtyard apartment; bungalow court; townhouse; multiplex; and live/work. The multiple units typically have small to medium footprints, with a structure width, depth and height that is compatible in scale with single-family homes. This creates a block of housing that is visually harmonious, making Missing Middle Housing a good tool for compatible infill.

Township Planning Commission Recommendation: Approval. At the November 5, 2020 public hearing there were numerous comments from the public regarding property values; multiple family land use; buffers; lighting; traffic; trees; wildlife; and building height. Numerous letters of concern were also sent to the Township office and were included in County Planning Commission materials.

Staff Recommendation: Approval. The proposed RM Residential Multiple Family conditional rezoning is compatible with surrounding residential zoning and land use, and public utilities are available to the site. The proposed RM development will provide a transition between the more intense industrial land uses and zoning located along Whitmore Lake Road and the less-intensive surrounding single-family land uses and zoning. The conditions offered by the applicant will include the preservation and enhancement of woodlands on-site that will act as both a visual and noise buffer between the development and surrounding residential development to the west and south.

Commission Discussion: The applicant Howard Fingerroot briefly explained the Township support for the project and answered questions from commissioners. Commissioner Anderson asked the applicants about the locations of the retention pond and reserve parking. Applicant Nikki Jeffries identified these areas on the site plan. Commissioner Ikle asked if a berm would be present between the development and the residential development to the south. He also asked about a traffic count on Maltby Road. Nikki Jeffries commented on the buffers between the development and surrounding residences, and discussed traffic on Maltby Road and remedies such as a passing lane that will be added.

Public Comment: None.

Commission Action:

Commissioner Action: IT WAS MOVED BY COMMISSIONER ANDERSON TO RECOMMEND APPROVAL. SECONDED BY COMMISSIONER IKLE.

Motion passed: 5-0

Yea: Prokuda [X] Ikle [X] Anderson [X] Bowdoin [X] Call [X]

Nay: None.

8. OLD BUSINESS:

A. Planning Commission Vacancy: Director Kline-Hudson explained the process and the current status of the candidate selection process.

B. Livingston County Planning Department 2021 Work Program: The Professional Planning Services contract for the Village of Pinckney has been removed from the work program because the Village planning consultant has decided to fill the planning and zoning void until the Village is able to hire a new zoning administrator. Staff hours in the work program have been adjusted.

9. NEW BUSINESS:

A. Planning Commission Meetings: It was decided by Planning Commission Chair Prokuda that the May 19, 2021 meeting will be virtual. Future meeting arrangements will be discussed at the May 19 meeting.

B. Planning Commission Per Diems: Principal Planner Stanford explained how he had consulted with various Administration personnel on per diems, and that signed forms will no longer be needed as accounting backup, as we are allowed to use the meeting minutes from the meeting for this purpose, according to Fiscal Services Director Cindy Catanach and Account Assistant - Accounts Payable Amy Cook.

10. REPORTS:

- April 28, 2021 Brown Bag Lunch on Rural Broadband Access
- Acceptance and Oath of Office with County Clerk representative will be scheduled for May 19, 2021 meeting if possible.

11. COMMISSIONERS HEARD AND CALL TO THE PUBLIC: Mr. Paul Funk briefly introduced himself and commented on the Planning Commission appointment process.

12. ADJOURNMENT:

**Commissioner Action: IT WAS MOVED BY COMMISSIONER ANDERSON TO
ADJOURN THE MEETING AT 7:45 P.M., SECONDED BY COMMISSIONER CALL.**

Motion passed: 5-0

Yea: Prokuda [X] Anderson [X] Bowdoin [X] Call [X] Ikle [X]

Nay: None.