

PLANNING COMMISSION MINUTES

April 16, 2019

CHELSEA MUNICIPAL BUILDING COUNCIL CHAMBERS

311 S. MAIN STREET, CHELSEA, MI

CALL TO ORDER

Chair Larry Ledebur called the meeting to order at 7:00pm.

Present: Larry Ledebur (Chair), Claire Robinson (Vice Chair), Erik Larsen, Vincent Elie, Steven Parker and Michael Townley

Absent: Sarah Haselschwardt (Secretary), Adam Ellison, Peter Shaw

Vacant: None

Others Present: Cheri Albertson (City Council Liaison), Christine Linfield (City Staff), Daniel Johnson (IN-SITE LLC) and Charles Wiseley (McKinley Properties)

APPROVAL OF THE AGENDA

MOVED by Elie, SECONDED by Larsen, to approve the agenda. All Ayes. Motion Carried.

APPROVAL OF MEETING MINUTES

MOVED by Elie, SECONDED by Robinson, to approve the regular meeting minutes from 3/19/19.

All Ayes. Motion Carried.

APPROVAL OF WORK SESSION MINUTES

MOVED by Elie, SECONDED by Larsen, to approve the work session minutes from 4/2/19.

All Ayes. Motion Carried.

PUBLIC HEARING - None

UNFINISHED BUSINESS

Planned Unit Development (PUD) Zoning Ordinance Text Amendment

Christine Linfield reported that a motion was made to amend lot coverage from 20% to 35% at the City Council meeting held on March 4, 2019. The Planning Commission held a work session on April 2, 2019 to revise the language to include some goals and incentive options for developers for

allowing the increase. The amended text reads as follows:

“Where a PUD district is exclusively used for single family residential purposes (not mixed use) the maximum lot coverage (LC) may be increased to not more than 35% for properties that promote clustering of dwelling units, variety of housing design, connections to existing or planned pedestrian/bicycle paths, and creative recreations area opportunities.”

Chair Ledebur question if it is clear from the language that one or more from the list must be chosen but not all. Vice Chair Robinson suggested inserting “and/or” before “creative recreational area opportunities” so it becomes a list of choices.

MOVED by Robinson, SECONDED by Larsen, to recommend to City Council the amended PUD text to read as follows”

“Where a PUD district is exclusively used for single family residential purposes (not mixed use) the maximum lot coverage (LC) may be increased to not more than 35% for properties that promote clustering of dwelling units, variety of housing design, connections to existing or planned pedestrian/bicycle paths, and/or creative recreational area opportunities.”

All Ayes. Motion Carried.

NEW BUSINESS

Rescind November 21, 2017 Master Plan Resolution of Adoption

Christine Linfield reported that she has researched whether a draft can be withdrawn from the formal process so a different plan may be put in its place. Linfield noted it is important to review Robert’s Rules of Order and the Michigan Planning Enabling Act when determining if a vote can be rescinded.

Linfield found that a vote can be rescinded in certain instances by a majority vote provided that the notice for the upcoming meeting has been done. It is, however, important to note that per Robert’s Rules votes cannot be rescinded if action has taken place on that vote that cannot be undone by assembly.

Linfield also reviewed the Michigan Planning & Enabling Act. Under this act the Planning Commission adopts a resolution and recommends to City Council. City Council either approves or rejects the recommendation. If City Council rejects, a list of reasons is submitted. Planning Commission reviews and amends the plan as needed. A public hearing must be held and notices mailed out to a set list a minimum of 15 days prior to the meeting date. Once the public hearing is held, the Planning Commission can then vote to adopt and recommend the revised master plan back to the City Council for approval.

City Council has held work sessions in January & February. A sub-committee was set up to review suggested changes. In March, the sub-committee was emailed a final draft of their changes. Since the City Council has not made a formal motion to either approve or reject, per Robert’s Rules no action has been taken that cannot be undone and the Planning Commission could make a motion to rescind the Resolution of Adoption.

Staff recommends that the sub-committee draft be reviewed at the next work session, held on May 7, 2019 to determine if changes need to be made or the draft is adopted and forwarded on.

Chair Ledebur noted the rationale behind rescinding the draft. A great deal has changed since the draft Master Plan was submitted:

- Legal opinion on space ordinance
- Transportation planning work
- Sub-committee work

Elie questioned if the original motion would no longer be active. Linfield noted that the original plan is still there and the commission would be reviewing to see if any changes need to be made. It has been approximately 1 ½ years since original motion was made.

MOVED by Elie, SECONDED by Robinson, to rescind the City of Chelsea Master Plan Resolution of Adoption dated 11/21/17 per the 12/18/17, 1/22/18 and 2/20/18 City Council minutes and review the final recommendation as developed by the sub-committee.

PLANNING COMMISSION REPORTS

- Zoning Board of Appeals – none – there is a meeting scheduled for next week
- Master Plan Subcommittee – reported on in new business
- Transportation Work Group – none
- CAPT/DART (Guest Report) – none – there is a meeting at the end of the month that Vice Chair Robinson will attend as a guest and report back.

DISCUSSION

Cheri Albertson reported that the Border to Border trail is coming along nicely. She has advised the County Parks and Recreation Department to contact the city on connecting the trail to city sidewalks. Linfield reported that the Planning and Zoning department has not yet been contacted but the city is currently working on the Urban Federal Funding Grant for pedestrian improvements, which include installing 350 feet of sidewalk along the Freer right of way on the east side in front of Oak Grove East Cemetery.

PUBLIC PARTICIPATION – None

ADJOURNMENT

MOVED by Larsen, SECONDED by Elie, to adjourn the meeting. All Ayes. Motion Carried.

Meeting adjourned at 7:33 pm.

Respectfully Submitted,



Rachel Kapolka
Assistant Clerk

CITY OF CHELSEA
PLANNING COMMISSION AGENDA
Tuesday, April 16, 2019 7:00 p.m.
Chelsea Municipal Building (Council Chambers)
311 S Main Street, Chelsea, MI

CALL TO ORDER

APPROVAL OF THE AGENDA

APPROVAL OF THE MEETING MINUTES

- Approval of the Regular Meeting Minutes for March 19, 2019
- Approval of the Work Session Minutes for April 2, 2019

PUBLIC HEARING - None

UNFINISHED BUSINESS

- Planned Unit Development (PUD) Zoning Ordinance Text Amendment

An application has been filed by Daniel Johnson (IN-SITE LLC) to amend Section 4.32 (D.)(2.) Density Regulations of the zoning ordinance to add the following text:

“Where a PUD district is exclusively used for single family residential purposes (not mixed use); the maximum lot coverage (LC) shall not exceed (35) percent as also required in the Single-Family Residential Districts RS-1 and RS-2.”

NEW BUSINESS

- Rescind November 21, 2017 Master Plan Resolution of Adoption

PLANNING COMMISSION REPORTS

- Zoning Board of Appeals
- Master Plan Subcommittee
- Transportation Work Group
- CAPT/DART (Guest Report)

DISCUSSION

PUBLIC PARTICIPATION

ADJOURNMENT

PLANNING COMMISSION MINUTES
MARCH 19, 2019
CHELSEA MUNICIPAL BUILDING COUNCIL CHAMBERS
311 S. MAIN STREET, CHELSEA, MI

CALL TO ORDER

Chair Larry Ledebur called the meeting to order at 7:00pm.

Present: Larry Ledebur (Chair), Claire Robinson (Vice Chair), Erik Larsen, Vincent Elie, Adam Ellison, Steven Parker and Peter Shaw.

Absent: Sarah Haselschwardt (Secretary) and Michael Townley.

Vacant: None

Others Present: Cheri Albertson (City Council Liaison), Christine Linfield (City Staff), Claire Baushke (Chelsea Children's Co-op Preschool), Lena Carrara (Chelsea Children's Co-op Preschool), Gillian Jackson (Chelsea Children's Co-op Preschool), and Joe Weiss (Heritage Point).

APPROVAL OF THE AGENDA

MOVED by Elie, SECONDED by Larsen, to approve the agenda. All Ayes. Motion Carried.

APPROVAL OF MEETING MINUTES

MOVED by Elie, SECONDED by Larsen, to approve the regular meeting minutes from 2/20/19. All Ayes. Motion Carried.

PUBLIC HEARING

Chair Ledebur introduced, Claire Baushke and The Chelsea Cooperative Preschool petition for a Special Use Permit to operate a cooperative preschool out of St. Paul United Church of Christ located on the following described parcel of land: tax code #(06-06-13-100-003) with the address of 14600 E. Old US 12. The public hearing was and then promptly closed due to no comments from the public.

Chair Ledebur noted that a letter had been received from Amy Heydlauff of 5 Healthy Towns. Linfield read the letter fully supporting the logical use of existing space to help meet the needs of an organization focused on healthy growth and development of the next generation.

UNFINISHED BUSINESS: None

NEW BUSINESS

1. Heritage Pointe Phase IIB – Final Site Plan Extension Request

Chair Ledebur noted this extension is done annually.

Joe Weiss representing Heritage Pointe reported no new developments from the previous year.

MOVED by Robinson, SECONDED by Shaw for another (1) year extension of Heritage Pointe Phase IIB. All Ayes. Motion carried.

2. Chelsea Cooperative Preschool – Special Use Permit

Christine Linfield reported that special land use requests can be made to operate a child care center in RS-2 zoned districts subject to the conditions in Section 5.11. The preschool is listed as an alternate name for a child care center. It was noted that the approval for this permit should be contingent on the conditions listed in Section 5.11 of the zoning ordinance for child care centers.

Linfield noted that the process includes the review of Special Uses section 8.06, 8.07, and 8.08. It was noted that all commissioners have reviewed the sections, in particular section 8.07 which outlines the standards for review.

The report also included the history of the space. Chelsea Community Hospital once operated a child care center at this location back when the church was zoned as a PUD. The church was later rezoned to RS-2 Residential Property in 2011 and the child care center ceased operations in 2012.

Per the Planning Commission bylaws, an affirmative vote of at least six (6) members is necessary for special use permit applications.

Claire Baushke, Director of Chelsea Children's Cooperative Preschool reported that the preschool has been in business since 1972 and has maintained a non-profit status since 1975. Currently, there are (5) staff members and (10) executive board members. Current enrollment includes (4)5 families.

Vice Chair, Claire Robinson reviewed the conditions of Section 5.11 with the committee. Linfield noted that the applicant outlined section 5.11 in the application and how the preschool met the listed guidelines.

MOVED by Robinson, SECONDED by Parker to approve the preschool contingent on Section 5.11 per staff recommendation. All Ayes. Motion Carried.

PLANNING COMMISSION REPORTS

- Zoning Board of Appeals – Shaw had no new report at this time.
- Master Plan Subcommittee – Shaw reported the hot links in the masterplan need to be updated as well as a few items on the maps. Final version will be out soon. The focus is on cleaning up the language and ensuring clear intent for the public. First work session is

slated for May.

- Transportation Work Group – Linfield reported that the city is part of the Chelsea Small Urban Area and can qualify for federal funding. The Road Commission and WAVE already have projects budgeted for the 2019 fiscal year. Final estimates revealed that there was money left over for pedestrian safety projects. The city will be concentrating on non-motorized safety improvements which include:
 - Wilkinson Street – 3 pedestrian refuge islands
 - N. Freer – infill of sidewalk along the east side of Freer (350 ft.) to connect border to border trail to the hospital.

Linfield noted that federal funds can only be used on federal aid streets which include – Wilkinson, Freer, E/W Middle, McKinley (1 block over the railroad tracks) and Sibley Road.

Projects will be out to bid Oct/Nov with construction beginning next year.

- Sustainability Advisory Committee – currently vacant.

Robinson noted that the Housing Commission was not listed. Shaw reported that the committee has not met since November and the term expires at the end of May.

DISCUSSION

Proposed PUD Text Amendment Recommendation – Linfield reported that the recommendation was to increase the lot coverage to 35% in single family residential planning and development. City Council has charged the Planning Commission with revising the language to include the increase as a negotiated item. The Planning Commission will brainstorm items at the next work session in April.

Chair Ledebur reported that the work session packet will be sent out one week earlier. Please come with ideas.

PUBLIC PARTICIPATION – None

ADJOURNMENT

MOVED by Elie, SECONDED by Shaw, to adjourn the meeting. All Ayes. Motion Carried.

Meeting adjourned at 7:31 pm.

Respectfully Submitted,



Rachel Kapolka

Assistant Clerk

PLANNING COMMISSION WORK SESSION MINUTES
APRIL 2, 2019
CHELSEA MUNICIPAL BUILDING COUNCIL CHAMBERS
311 S. MAIN STREET, CHELSEA, MI

Names of those Present: Larry Ledebur (Chair), Claire Robinson (Vice Chair), Erik Larsen, Vincent Elie, Adam Ellison.

Members Absent: Sarah Haselschwardt (Secretary), Michael Townley, Steven Parker, Peter Shaw

Vacant: None

Others Present: Cheri Albertson (City Council Liaison), Christine Linfield (City Staff), Rachel Kapolka (Assistant Clerk)

Daniel Johnson (IN-SITE LLC)

Chair Ledebur called the meeting to order at 7:00 pm. He began the meeting with a reminder that this is a working meeting and not a voting meeting. City Council has tasked the Planning Commission with revising the ordinance language to encourage greater open space when working with developers.

PROPOSED PUD LOT COVERAGE TEXT AMENDMENT

Chair Ledebur reviewed the text suggestions submitted by both Daniel Johnson and Sarah Haselschwardt. All commissioners received a copy of the suggestions during the meeting to review for discussion. Chair Ledebur invited Daniel Johnson to speak on behalf of the text modifications he submitted.

Daniel stated that the objective was to put incentives into words. Suggestion #1 uses the phrase "may be increased" and requires a minimum of 15% open space. This allows for a matrix application rather than a numbers application. Suggestion #2 focuses on units per acre rather than open space percentage. The alternate suggestion allows for the potential of one story homes in the Heritage Lot.

Vice Chair, Claire Robinson, posed the question, "what is Chelsea's definition of open space?" when reviewing the text suggestions submitted by Sarah Haselschwardt. A discussion followed comparing open spaces to green spaces. It was decided that the term "usable open space" needs to be clarified. Adam Ellison shared his text amendment incorporating the "and/or" when referring to active and passive spaces.

Christine Linfield reviewed Section 3.21 of the ordinance – Recreation Area Within Residential Developments. A discussion ensued on passive vs. active open spaces and open vs. green spaces. Christine shared her text suggestions with the commissioners, which include "promoting a variety of housing designs and connections to existing or planned pedestrian/bike paths". Her suggestions also included a reference back to Section 3.21 and compatibility with the master plan.

Linfield also reviewed the City Council suggestions for encouraging innovation in the following areas; creative land use, greenspace preservation, open space opportunities, clustering of houses, and diversity in housing sizes. It was noted that encouraging realistic collaboration with developers is important to keep in mind.

Example language framework:

"Where a PUD district is exclusively used for single family residential purposes (not mixed use) the maximum lot coverage (LC) may be increased to not more than 35% for properties that....."

Christine Linfield and Vice Chair, Clair Robinson, will draft new language incorporating:

- Passive recreation area opportunities
- Connections to existing or planned non-motorized sidewalks and pathways
- Clustering of dwelling units
- Variety of housing design

The draft language will be reviewed and discussed at the next voting meeting on April, 16, 2019. Cheri Albertson will report the Planning Commission work session update on April 15, 2019 at the City Council meeting. May 5th will be the work session for the revised Master Plan.

Work Session adjourned at 8:50 pm.

Respectfully Submitted,

Rachel Kapolka

Assistant Clerk

SECTION 3.21 RECREATION AREA WITHIN RESIDENTIAL DEVELOPMENTS

- A.** A residential development consisting of twenty (20) or more lots or dwelling units, either as a single development or as a group of adjacent developments offered by a single proprietor, shall provide one or more recreation areas for use by the residents. The minimum total area required shall be computed at the rate of fifteen hundred (1,500) square feet for each lot or dwelling unit in the development, whichever yields the larger land area. The recreation area shall be well drained, graded, seeded or sodded, and safe from hazard. The minimum required area shall not include the area in any wetlands or stormwater detention basins.
- B.** Each recreation area shall be provided, in locations that are visible and accessible to all residents in the development.
- C.** Connections with adjacent open space, public land or existing or planned pedestrian/bicycle paths may be required by the City.
- D.** A required recreation area shall be set aside by the developer through an irrevocable conveyance acceptable to the City, such as recorded deed restrictions, covenants that run perpetually with the land, or conservation easements. The conveyance shall describe the uses permitted in the recreation area and require that the area be maintained by parties who have an ownership interest in it.
- E.** A required recreation area shall remain open, subject only to uses approved by the City on the approved site plan or subdivision plat. Division of a recreation area or its use for other than recreation purposes, except easements for utilities, shall be prohibited.

SECTION 3.22 SALE OF VEHICLES

Cars, trucks, boats, ATV's, PWC and similar vehicles or conveyances may be sold only on a lot of a dealer licensed in the State of Michigan for such sales, or on a lot owned by the registered owner of the above items to be sold, provided such sale shall be made by the registered owner or by a member of the immediate family of the registered owner.

CITY OF CHELSEA - PLANNING, ENGINEERING & ZONING DEPT.

To: City of Chelsea Planning Commission
From: Christine Linfield
Subject: PUD Zoning Ordinance Text Amendment
Date: 4/12/19

At the City Council meeting held on March 4, 2019, a motion was made to send the draft language back to the Planning Commission. Instead of allowing the lot coverage to be increased up to 35% by right, the City Council would like the language to be revised to articulate some goals and incentive options for allowing the increase.

Example language framework:

“Where a PUD district is exclusively used for single family residential purposes (not mixed use) the maximum lot coverage (LC) may be increased to not more than 35% for properties that _____.”

Based on City Council action, the Planning Commission held a work session on April 2, 2019 to talk about possible draft language to recommend approval at the next voting meeting.

Please consider the following text as just a staff framework based on conversations at the work session. This language can be amended as needed.

“Where a PUD district is exclusively used for single family residential purposes (not mixed use) the maximum lot coverage (LC) may be increased to not more than 35% for properties that promote clustering of dwelling units, variety of housing design, connections to existing or planned pedestrian/bicycle paths, and creative recreational area opportunities.”

CITY OF CHELSEA - PLANNING, ENGINEERING & ZONING DEPT.

To: Larry Ledebur, City of Chelsea Planning Commission Chair
From: Christine Linfield
Subject: Draft Master Plan Resolution of Adoption dated 11/21/17
Date: 4/9/19

Thank you for your emailed request regarding the proposed concept of withdrawing the draft master plan adopted by the Planning Commission and forwarded to City Council for approval. (Attached is a copy of the 11/21/17 resolution for reference.) You had also asked if this strategy is acceptable in the context of the Planning Enabling Act. In order to offer advice, I thought it would be helpful to review the following:

Per Robert's Rules of Order, any vote taken by an assembly (by regular motion or in the form of a resolution) may be rescinded by a majority vote, provided notice of the upcoming motion has been given at the previous meeting or in the call (on the distributed agenda) for the meeting when the rescind motion is to be made. If advanced notice is not given or it is not on the distributed meeting agenda, then a motion to rescind can still be made but must be by a two-thirds vote, or by a vote of a majority of the entire board membership. Robert's Rules of Order also states that votes cannot be rescinded after something has been done as a result of that vote that the assembly cannot undo.

As you are aware, per the Michigan Planning Enabling Act, the approval of a proposed master plan shall be by resolution of the Planning Commission adopting the plan along with the recommendation that City Council approve the plan. The act then states that the next step in the process is for City Council to either approve or reject the proposed master plan.

If rejected, the City Council shall submit to the Planning Commission a statement of its objections to the proposed master plan. The act then requires if changes are made based on the objections, then another public hearing is to be held on the revised plan with public notices published in the local paper and mailed to all agencies as defined in the act a minimum of 15 days prior to the meeting date. After the public hearing is held, the Planning Commission could then vote by resolution to adopt and recommend the revised master plan back to City Council for approval.

Since the draft master plan was recommended to City Council on 11/21/17, the following has taken place:

1. On 12/18/17, City Council tabled the request and set a work session for 01/08/18.
2. On 01/22/18, City Council set a second work session for 02/05/18.

3. On 02/20/18, City Council made a motion to create a small sub-committee consisting of 2 council members and 2 planning commission members that would provide a red-lined document based on the recommended master plan changes to City Council. A second motion was made to appoint members to that sub-committee.
4. On 03/26/19, the sub-committee was emailed a final draft of their changes from Paul Montagno (Carlisle Wortman Associates).

It is staff's opinion that since the City Council has not made a formal motion to either approve or reject the draft master plan per the process defined in the Michigan Planning Enabling Act, then per Robert's Rules of Order, the Planning Commission could entertain a motion to rescind their Resolution of Adoption at an upcoming voting meeting with the item being placed under the heading of New Business.

The recommended form of motion should be structured to reference the City Council actions listed above and a review of the sub-committee recommendations.

Possible form of motion could be similar to:

“Motion to rescind the City of Chelsea Master Plan Resolution of Adoption (dated 11/21/17) per the 12/18/17, 01/22/18 and 02/20/18 City Council Minutes and to review the finalized recommendations from the sub-committee.”

If the Planning Commission rescinds the resolution, then staff advises that a work session be held to review the sub-committee recommendations.

If the Planning Commission reaches a consensus at that work session regarding the recommendations, then staff advises that the same process be followed regarding public hearing notices in the Michigan Planning Enabling Act as if the plan was rejected by City Council. (However, the public review process maybe contingent upon the nature of the sub-committee recommendations.)

Please advise if you would like this item placed on the agenda for next week's voting meeting and any support materials you would like included in the packet to be emailed out this Friday.

RESOLUTION OF ADOPTION

City of Chelsea Master Plan

By City of Chelsea Planning Commission

WHEREAS, the City of Chelsea Planning Commission has the responsibility and is empowered by Public Act 33 of 2008, as amended, to make and adopt a Master Plan for the physical development of the City and to amend the Plan as needed, and

WHEREAS, the City of Chelsea City Council created the Planning Commission for the proposes stated in Public Act 33 of 2008, as amended, and

WHEREAS, The City of Chelsea has retained professional planning consultants to assist the Planning Commission with the technical studies necessary to make a new Master Plan for the City of Chelsea, and

WHEREAS, the Planning Commission held a public hearing on the proposed new Master Plan for the City on October 17, 2017 at Chelsea City Hall, and

WHEREAS, the Planning Commission finds the new Master Plan necessary for the continued development and the appropriate redevelopment of the physical areas of the City,

NOW THEREFORE BE IT RESOLVED, the City of Chelsea Planning Commission hereby adopts this Master Plan for the City of Chelsea, along with the text, maps, figures, charts, graphs and other descriptive materials contained in the Plan, and

BE IT FURTHER ORDERED, the City of Chelsea Planning Commission recommends approval of the Master plan to the City of Chelsea City Council.

Motion by: S. Haselschwardt

Supported by: E. Larsen

AYES: 9

NAYS: 0

ABSENT: 0

RESOLUTION DECLARED ADOPTED 11/21/17



November 2017
Planning Commission Members:

Larry Ledebur, Planning Commission Chair
City of Chelsea

Larry Ledebur, Chair
Erik Larsen, Vice Chair
Sarah Haselschwardt, Secretary
Steven Parker
Peter Shaw
George Olsen
Claire Robinson
Adam Ellison
Michael Townley