

**VILLAGE OF HOLLY
PLANNING COMMISSION MEETING**

Agenda

July 25, 2018

7:00 PM

The regular meeting of the Village Planning Commission is scheduled for 7:00 P.M. in the Village Council Chambers, 920 Baird Street, Holly, Michigan. For additional information, please contact the Village Office at (248) 634-9571.

- **CALL TO ORDER - PLEDGE OF ALLEGIANCE**

- **ROLL CALL**

- **APPROVAL OF AGENDA**

- **APPROVAL OF MINUTES - April 25, 2018**

- **STATEMENT OF PURPOSE**

The mission of the Holly Village Government is to enhance our community's quality of life. Our organization strives for quality services, responsive action to citizen requests, and a cost-effective government. We promote citizen participation, proactive decision-making and environmental quality. Most importantly, we shall always serve the citizens of Holly. The Village of Holly will be a prestigious, historical village that is a green residential oasis from the City, and the center of commerce and activity for the region.

- **PUBLIC HEARING-**

- **PUBLIC COMMENT**

Members of the public can address council once recognized by the chairperson. Comments are limited to a maximum of four minutes. Council may extend this time by up to an additional four minutes by a majority vote. Prior to addressing council, members of the public shall state their name and address for the record.

- **OLD BUSINESS -**

- **NEW BUSINESS - Consideration of reviewing the existing Planned Unit Development (PUD) language. Section 157.080 to 157.096**

- **REPORTS**

- (a) ZBA

- (b) DDA

- (c) COUNCIL

- (d) PARKS COMMISSION

- **COMMISSIONER AND STAFF COMMENTS**

- **PUBLIC COMMENT**

Members of the public can address council once recognized by the chairperson. Comments are limited to a maximum of four minutes. Council may extend this time by up to an additional four minutes by a majority vote. Prior to addressing council, members of the public shall state their name and address for the record.

ADJOURNMENT

VILLAGE OF HOLLY
PLANNING COMMISSION REGULAR MEETING
Minutes of April 25, 2018

Commissioner Okonski, called the regular meeting of the Planning Commission of the Village of Holly to order at 7:00 p.m. in the Holly Area Schools Board of Education Room, Karl Richter Center at 920 E. Baird St., Holly, Michigan.

Commissioners Present

Gary Okonski
Dave Cruickshank
Richard Putz
Lori Goldsmith
Galon Christian*in at 7:03

Commissioners Excused

Cal Steele
Sandra Kleven
Margaret Hejhal
George Kullis

Others Present

Marlo Davison
Angie Lemon
Laurie Lacey
J. Lacey

Staff Present

Janell Minnick
Katy Hughes
Jeremy Watson

Okonski opened the meeting with the Pledge of Allegiance.

Motion Cruickshank, second Goldsmith to excuse the following members from the meeting: Cal Steele, Sandra Kleven, Margaret Hejhal, and George Kullis.

APPROVAL OF AGENDA:

Motion Cruickshank, second Putz to approve agenda as presented. Motion carried by a voice vote of all ayes and no nays.

APPROVAL OF THE MINUTES:

Motion Cruickshank, second Goldsmith to approve the minutes as written. Motion carried by a voice vote of all ayes and no nays.

Statement of Purpose

Commissioner Goldsmith read the Statement of Purpose, as follows: The mission of the Holly Village Government is to enhance our community's quality of life. Our organization strives for quality services, responsive action to citizen requests, and a cost-effective government. We promote citizen participation, proactive decision-making and environmental quality. Most importantly, we shall always serve the citizens of Holly. The Village of Holly will be a prestigious, historical village that is a green residential oasis from the City, and the center of commerce and activity for the region.

PUBLIC HEARING: Case # 2017-001 Consideration of amending section 157.076 CBD – Central Business District to allow “sidewalk cafes” to serve alcohol.

Motion Cruickshank, second Christian to open the public hearing at 7:04 p.m.

PUBLIC COMMENT: NONE

Motion Cruickshank, second by Putz to close the public hearing at 7:05 pm. Motion carried by a voice vote of all Ayes.

Motion Cruickshank, second Christian to approve to amend section 157.076 CBD – Central Business District as written and move to Council. “The sale or consumption of alcoholic beverages, beer, wine, and spirits shall not be permitted in any sidewalk café under this policy, unless permission is granted by the Village Council.”

OLD BUSINESS: NONE

NEW BUSINESS: (A) Ordinance change to be placed on a council agenda for their approval. To amend section 157.076 CBD – Central Business District as written. “The sale or consumption of alcoholic beverages, beer, wine, and spirits shall not be permitted in any sidewalk café under this policy, unless permission is granted by the Village Council.”

- McGoldrick ROWE Professional Services
 - The amendment is changing by adding a comma to the ordinance. “The sale or consumption of alcoholic beverages, beer, wine, and spirits shall not be permitted in any sidewalk café under this policy, unless permission is granted by the Village Council.”
- Okonski asked if they would pull a valid liquor license.
- McGoldrick said yes
- Cruickshank asked about the codes
- Watson said yes they would need to follow the village codes and LCC codes
- Putz said alcohol should be served in an enclosed fence area with license and insurance.
- Cruickshank asked how they would get a license
- Watson said they would come to the village office and obtain. It would be set up similar to Andy’s Place.
- McGoldrick said they would get an annual permit.
- Cruickshank asked about the Vault...getting permission every time they had an event or 1 permit covering everything in that calendar year?
- Watson said individual permits would need to get pulled.
- Okonski said permits were good for a year, is that on a fixed establishment?
- McGoldrick said correct.
- Watson said that it would come to council annually.
- Hughes added that it would mimic Andy’s Place to council for the calendar year.

- Okonski asked if the Vault or anyone else has a special event, sometimes a special event requires a different liquor license, so would that require a different application?
- Watson said the MLC (Michigan Liquor Control) they can serve outside within a Perimeter. Example is Northern Oak.
- Putz asked How would the beer tents be?
- Watson they are already fenced in. (Ex. Dickens Festival)

Motion Cruickshank, second Christian to approve to amend section 157.076 CBD – Central Business District as written and move to Council. “The sale or consumption of alcoholic beverages, beer, wine, and spirits shall not be permitted in any sidewalk café under this policy, unless permission is granted by the Village Council.”

REPORTS:

- **ZBA update:** There will be a meeting on Monday May 7.
- **DDA update:** April 27 is Ladies Night Out and we are ready to go. Everything is done on the car wash for demolition, just scheduling the contractor. DDA is looking into parking management downtown. The Fire Department is looking to relocate to the old “Good Wood” building at 414 N Saginaw. The Police are also considering moving there.
- **Council update:** Parking issue has been tabled. Snow Ordinance has been tabled. Will review later parking over night and when a snow emergency is.
 - Christian asked what kind of code enforcement you will get.
 - Watson said a warning.
- **Parks Commission update:** River fest 2019 could possibly be in Holly. The Friends of the Shiawassee River have mentioned Water Works Park.

COMMISSIONER AND STAFF COMMENTS:

- Goldsmith had none.
- Putz said that Falcon Motors at Elm and N Saginaw is looking “cleaned up”.
- Cruickshank had none.
- Christian said he is busy at work.
- Okonski had none.
- Watson said that Strands Salon received their Code Enforcement Recognition in April with a Pizza Party.
- Hughes said there is progress at the RHL Group building on Battle Alley. The artwork is being completed on this. He is an urban artist. DDA is a 5013C that is approved by the IRS. The DDA is now available to receive donations and grants. The same artist that did the mural on the RHL Group building will also be doing the mural on the Sunnyside Shops at 101 at the end of next week.

PUBLIC COMMENTS:

Angie Lemon 116 College St

- Saturday April 28, the Parks Committee will be meeting at Ganshaw Park for the walk thru in the

parcs. Not sure how many Parks we will get through. June 9 from 5-7 there is music in the park. The band is called Blue Cat Band. Park cleanup day is June 2 @ 10:00am.

- Watson said that there will be signs made for the parks that state no dogs allowed.

ADJOURNMENT:

With nothing further to discuss, there was a motion by Cruickshank, seconded by Putz to adjourn the meeting at 7:29 PM.

Deputy Clerk Treasurer

Janell Minnick



ROWE PROFESSIONAL SERVICES COMPANY

*Large Firm Resources. Personal Attention.*sm

July 3, 2018

Mr. Jerry Walker
Village of Holly
300 East Street
Holly, MI 48442

RE: July Planning Commission Meeting- PUD Proposed Text Amendment

Dear Mr. Walker:

ROWE Professional Services Company is in receipt of the staff initiated request; for the Planning Commission to review the existing Planned Unit Development (PUD) language. I have attached the existing language (including the text amendment in 2017) and have the below recommendations from village staff.

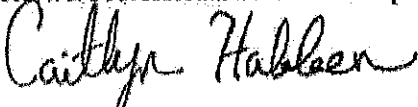
1. One of the attractive aspects of the PUD district to developers and special projects is that there is generally more flexible then the other standard districts. There is generally more room for the Planning Commission to negotiate with the applicant of the PUD project to keep with the community's values, but allow for some exceptions. The village's current language is very specific with setbacks, building heights, density, and other requirements (157.080(D) and (E)) located on page 3. If an applicant wants to stray from these standards, the only option is to go to the Zoning Board of Appeals (ZBA).
 - o It is the staff's recommendation to allow for the Planning Commission to waive the specific design requirements during site plan review. This will save the applicant time and money as well as may be the more appropriate body to waive any of these requirements because they were also involved in the PUD rezoning and conceptual plan approval.
 - o On the flip side, if the Planning Commission would like to always see these standards used, then the most appropriate action is to keep the language as drafted requiring the applicant to go to the ZBA.
2. In Section 157.096(D) located on page 5, it requires the Village Council to hold a public hearing for the proposed PUD rezoning to approve the rezoning and concept plan. As the Planning Commission may know, per Section 157.011 Amendments, it requires the Planning Commission to hold a public hearing on amendments such as rezoning. It is required by the Michigan Zoning Enabling Act for the Planning Commission to hold a public hearing on a rezoning, but does not require the Village Council to do the same. This would help save the village money for sending out a second notice to the same people and to the newspaper and reduce redundancy.
 - o It is the staff's recommendation to remove the requirement for the Village Council to hold a public hearing with their approval of the rezoning of the PUD and the conceptual plan.
 - o On the flip side, this is not an uncommon requirement in PUD language since these projects are not as straight forward as a normal rezoning.

Mr. Jerry Walker
July 3, 2018
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3. ROWE has also observed other minor edits we would recommend outlined below:
- Section E(5) the existing table does not have a header "Uses" and change the following number in sequence to (6).
 - The term "Zoning Commission" is used throughout the zoning ordinance. This is an old term from the Michigan Zoning Enabling Act, that had a sunset clause for communities to switch to "Planning Commission". It is our recommendation to, since we are reviewing many sections in this article, remove "and/or Zoning Commission" where it is used in these sections.

If you have any questions or require additional information, please feel free to contact our corporate office at (810) 341-7500 or at chabben@rowepsc.com.

Sincerely:
ROWE Professional Services Company


Caitlyn Habben
Planner

Attachment: Section 157.080 to 157.096

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Village of Holly

157.080 PUD - PLANNED UNIT DEVELOPMENT DISTRICT.

(A) *Intent.*

(1) The intent of the Planned Unit Development District (PUD) is to permit flexibility in the regulations for development that either includes a mix of land uses or is proposed for a site containing unique natural or historic features which the developer and the village desire to preserve. The standards of this section are intended to encourage innovative design and create opportunities that may not be obtainable through the more rigid standards of a single zoning district.

(2) The provisions of this chapter are to be used to promote land use substantially consistent with the character of the surrounding districts and area. Departure from the generally applicable requirements of the existing zoning district will be made to provide flexibility in design to the developer with proper review and approval by the village.

(3) The PUD standards are not to be used as a technique to circumvent the intent of this chapter, to avoid imposition of specific zoning ordinance standards, or the planning on which it is based.

(B) *Criteria.* A proposed PUD may be allowed as a distinct zoning district for a particular parcel(s) of land within the village upon a determination by the Village Council following a recommendation from the Planning Commission and/or Zoning Commission, as required, based on the following criteria.

(1) The subject tract of land proposed as a PUD shall be a minimum of three (3) acres in size. The minimum site area of a PUD may be reduced upon application to and finding by the Planning Commission, as required, that the smaller site area can be developed to meet the intent and review objectives of the PUD when preservation of existing buildings or natural features are present on the site and shall be under single ownership.

(2) The proposed PUD shall directly abut a major street (a collector or arterial road as defined in the Village Master Plan).

(3) The site shall contain significant natural or historic features that will be preserved through development under the PUD standards as determined by the Planning Commission and/or Zoning Commission, as required, or the site is proposed with a complimentary mixture of housing types within a unique, high quality design.

(4) The PUD will result in a recognizable and substantial benefit to the ultimate users of the project and to the village, where such benefit would otherwise be unlikely to be achieved. The benefits can be accomplished through a higher quality unified design than would be required by the normal regulations of this chapter. The benefits shall be demonstrated in terms of preservation of natural features, architectural design, extensive landscaping, special sensitivity to adjacent land uses, well designed access and circulation systems, or integration of various site features into a unified development.

(5) The PUD type and density will not result in an increase in traffic movements, the use of public services, residential population, facilities, and utilities when compared to the most dense use allowed within the current zoning requirements for the property.

(6) The development shall not place an unreasonable burden on surrounding property or property owners.

(7) The PUD will only be applied to properties when municipal sanitary sewers and water mains are provided to all segments of the proposed development and are designed and constructed in accordance with village engineering and design standards.

(8) Each lot, principal building, or principal use within the PUD shall have vehicular access from a street that is designed and constructed in accordance with the village engineering and design standards.

(9) The Village Council, upon Planning Commission and/or Zoning Commission, as required, recommendation, may permit certain lots, principal buildings, or principal uses to maintain vehicular access to a private street; provided, that such street is constructed in accordance with the village engineering and design standards and the continued maintenance of the private street by the property owners(s).

(10) Each lot, principal building, or principal use shall have pedestrian access from a public or private sidewalk that is physically separated from streets and that provides for safe and convenient movement of pedestrians.

(11) Each access from a major street shall be provided with turn lanes, as required by the Village Council, upon a recommendation by the Planning Commission and/or Zoning Commission, as required.

(12) A residential structure shall not have direct access to an arterial road or a collector street.

(13) The proposed street layout shall provide for the continuation of collector streets in the adjoining developments or the proper projection of streets when the adjoining property is undeveloped.

(14) The minimum floor area for residential uses shall meet the requirements of the R1B and RM Zoning Districts.

(C) *Permitted uses.*

(1) A PUD may provide for a mixture of land uses; however, industrial uses and mobile home parks are expressly prohibited.

(2) A PUD may provide for a variety of permanent housing types, including single-family homes, townhouses, condominiums, apartments, and cluster housing units.

(3) Commercial uses permitted in the C-Commercial District, together with other uses deemed consistent within the overall plan by the Planning Commission and/or Zoning Commission, as required, may occupy not more than 25% of the gross land area of the PUD.

(4) (a) A PUD shall provide a minimum of 15% of the gross land area as common open space that shall be readily accessible and available to the occupants of those dwelling units for whose use the open space is intended. All common open spaces shall be of a size, configuration, function, and location that is satisfactory to the Planning Commission and/or Zoning Commission, as required.

(b) 1. If a PUD is developed in phases, the open spaces shall be developed in a proportional manner.

2. A PUD may consist entirely of residential use. A PUD with commercial and office uses shall also contain residential development.

(5) The only uses permitted in a PUD are those approved by the Village Council after receiving a recommendation from the Planning Commission and/or Zoning Commission, as required.

(D) Density.

(1) The maximum permitted residential density for a PUD shall be determined based upon the following average land area per each type of dwelling unit.

Single-family attached unit (horizontal separation only)	7,200 square feet
Single-family detached unit	12,000 square feet
Townhouses, apartments, and other multiple family units	4,000 square feet

(2) The area used for computing residential density shall be the total site area exclusive of any proposed or existing road right-of-ways and unbuildable areas such as water-covered property, wetlands, and floodplain areas.

(3) The maximum lot coverage of all uses in a PUD, including accessory buildings, shall not exceed 35%.

(E) Building, height, setbacks, and floor area.

(1) The maximum building height permitted in a PUD shall be 35 feet.

(2) A minimum yard setback of 50 feet shall be provided along the perimeter of a PUD fronting on a street.

(3) (a) A minimum yard setback of 35 feet shall be provided along the perimeter of a PUD not fronting on a street.

(b) Such area shall be designed and landscaped as a buffer to neighboring properties.

(c) No parking lots and driveways shall be permitted in this area.

(4) (a) The distance between any residential building and any nonresidential building shall be 150 feet.

(b) A heavily landscaped strip that is a minimum of 50 feet wide shall be provided between any residential building and any nonresidential building.

(c) The strip shall be heavily planted with trees, shrubs, and berms with ground cover as required by the Planning Commission and/or Zoning Commission, as required.

(5) Residential buildings and nonresidential developments shall maintain setbacks as follows.

<u>Uses</u>	<i>Front</i>	<i>Side (Each)</i>	<i>Rear</i>
Nonresidential developments	15 feet	10 feet	20 feet
Single-family attached unit (horizontal separation only)	15 feet	5 feet	20 feet

Single-family detached unit	15 feet	5 feet	20 feet
Townhouses, apartments, and other multiple family units	15 feet	10 feet	20 feet

(65) The minimum usable floor area for all uses in a PUD shall be those stated in § 157.009.

(7) At least one bedroom shall be provided in each residential unit.

(8) Residential and commercial uses may be combined in the same building; however, no residential use shall be located on the same floor, or below any commercial use.

(F) Signs. Signs shall be permitted in a PUD based on the regulations provided in this code of ordinances and reviewed by the Planning Commission and/or Zoning Commission, as required, as part of the PUD approval.

(G) Landscaping. All portions of each lot, parcel, or area not covered by buildings or paving shall be landscaped and permanently maintained by the property owner, tenant or organization responsible for maintaining common areas as provided in §§ 157.165 through 157.176, "Landscaping Standards".

(H) Phasing. Development within a PUD may be phased as delineated on an approved plan and the time span for completion of each phase of a PUD shall be as delineated on an approved plan, but in no case longer than five years.

(Ord. 259, passed 10-24-1995; Ord. 321, passed 4-13-1999; Ord. passed 2-1-2012) Penalty, see § 157.999

PUD – Application and Review Procedure

157.095 GENERALLY.

The application process for a PUD involves:

(A) Request for rezoning to appropriate PUD designation, a conceptual (preliminary) site plan, and an environmental assessment;

(B) A final site plan(s) and environmental impact assessment. The final site plan shall meet the requirements of §§ 157.190 through 157.204, "Site Plan Review and Approval". For PUD projects over 30 acres, the applicant may choose to submit a schematic site plan, and submit more detailed final site plans for each project phase;

(C) Contractual agreement between the applicant and the village; and/or

(D) A final site plan review for each building or project phase, where appropriate.

(Ord. 259, passed 10-24-1995; Ord. passed 2-1-2012)

157.096 REZONING TO A PUD DESIGNATION.

(A) An optional pre-application workshop with the Planning Commission and/or Zoning Commission, as required, may be requested by the applicant to discuss the appropriateness of a PUD concept, solicit feedback, and receive requests for additional materials supporting the proposal. An applicant desiring such a workshop shall request placement on the Planning Commission and/or Zoning Commission, as required, agenda.

(B) The applicant shall prepare and submit to the Administrative Official a request for rezoning to the appropriate PUD designation, including 12 copies of a conceptual PUD site plan

meeting the submittal requirements of § 157.097 and 12 copies of an environmental impact assessment meeting the submittal requirements of § 157.048. The conceptual PUD site plan shall illustrate uses within each component, road layout, parking areas, and open space. Materials shall be submitted at least 30 days prior to the meeting at which the Planning Commission and/or Zoning Commission, as required, shall first review the request; 14 days for an applicant who has had a pre-application workshop.

(C) The Planning Commission and/or Zoning Commission, as required, shall review the rezoning request, the conceptual PUD site plan, and the environmental impact assessment, conduct a public hearing, and make a recommendation to the Village Council based on the review standards of § 157.196.

(D) Within 90 days following receipt of a recommendation from the Planning Commission and/or Zoning Commission, as required, the Village Council shall conduct a public hearing on the requested PUD rezoning and the conceptual PUD site plan and either approve, deny, or approve with a list of conditions made part of the approval. The Village Council may require a re-submittal of the conceptual PUD site plan reflecting the conditions for approval by the Administrative Official (prior to submittal of a PUD final site plan).

(Ord. 259, passed 10-24-1995; Ord. passed 2-1-2012)