CALL TO ORDER

PLEDGE OF ALLEGIANCE

ROLL CALL

APPROVAL OF AGENDA – August 26, 2019

APPROVAL OF MINUTES – July 22, 2019

PUBLIC HEARING: None

OLD BUSINESS:

1. Sign Ordinance Review

NEW BUSINESS:

1. Site Plan Review – 501 W Main St (116 S. M-52) – Pizza Place/Car Wash
2. Set Public Hearing for Recreational Marijuana Discussion
3. Set Public Hearing for Administrative Site Plan Review and Sign Ordinances
4. Master Plan Update

OTHER BOARD BUSINESS

PUBLIC COMMENTS AND COMMUNICATIONS

ADJOURNMENT

Next regular meeting will be on Monday, September 23, 2019

The City of Owosso will provide necessary reasonable auxiliary aids and services, such as signers for the hearing impaired and recordings of printed materials being considered at the meeting, to individuals with disabilities at the meeting/hearing upon seventy-two (72) hours notice to the City of Owosso. Individuals with disabilities requiring auxiliary aids or services should contact the City of Owosso by writing or calling the following: Amy Kirkland, City Clerk, 301 W. Main St, Owosso, MI 48867 (989) 725-0500. The City of Owosso website is: www.ci.owosso.mi.us
MINUTES
REGULAR MEETING OF THE OWOSSO PLANNING COMMISSION
COUNCIL CHAMBERS, CITY HALL
MONDAY, JULY 22, 2019 – 6:30 P.M.

CALL TO ORDER: Chairman Wascher called the meeting to order at 6:30 p.m.

PLEDGE OF ALLEGIANCE: Recited

ROLL CALL: Tanya Buckelew

MEMBERS PRESENT: Chairman Wascher, Vice-Chair Livingston, Secretary Janae Fear, Commissioners Law, Taylor and Yerian

MEMBERS ABSENT: Commissioners Adams, Kirkland and Jenkins

OTHERS PRESENT: City Manager Nathan Henne, Kelly McIntyre, CIB Planning

APPROVAL OF AGENDA:
MOTION BY SECRETARY FEAR, SUPPORTED BY VICE-CHAIR LIVINGSTON TO APPROVE THE AGENDA FOR JULY 22, 2019.

YEAS ALL. MOTION CARRIED.

APPROVAL OF MINUTES:
MOTION BY VICE-CHAIR LIVINGSTON, SUPPORTED BY SECRETARY FEAR TO APPROVE THE MINUTES FOR THE MAY 28, 2019 MEETING.

YEAS ALL. MOTION CARRIED.

PUBLIC HEARINGS: NONE

OLD BUSINESS: NONE

NEW BUSINESS:

1. Administrative Site Plan Ordinance Review

The City does not have any means to approve minor site plans at the staff level like other communities. Having this ability would streamline the process for small projects by precluding the need to have a full Planning Commission site plan review. This ordinance amendment to Sec. 38-390 – Site Plan Review would streamline the process and satisfy a small portion of our Redevelopment Ready Community certification efforts.

Summary of the changes:

1. New construction of any permitted non-residential or multi-family development that is less than 2000 sq. ft.
2. Construction of an addition less than 2000 sq. ft. in a non-residential district
3. Construction of expansion of an impervious surface less than 5000 sq. ft.
4. Changes in use from a non-conforming use to a more conforming use
5. A vacant existing building or site to be re-occupied by a use permitted and will not require any significant changes in existing site facilities such as parking, landscaping, lighting, or sidewalks
6. Installation of pavement or curbing improvements provided the number of spaces remain constant and the plans and construction are approved by the City Engineer
7. Relocation of a waste receptacle or screening around the waste receptacle
8. Accessory structures in non-residential districts
9. Temporary uses, sales, and seasonal events
10. Erection of a tower, antenna, or other community facility, essential public service building.
11. Minor revisions to an approved site plan limited to:
   a. Changes to façade or architectural features
   b. Alterations/substitutions/expansions of approved landscaping areas consistent with the other requirements of the Ordinance

Site plan application and submittal requirements are required for administrative site plan approval.

MOTION BY VICE-CHAIR LIVINGSTON, SUPPORTED BY COMMISSIONER LAW TO FORWARD SEC. 38-390 – SITE PLAN REVIEW ORDINANCE AMENDMENTS TO THE CITY COUNCIL WITH THE RECOMMENDATION TO REVIEW AND ADOPT AMENDMENTS.

RCV YEAS ALL. MOTION CARRIED.

2. Sign Ordinance Review

CIB Planning presented proposed amendments to Chapter 26 – Signs. The proposed sign ordinance edits: re-organize the existing ordinance content; propose and expand ordinance definitions; revise the sign application and review process; expand prohibited signs; add provisions for temporary signs, nonconforming signs, and authority for a Sign Zoning Board of Appeals; clearly illustrate how to measure sign; and expand each district section.

Further discussion and direction from the Planning Commission as follows:

1. Razor flags/pennant signs and streamers/festoons:
   • Allow these types of signs on a temporary basis up to 30 days
   • Use feather flag instead of razor flag to be consistent
   • Add pictures of these types of signs to the ordinance for a visual clarification

2. Pole signs:
   • Pole signs were inadvertently removed from the current ordinance
   • Planning Commission would like to add them back in to be an allowable type of sign

3. Electronic messaging signs:
   • Allow for electronic messaging signs
   • Allowed up to 50% of the entire sign

4. Murals:
   • Allow murals for art not advertising
   • Can’t contain letters or numbers

5. CIB Planning will return to the August meeting with a revised draft based on the Planning Commission recommendations

3. Recreational Marijuana Emergency Rules Discussion

City Council passed a moratorium resolution regarding recreational marijuana facilities in order to give LARA time to release the state’s rules regarding facility regulation. On July 3, 2019, the state released the emergency rules for recreational facilities. Final rules are expected to be released before the December 6, 2019 deadline.

A summary of the emergency rules was presented to the board and discussion followed. The general consensus was to go forward with a recreational marijuana ordinance and have it be a
mirror of the current medical marihuana ordinance. Questions were posed to the City Manager who will obtain the answers and return to the next meeting with additional information.

OTHER BOARD BUSINESS: NONE

PUBLIC COMMENTS AND COMMUNICATIONS: NONE

ADJOURNMENT

MOTION BY COMMISSIONER TAYLOR, SUPPORTED BY COMMISSIONER LAW TO ADJOURN AT 8:30 P.M. UNTIL THE NEXT MEETING ON AUGUST 26, 2019.

YEAS ALL, MOTION CARRIED.

_________________________________________
Janae L. Fear, Secretary
August 22, 2019

Planning Commission  
City of Owosso  
301 W. Main Street  
Owosso, Michigan 48867

Subject: **501 W. Main (116 S M-52 noted on plan) Site Plan Review.** Approximately 0.525 acres, located on the west side of M-52 near M-21. Zoned B-4, General Business.

Attention: Mr. Brad Hissong, Building Official

Dear Planning Commissioners:

At your request, we have completed our review of the above site plan redevelop a self-service car wash into a spec/commercial/retail building that will be roughly 1,722 total square feet. The building site will retain one drive-thru car wash, will consist of two leasable spaces, add landscaping to the southern property line, add a drive-thru window in the larger leasable space and make general parking lot improvements as part to the reconstruction of the site. The property is located on S. M-52, just south of the M-21 intersection. The property is currently zoned B-4, General Business, where retail uses are permitted land uses.

The opinions in this report are based on a review of the site plan submitted by the applicant and conformance to ordinance standards. Please note that the applicant and their design professionals shall be responsible for the accuracy and validity of information presented with the application. In reaching a decision on the application, the Planning Commission should consider our comments along with those from other staff and consultants, additional information provided by the applicant, and your own findings based on ordinance standards as part of your deliberation.

**REVIEW COMMENTS**

*Section 36-390* of the City of Owosso Zoning Ordinance lists the submittal requirements for site plan review. Based on our review of the proposal, discussions with Mr. Nathan Henne, City Manager, meetings with the applicant and a visit to the site, we offer the following comments for your consideration:

1. **Information items.** The site plan meets the informational requirements of the ordinance.

2. **Area and Bulk.** The proposed site was reviewed in accordance with *Article 16, Schedule of Regulations*, as described in the following table.
3. **Building Design & Materials.** The ordinance states that durable building materials which provide an attractive, quality appearance must be utilized. The predominant material for the new building will be concrete block and EFIS/DRYVIT with metal panel accents along the top of the building. We believe this does not meet the intent of the ordinance to materials that provide an attractive and quality appearance. We would like to see a decorative mason unit such as brick or other mason material instead of CMU block and a significant reduction of the amount of EFIS being utilized. EFIS should only be utilized as an accent material.

4. **Building Height.** The proposed building complies with the maximum building height.

5. **Mechanical Units.** No new mechanical units are proposed

6. **Dumpster.** A dumpster already exists on site and will not be changing.

7. **Parking Lot Requirements.** The applicant is adding 12 parking spaces which is in compliance with the ordinance, but they have not provided a loading space, which is required for buildings exceeding 1,400 sf. Additionally, it is not clear what the vehicle stacking patterns will be on site for both the remaining car wash and the drive through window for the new proposed tenant space. We believe the applicant should provide this information to ensure there will be no vehicular conflicts on site, and that emergency vehicles such as fire trucks will still have access to and be able to circulate the site.

8. **Landscaping.** The applicant has prepared an acceptable landscape plan.

11. **Other Approvals.** The proposed site plan must be reviewed and approved by the appropriate city departments, consultants, and agencies.

**RECOMMENDATION**

Based upon the above comments, we recommend approval of the 501 W. Main/116 S. M-52 Site Plan, conditioned upon the following:

1. Submission of a revised site plan that satisfactorily addresses the items in this letter, for administrative review and approval;
2. Use of materials consistent with the ordinance that are acceptable to the Planning Commission;
3. The addition of a loading space as well as vehicular stacking patterns to ensure there will be no vehicular conflicts on the site and that emergency vehicles will have full access to the site; and
4. Review and approval by the appropriate city departments, consultants, and agencies. If you have any further questions, please contact us at 810-734-0000.

Sincerely,

CIB Planning

[Signature]

Justin Sprague
Vice President
Zoning Analysis

Zoned: B-4
Car wash
Parking Section 38-380 12) c #2:
1 per employer = 0
Pizza place
Parking Section 38-380 12) c #14:
1 per 200 Sq. Ft. = 7 spaces
Leasable business
Parking Section 38-380 12) c #1:
1 per 100 Sq. Ft. = 5 spaces
12 spaces provided
Site Area: 22,340 Sq. Ft. .525 Acres

Code Analysis

Building Use Group: B/M Non-seperated
Construction Type: IIIB
Building Area: B: 850 sq. ft, M:1,290 sq. ft
Occupancy B @100 sq. ft/person: 9 People
Occupancy M @60 sq. ft/person: 22 People
Total Calculated Occupancy: 31 People
Actual Occupancy: 10 Maximum

Number of toilets required MPC Table 403.1
Toilets: 1 required, 1 toilet provided
Lavatories: 1 required, 1 lavatory provided
Demolition Floor Plan

Demolition Elevation

Remove Existing Asphalt as Required for Sidewalks

Remove Existing Open Drain, Typ

Remove Existing Concrete Slab, Typ

Remove Existing CMU Wall, Typ

Remove Existing Concrete Slab, Typ

Remove Existing CMU Wall, Typ

Existing Car Wash

Mechanical

Jeff Peltier
Architect
1888 Ketegawn
Owosso, MI 48867
989-413-7916

Project
Car Wash
116 South M-52
Owosso, MI 48867

Demolition plans

8/13/2019

1/4"=1'-0"

1/4"=1'-0"
1. General Conditions:
   a. All Landlord construction shall be in accordance with the
      requirements of all applicable codes, ordinances, rules and
      regulations of all authorities having jurisdiction over their respective
      portions of the work and Landlord’s insurance carriers.
   b. Landlord shall obtain all required permits and inspections
      relating to its work.
2. Exterior:
   c. Storefront: Clear double-pane glass storefront with
      floor-to-ceiling glass. Metal mullions around glass and door frame.
   d. Front door: One (1) clear, double-pane safety-glazed glass 3' x
      7' double-acting entry doors, with hardware per code and
      weather-stripping.
   e. Rear door: 3' x 7' hollow metal door with panic hardware
      requirements and weather-stripping to code.
   f. Handicap accessibility: All means of ingress/egress shall be at
      the street/walkway level or have handicap accessible elevator/ramp
      installed per federal handicap code with all applicable clear space,
      radius landings, railings etc. All Exterior ADA requirements shall be
      met by the Landlord.
   g. Roof covering must be sound, watertight, and can be perforated
      and flashed using standard roofing methods for installation of roof
      mounted equipment.
3. Interior:
   h. Demising walls of wood or metal studs, drywall, taped and
      finished to USG Level 4 finish where exposed below ceiling except
      where masonry or concrete are used for exterior walls.
   i. Concrete floor: Level, clean concrete slab or clean wood slab,
      underlay to be stable and dry condition. Floor is clean and ready for
      ceramic tile, vinyl or glue down Flooring Materials. Floors to be at
      street level or maintain ADA approved standards.
4. HVAC:
   j. HVAC system shall be inspected and documented in perfect
      working condition according to a licensed mechanical contractor.
      Thermostat, duct distribution, grilles and vents, bathroom exhaust fan
      per Code.
5. Electrical and Lighting:
   k. "J" box for signs where signs are to be installed. Electrical rcuit
      with conduit and pull string to distribution panel.
   l. Conduit and pull string for telephone service to the electrical
      room or telephone box.
   m. Monument or pylon sign is in good repair and is ready to
      receive new sign.
   n. One 250-amp, three phase, 60 circuit panel with D Block circuit
      breakers, four wire electrical panel at the rear of the space with
      conduit and pull string to main electrical gear.
6. Plumbing:
   o. Minimum 1" water line stubbed to the Tenant's space
      maintaining pressure of 55-75psi with shut-off valve and pressure
      reducing valve and backflow prevention device, if required by local
      code.
   p. Minimum 4" sewer line stubbed into Tenant's space in sufficient
      size and depth for Tenant's use.
   q. All local fire regulations have been met including: fire protection
      sprinkler system, exit signs, emergency lighting and fire alarm as
      required.
   r. All tap, connection or impact fees for utilities to be paid by
      Landlord.
7. Natural Gas: At the point of connect in the tenant space the gas
   line should be a minimum 2" gas line. Gas line shall be sized for a
   minimum of 0/5,000CFH at 0.5 PSI of pressure as required for
   Tenant's pizza oven, water heater and HVAC unit(s).
8. Restrooms: Restroom(s) per occupancy requirements including:
   a. water, sewer and vent piping, toilet, lavatory, mirror, toilet paper
      holder, handicap grab bars, soap dispenser, paper towel holder,
      flooring, base, door, jam, hardware, acoustic or drywall ceiling,
      interior of restroom only to be painted per Landlord’s specifications
      and designed per ADA requirements.
NOT TO SCALE

1. THE CLEAR WIDTH OF AN ACCESSIBLE ROUTE SHALL BE NOT LESS THAN 36" MINIMUM. THE CLEAR WIDTH MAY BE MINIMIZED TO 30" AS EXPLAINED IN TABLE 11.4.2.1.1.1 OF THE 2010 ADAAG.

2. PARKING SPACES FOR VANS, ACCESS AISLES, AND VEHICULAR DRIVEWAYS WITH MORE THAN 1/2" MAX. HORIZONTAL PROJECTIONS OR THE WALKING SURFACE.

3. THE ACCESS AISLE SHALL ADJOIN AN ACCESSIBLE ROUTE THAT MEASURED FROM THE CENTERLINE OF MARKING STRIPE.

4. THE ACCESSIBLE PASSENGER DROP-OFF DETAIL.

5. REFER TO STATE AND LOCAL CODES FOR PAVEMENT MARKING MAXIMUM, CROSS X < 48".

6. OUTDOOR RAMPS AND APPROACHES TO RAMPS SHALL NOT ACCUMULATE WATER ON WALKING SURFACES.

7. PROVIDE RAMP SURFACE THAT IS FIRM, STABLE, AND SLIP RESISTANT.

8. HANDRAILS SHALL BE PROVIDED ON BOTH SIDES OF RAMP AND CONTINUOUS ON RUNS OF RAMPS. INSIDE HANDRAILS HANDRAILS SHALL BE A CONSISTENT HEIGHT ABOVE STAIR AND/OR SIDEWALK TOP OF CURB.

9. THE MAXIMUM RISE FOR ANY RAMP RUN IS 30 INCHES.

10. RAMPS SHALL HAVE A LANDING AT TOP AND BOTTOM OF EACH RUN.

11. THE MAXIMUM SLOPE OF RAMPS WITH MORE THAN 1/2" SHALL COMPLY WITH 1:2 (50%).

12. RAMP HANDRAILS SHALL EXTEND HORIZONTALLY ABOVE THE LANDING FOR 12" MIN. BEYOND THE TOP AND BOTTOM OF RAMP REQUIREMENTS (REFER TO DETAIL 12/G002).

13. LOCATE SIGN SO AS NOT TO BE OBSCURED BY VEHICLE AND/OR SIDEWALK TOP OF CURB AT RAMPSIDE TO DISCOURAGE REDUCING PROTECTION REQUIRED.

14. IN-LINE CURB RAMP DETAIL.

15. DIMENSIONS OF PARKING SPACES AND ACCESS AISLES ARE 36" MIN. CLEAR WIDTH AT TURN (AROUND OBSTRUCTION) AND SLOPE DETAIL.

16. GUTTER AND ROAD GUTTER PAN (WHERE TRANSITION TO BE AT SAME LEVEL **)

17. FLUSH TRANSITION TO TOP LANDING SLOPE 8.3% MAXIMUM, 12/G002.

18. REQUIREMENTS.

19. ACCESSIBLE ROUTE CLEAR WIDTH AT TURN (AROUND OBSTRUCTION) AND SLOPE DETAIL.
DATE: August 23, 2019

TO: Chairman Wascher and Planning Commissioners

FROM: Nathan Henne
       City Manager

SUBJECT: Set Public Hearing for Administrative Site Plan Review Ordinance

RECOMMENDATION:

Staff recommends setting a public hearing for Monday, September 23, 2019 to receive public comment on the Administrative Site Plan Review Ordinance.

BACKGROUND:

The City does not have any means to approve minor site plans at the staff level like other communities. Having this ability would streamline the process for small projects by precluding the need to have a full Planning Commission site plan review. This new ordinance would streamline the process and satisfy a small portion of our Redevelopment Ready Community certification efforts.

SUMMARY:

This new ordinance would allow city staff to approve:

1. New construction of any permitted non-residential or multi-family development that is less than 2000 sq. ft.
2. Construction of an addition less than 2000 sq. ft. in a non-residential district
3. Construction of expansion of an impervious surface less than 5000 sq. ft.
4. Changes in use from a non-conforming use to a more conforming use
5. A vacant existing building or site to be re-occupied by a use permitted and will not require any significant changes in existing site facilities such as parking, landscaping, lighting, or sidewalks
6. Installation of pavement or curbing improvements provided the number of spaces remain constant and the plans and construction are approved by the City Engineer
7. Relocation of a waste receptacle or screening around the waste receptacle
8. Accessory structures in non-residential districts
9. Temporary uses, sales, and seasonal events
10. Erection of a tower, antenna, or other community facility, essential public service building.
11. Minor revisions to an approved site plan limited to:
       a. Changes to façade or architectural features
       b. Alterations/substitutions/expansions of approved landscaping areas consistent with the other requirements of the Ordinance
Site plan application and submittal requirements are required for administrative site plan approval.

RECOMMENDATION:

Set Public Hearing to consider Administrative Site Plan Review Ordinance for the September 23, 2019 Planning Commission Meeting.
SETTING A PUBLIC HEARING TO
AMEND CHAPTER 38 ZONING OF THE CODE OF ORDINANCES
TO ALLOW ADMINISTRATIVE SITE PLAN REVIEW

WHEREAS, the city of Owosso Planning Commission reviews every site plan per Chapter 38, Article XVII, Section 390; and

WHEREAS, an Administrative Site Plan Review ordinance would allow the Zoning Official to review certain site plans; and

WHEREAS, an Administrative Site Plan Review would reduce the amount of time necessary to approve minor site plans; and

WHEREAS, the new ordinance would allow the Zoning Official to approve site plans including one of the following:

1. New construction of any permitted non-residential or multi-family development that is less than 2000 sq. ft.
2. Construction of an addition less than 2000 sq. ft. in a non-residential district
3. Construction of expansion of an impervious surface less than 5000 sq. ft.
4. Changes in use from a non-conforming use to a more conforming use
5. A vacant existing building or site to be re-occupied by a use permitted and will not require any significant changes in existing site facilities such as parking, landscaping, lighting, or sidewalks
6. Installation of pavement or curbing improvements provided the number of spaces remain constant and the plans and construction are approved by the City Engineer
7. Relocation of a waste receptacle or screening around the waste receptacle
8. Accessory structures in non-residential districts
9. Temporary uses, sales, and seasonal events
10. Erection of a tower, antenna, or other community facility, essential public service building.
11. Minor revisions to an approved site plan limited to:
   a. Changes to façade or architectural features
   b. Alterations/substitutions/expansions of approved landscaping areas consistent with the other requirements of the Ordinance

WHEREAS, a public hearing must be held by the Owosso Planning Commission to take public comment on the proposed Administrative Site Plan Review Ordinance.

NOW THEREFORE BE IT RESOLVED, that Chapter 38, Zoning Code of the City of Owosso be amended as follows:

Section 1. That Chapter 38, Zoning Code of the City of Owosso Sec. 38-390, Site Plan Review, reflect the following changes:

Sec. 38-390. - Site plan review.
When provisions of this chapter require submission of a site plan -, it shall be submitted in accordance with the provisions of this section. Site Plans may be approved administratively or by the Planning Commission, depending on the proposal.

(1) Submission for approval. A site plan shall be required for the following:
   a. Any use or development for which the submission of a site plan is required by any provision of this chapter;
   b. Any development, except single-family and two-family residential, for which off-street parking areas are provided as required in section 38-380, off-street parking requirements;
   c. Any use in an RM-1, RM-2, OS-1, B-1, B-2, B-3, B-4, I-1, I-2, P-1 or PUD district;
d. Any use except single- or two-family residential which lies contiguous to a major thoroughfare or collector street;

e. All residentially related uses permitted in single-family districts such as, but not limited to, churches, schools, colleges, institutions, and public facilities;

f. Accessory buildings or building additions which require additional off-street parking.

(2) All site plans must be reviewed and approved by the Planning Commission, with the exception of the following, that may qualify for an Administrative Site Plan Review.

a. The Zoning Official, at his discretion, may send a development otherwise eligible for Administrative Site Plan Review to the Planning Commission for review and approval.

b. The following development/construction/activity within the City is eligible for Administrative Site Plan Approval:

   1. New construction of any Principally Permitted non-residential or multiple family development that is less than 2,000 square feet in floor area;
   2. Construction of an additional less than 2,000 square feet in floor area in a non-residential district;
   3. Construction of expansion of an impervious surface less than 5,000 square feet in area;
   4. Changes in use from a non-conforming use to a more conforming use;
   5. A vacant existing building or site to be re-occupied by a use permitted and will not require any significant changes in existing site facilities such as parking, landscaping, lighting, or sidewalks;
   6. Installation of pavement or curbing improvements provided the number of spaces remain constant and the plans and construction are approved by the City Engineer;
   7. Relocation of a waste receptacle or screening around the waste receptacle;
   8. Accessory structures in non-residential districts;
   9. Temporary uses, sales, and seasonal events;
   10. Erection of a tower, antenna, or other community facility, essential public service building
   11. Minor revisions to an approved site plan, limited to:

      a. changes to façade or architectural features
      b. alterations/substitutions/expansions of approved landscaping areas consistent with the other requirements of the Ordinance;

a. Site Plan Application and Submittal Requirements are required for Administrative Site Plan Approval, consistent with Section 38-390 (3).

(3) Any person seeking site plan approval hereunder shall submit a site plan, application, and the applicable filing fee to the building department. Application should be made a minimum of 30 days prior to the next regularly scheduled Planning Commission meeting. The building department shall provide application forms and graphic standards for the site plan. Said site plan shall be prepared by a professional architect, engineer, landscape architect or land planner and must contain the following information:

   a. A scale of not less than one (1) inch equals fifty (50) feet if the subject property is less than three (3) acres and one (1) inch equals one hundred (100) feet if three (3) acres or more;
   b. Date, north point, scale, and area of the site in acres;
   c. The dimensions of all lot and property lines, showing the relationship of the subject property to the abutting properties;
   d. The location of all existing and proposed structures and utilities on the subject property and all existing structures within one hundred (100) feet to the subject property;
   e. The location and layout of all existing and proposed drives and parking areas;
   f. The location and right-of-way widths of all abutting streets and alleys;
   g. The names and addresses of the architect, planner, designer, engineer, or person responsible for the preparation of the site plan.
h. The number, location, and layout of off-street parking spaces to include all access roads and the manner in which they are to be surfaced;

i. The provision of internal site drainage and necessary city utilities complete with existing and proposed elevations;

j. The proposed site landscaping complete with a planting plan to include all proposed walls, fences, and screening in compliance with the provisions of this chapter;

k. The elevation of the site in relation to the identified flood hazard area. All proposed construction, reconstruction, or demolition shall be in compliance with local, state, and federal ordinances, laws, or regulations with regard to flood hazard areas;

l. A copy of the permit from the local enforcing agency on soil erosion and sedimentation control if the earth change activity involves more than one (1) acre or is within five hundred (500) feet of a lake or stream.

(4) Upon receipt of a complete site plan, application, and application fee the building department shall forward said documents to the Zoning Official for distribution to appropriate City departments for comment. Staff comments shall be made with respect to compliance with the minimum technical requirements of City ordinances and the quality of the development consistent with the intent of the building codes, zoning codes and Master Plan. Upon receipt of all staff comments, the Zoning Official shall either complete the site plan review under the administrative site plan approval process or review the site plan and make its recommendation to the Planning Commission which shall consider the application, site plan, all staff, City, and consultant comments and recommendations at the next scheduled meeting.

(5) Approval of site plan. Every site plan submitted to the City shall be in accordance with the requirements of this chapter. Copies of the site plan shall be submitted to the building department 30 days prior to the City Planning Commission's regular meeting. No site plan shall be approved until and unless a letter of assurance has been received from the building inspector that the site plan has been reviewed by and is in conformance with all applicable standards of the building department, police department, fire department, engineering department, and city utility department. Further, no construction, reconstruction, demolition, or other site work may progress during the interim, and no building permit(s) shall be issued prior to the final approval of the site plan by the Zoning Official or by the Planning Commission. Upon granting final approval of a site plan, three (3) copies of the site plan will be stamped and signed for approval, returning one (1) copy to the petitioner, and delivering two (2) copies to the building inspector.

(6) In the process of reviewing the site plan, the Zoning Official or Planning Commission shall consider:

a. The location and design of driveways providing vehicular ingress to and egress from the site, in relation to streets giving access to the site, and in relation to pedestrian traffic;

b. The traffic circulation features within the site and location of automobile parking areas; and may make such requirements with respect to any matters as will assure:
   1. Safety and convenience of both vehicular and pedestrian traffic both within the site and in relation to access streets;
   2. Satisfactory and harmonious relationships between the development on the site and the existing and prospective development of contiguous land and adjacent neighborhoods;

c. The Zoning Official or Planning Commission may further require landscaping, fences, and walls in pursuance of these objectives and same shall be provided and maintained as a condition of the establishment and the continued maintenance of any use to which they are appurtenant;

d. In those instances wherein the Zoning Official or Planning Commission find that an excessive number of ingress and/or egress points may occur with relation to major or secondary thoroughfares, thereby diminishing the carrying capacity of the thoroughfares, the City may recommend marginal access drives. For a narrow frontage, which will require a single outlet, the City may recommend that money in escrow be placed with the City so as
to provide for a marginal service drive equal in length to the frontage of the property involved. Occupancy permits shall not be issued until the improvement is physically provided, or moneys have been deposited with the clerk.

e. Whether the site is located within a designated historic overlay district, and whether the proposed action would have an adverse impact on the resources of the historic overlay district, as defined in subsection 38-32(b)(4). The Planning Commission may deny the proposed action if the action would have an unacceptable adverse impact on the historic resource or the historic overlay district itself. The Planning Commission may also require landscaping or other reasonable methods to minimize the adverse impact any proposed action may have on a historic resource or on the historic overlay district itself. (7)

An approved PUD site plan shall be required before applicable permits may be issued for any form of construction or removal or disturbance of any natural feature for all planned unit developments.

a. Procedure for PUD site plan review.

1. The applicant for PUD site plan approval shall file with the City Zoning Official all drawings and other materials required for site plans in this chapter, all drawings and other materials required in Section 38-395 for PUD zoning district approval, and the additional information listed below. A PUD site plan application shall not be considered filed until all drawings and other required materials have been submitted and may be rejected if the materials submitted are inadequate to make the foregoing determinations.

2. If requested by the Planning Commission or City Council, additional graphics, models, three-dimensional or electronic, or written materials shall be submitted to assist the City in visualizing and understanding the proposal. Additional detailed information, including but not limited to plans, elevations, building and site sections, or existing and proposed building materials, if submitted, shall become a part of the PUD site plan.

3. The Zoning Official will distribute these materials to the appropriate City departments and other reviewing agencies for review and comment regarding compliance with the PUD zoning district supplemental regulations and conceptual PUD plan, and compliance with all applicable local, state, or federal laws, ordinances, standards and regulations and to determine the need for a development agreement as provided in this chapter. The Zoning Administrator will notify the applicant of any questions raised by the City departments and other reviewing agencies and negotiate a development agreement with the applicant if it is determined that such an agreement is needed. The director shall submit a report and recommendation to the planning commission based on this review.

4. The Planning Commission, after holding a public hearing on the PUD site plan with notification as required by this chapter, shall transmit its recommendation based on the standards below, together with any recommended conditions of approval and all related reports and minutes to City Council.

b. Standards for PUD site plan review. City Council, after holding a public hearing on the PUD site plan with notification as required by this chapter, and after receiving all related reports and minutes and a recommendation from the Planning Commission, shall approve, with conditions, or deny a PUD site plan. A PUD site plan shall be approved by City Council only after it determines that:

1. The development would comply with the PUD zoning established pursuant to the requirements of section 38-395, and with all applicable local, state, or federal laws, ordinances, standards and regulations; and

2. The development would limit the disturbance of natural features to the minimum necessary to allow a reasonable use of the land, applying criteria for reviewing a natural features statement of impact set forth in this chapter; and

3. The development would not cause a public or private nuisance and would not have a detrimental effect on the public health, safety or welfare.

c. Development Agreement.
1. Upon obtaining approval of a site plan, the applicant and the City Council may enter into a Development Agreement that describes the terms and conditions of the approval and the rights and obligations of each party. The City Council may approve the Development Agreement immediately following approval of a site plan or it may be placed on a subsequent agenda of the City Council. The applicant shall reimburse the City for all fees for City legal counsel and consultant participation in the Development Agreement.

2. The approved Development Agreement shall be recorded with the county Register of Deeds.

3. In the event the site plan requires a major amendment, the development agreement shall be amended to reflect the approved changes and recorded as provided in subsection (5)c.2. above.

d. Effect of PUD site plan approval. For three (3) years from the date of approval of a PUD site plan, permits may be issued and the land developed consistent with the PUD site plan and the regulations, laws and ordinances in effect as the time of approval, unless new regulations, laws and ordinances have been made applicable to previously approved developments. After three (3) years from PUD site plan approval, no permits shall be issued unless the PUD site plan is reconsidered in the manner provided for new PUD site plans and is determined to meet the standards of the PUD zoning district or has been extended as provided under administrative amendments to approved PUD site plans.

d. Effect of PUD site plan approval. For three (3) years from the date of approval of a PUD site plan, permits may be issued and the land developed consistent with the PUD site plan and the regulations, laws and ordinances in effect as the time of approval, unless new regulations, laws and ordinances have been made applicable to previously approved developments. After three (3) years from PUD site plan approval, no permits shall be issued unless the PUD site plan is reconsidered in the manner provided for new PUD site plans and is determined to meet the standards of the PUD zoning district or has been extended as provided under administrative amendments to approved PUD site plans.

4. In the event the site plan requires a major amendment, the development agreement shall be amended to reflect the approved changes and recorded as provided in subsection (5)c.2. above.

4. PUD site plan amendments. A minor change to an approved PUD site plan may be approved by the Planning Commission as provided in this chapter except that the proposed changes shall not alter the fundamental design, conceptual integrity, natural features shown to be preserved any specific conditions of the PUD development program, the conceptual PUD plan or the supplemental regulations. The following restrictions shall also apply:

1. Adjustment in approved phases of development shall not result in a change greater than ten percent of the total gross area in any phase, or ten percent of the number of approved lots, or ten percent of the approved maximum building square footage.

2. For residential buildings the size may be reduced or increased by five percent, provided the overall density of units does not increase and the minimum square footage requirements are met.

3. Gross floor area of non-residential buildings may be decreased or increased by up to five (5) percent or ten thousand (10,000) square feet whichever is smaller.

4. Floor plans may be changed if consistent with the character of the use.

5. Horizontal and/or vertical elevations may be altered by up to five (5) percent.

6. Relocation of a building is permitted by up to ten (10) feet, if consistent with required setbacks and other standards.

7. Designated "areas not to be disturbed" may be increased.

8. Plantings approved in the final PUD site plan may be replaced by similar types of landscaping on a one-to-one or greater basis. Any trees to be preserved, which are lost during construction, may be replaced by at least two (2) trees of the same or similar species.

9. Improvements or slight relocation of site access or circulation patterns are minor changes, such as inclusion of deceleration lanes, boulevards, curbing, and pedestrian or bicycle paths.

10. Changes of building materials to another of higher quality can be made, with determined of quality a judgment of the building inspector.

11. Slight modification of sign placement or reduction of size may be made.

12. Internal rearrangement of a parking lot is possible if the change does not affect the number of parking spaces or alter access locations or design.

13. Changes required by the City, county or state for safety reasons are a basis for a minor change.

(8) It shall be understood that the petitioner agrees to install and/or construct all improvements in the approved site plan within twelve (12) months from the initiation of on-site construction, and to provide for their continued maintenance.
The Planning Commission may modify the foregoing requirements or waive them if it can be shown that no good purpose would be served in the preparation of a site plan.

The Planning Commission may require that a bond be posted by a developer(s) to assure that improvements connected with an approved site plan are made as proposed.

SECTION 2. PUBLIC HEARING. A public hearing is set for Monday, September 23, 2019 at or about 6:30 p.m. for the purpose of hearing citizen comment regarding the proposed ordinance amendment.

SECTION 3. NOTICE. Planning Commission hereby directs staff to supply a public notice concerning the new ordinance as required by the Michigan Zoning Enabling Act, Act 110 of 2006, Article I, Section 103.

SECTION 4. AVAILABILITY. This ordinance may be purchased or inspected in the city clerk’s office, Monday through Friday between the hours of 9:00 a.m. and 5:00 p.m.

SECTION 5. EFFECTIVE DATE. This amendment shall become effective twenty days after passage by the Owosso City Council.