

**City of Howell  
Planning Commission  
October 21, 2020  
ZOOM Digital Meeting  
611 E. Grand River Avenue  
Howell, MI 48843**

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The regular meeting of the Planning Commission was called to order by Chairperson Vukonich at 7:00 p.m.

COMMISSIONERS PRESENT: Maryanne Vukonich, Nathan Voght, Mayor Nick Proctor, Jan Lobur, Erin Britten, Robert Spaulding and Chelsea Dantuma

Absent: None

ALSO PRESENT: Community Development Director Timothy Schmitt, Deputy City Clerk Tonya Hubbard

GUESTS: Richard Carlisle, Jamie Stewart, Dennis Perkins, Chris Meyer, Randall Mattson, Alan Greene, Brian Jonckheere, Donald Parker, Keith Noblett, Kurt Kissling, Mark Robinson

**APPROVAL OF MINUTES, SEPTEMBER 16, 2020 ZOOM DIGITAL MEETING**

**MOTION by Proctor, SUPPORT by Lobur, “To approve the September 16, 2020 zoom digital Planning Commission meeting minutes as amended.” Chairperson Vukonich requested a change under approval of the minutes: changed the “Maryanne” to “Chairperson Vukonich”. A roll call vote was taken. Proctor – yes, Lobur – yes, Britten – yes, Voght – yes, Spaulding – yes, Dantuma – yes, Vukonich – yes.  
MOTION CARRIED (7-0).**

**MOTION by Lobur, SUPPORT by Spaulding, “To amend agenda and change the order of items #5 and #6”. A roll call vote was taken. Lobur – yes, Britten – yes, Voght – yes, Spaulding – yes, Dantuma – yes, Proctor – yes, Vukonich – yes.  
MOTION CARRIED (7-0).**

**CALL TO THE PUBLIC**

None.

**STAFF REPORT**

Community Development Director Schmitt informed the commission that he would be providing a development update in all future Planning Commission packets and invited all Planning Commission members to go check out the new Howell Summit Gardens Park that just opened.

## **PUBLIC HEARING**

### **#20-16 – SPECIAL LAND USE – 415 WEST GRAND RIVER AVENUE**

Chairperson Vukonich introduced the topic and opened the public hearing. There were no comments from the public or the Commission.

**MOTION by Proctor, SUPPORT by Dantuma “To approve the Special Land Use application (#20-16) for 415 West Grand River Avenue, parcel id number 4717-35-202-036, to allow a single-family residential rental in the existing structure, subject to the following conditions:**

- **The structure shall have one residential unit only and shall not be permitted to be subdivided into additional residential units.**
- **No other uses than a one-family residential rental property shall be permitted on the property, without further Planning Commission review and approval.**
- **The applicant shall apply for and receive a residential rental license prior to any occupancy for the structure.**
- **No changes to the building or property shall be made without approval of the City and/or building permits being issued.” A roll call vote was taken. Britten – yes, Voght – yes, Spaulding – yes, Dantuma – yes, Proctor – yes, Lobur – yes, Vukonich – yes.**

**MOTION CARRIED (7-0).**

## **NEW BUSINESS**

### **#20-17 – SITE PLAN AND SPECIAL LAND USE EXTENSION – 645 LUCY ROAD**

Community Development Director Schmitt explained that the city is recommending a one-year extension due to Covid-19 on both the Special Land Use and Site Plan.

Commissioner Spaulding questioned if the request could go back to BZA, Mr. Schmitt responded yes if changes to proposed plan were made that still required a variance.

Discussion continued regarding the ongoing lawsuits and possible outcomes between Commissioner Spaulding and City Attorney Dennis Perkins.

Jamie Stewart, Madem LLC, stated that Padnos had an opportunity to satisfy the conditions and asked for extension to be denied.

Mark Robinson, Executive Director Catholic Charities, expressed concern that the organizations being affected are stuck in limbo and feels Padnos needs to put together a new site plan and present it again.

Don Parker, Protect Livingston, expressed support to deny the extension, have Padnos submit a new Site Plan that is compliant with the city’s ordinance.

Chris Meyer, Padnos’ Attorney, discussed circuit court possible outcomes, the conditions of approval and is in favor of the extension.

Alan Greene, Catholic Charities Attorney, disagreed with Mr. Meyer regarding Padnos' choice on whether or not to come before the Planning Commission, discussed the procedural issue that Matem and Cathiloc Charities had a right to appeal the decision of the Zoning Board of Appeals regarding the Special Land Use and stated that the judge has not yet ruled.

Chris Meyer, stated Padnos' experienced Covid related delays in getting the air quality permit and that the Site Plan that was submitted did show what areas were to be paved and enclosed.

Dennis Perkins, Howell City Attorney, stated we are not here to re-litigate the case or application but rather answer if an extension should be granted by the Planning Commission.

Commissioner Voght, explained his thought on the conditions supporting the approval as they do not refer to conditions restricting the Special Land Use but rather the Land Use conditions around it.

Mayor Proctor questioned staff if they were still recommending the approval to extend the Site Plan and verified the Site Plan must meet all applicable ordinances of the City including the equipment had to be enclosed, confirmed the issue is in litigation with the Board of Zoning Appeals and not the Planning Commission and this evening they are only being asked to sustain the site Plan and Special Land Use that they provided last November. Mr. Schmitt responded yes.

Commissioner Lobur asked if the Planning Commission's decision would affect the Board of Zoning Appeals' decision and how long the extension would be good for, Chairperson Vukonich responded for one year and Mr. Schmitt responded that no, tonight's decision would not affect the Board of Zoning Appeals' decision.

Discussion continued regarding the unintended consequences if the Site Plan was not extended and the thoughts that it would be in Howell's best interest to grant the extension and keep it open, especially with the ongoing litigation.

**MOTION by Lobur, SUPPORT by Britten “To extend the Site Plan and Special Land Use for 645 Lucy Road, parcel id numbers 4717-06-100-005, 4717-06-100-002, and 4717-06-300-005, subject to all the previously approved conditions of approval.”**

**A roll call vote was taken. Voght – yes, Spaulding – no, Dantuma – yes, Proctor – yes, Lobur – yes, Britten – yes, Vukonich – yes.**

**MOTION CARRIED (6-1).**

### **SIGN ORDINANCE UPDATE**

Dick Carlisle presented a PowerPoint that outlined the significant proposed changes to the sign ordinance and explained that the Planning Commission will have the final say in determining what changes are made. Mr. Carlisle stated it has been close to 20 years since there has been a comprehensive review of the sign ordinance

Commissioner Voght stated that he is glad the City is addressing the non-conforming and abandoned signs but feels there will be enforcement issues for the City to have to regulate EMS signs.

Discussion continued regarding on and off premises signs, the City's obligation to have to address them and temporary signs.

The Commission thanked Mr. Carlisle for his hard work, Mr. Schmitt stated no motion was needed and staff would work with the Chairperson to bring this back at a later date.

### **CITY OF HOWELL INTENT TO PLAN FOR 5-YEAR COMPREHENSIVE PLAN UPDATE**

Community Development Director Schmitt discussed the general outline of the items that PC needs to focus on, but that the list is far from comprehensive.

Chairperson Vukonich questioned if there was a difference between master plan & comprehensive plan, Mr. Carlisle responded there was no difference.

Discussion continued regarding diversity of housing type and price point. Commissioner Voght stated he would like to assess and evaluate the current housing along with the future housing needs and make sure it meets the needs of the people that want to live here.

**MOTION by Lobur, SUPPORT by Dantuma “To begin the process of a five- year update to the City of Howell’s Master Plan, with specific focus on incorporating and updating the following areas:**

- **New Implementation Matrix to address the current status of the City**
- **A small area plan for the Downtown, building on the study work that has been performed on the downtown in recent years**
- **Data and findings from the Howell Safe Neighborhoods study**
- **Diversity of housing type and price point”**

**A roll call vote was taken. Spaulding – yes, Dantuma – yes, Proctor – yes, Lobur - yes, Britten – yes, Voght – yes, Vukonich – yes.**

**MOTION CARRIED (7-0).**

**MOTION by Spaulding, SUPPORT by Lobur, “To adjourn the meeting at 8:31 p.m.” A roll call vote was taken. Dantuma – yes, Proctor – yes, Lobur - yes, Britten – yes, Voght – yes, Spaulding- yes, Vukonich – yes.**

**MOTION CARRIED (7-0).**

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Tonya Hubbard, Deputy City Clerk