



AGENDA
CHARTER TOWNSHIP OF MERIDIAN
PLANNING COMMISSION – REGULAR MEETING
August 24, 2020 7PM

1. CALL MEETING TO ORDER
2. PUBLIC REMARKS
3. APPROVAL OF AGENDA
4. APPROVAL OF MINUTES
 - A. August 10, 2020 Regular Meeting

Zoom meeting ID: 872 0006 8286
Zoom password: 5151

5. COMMUNICATIONS - None
6. PUBLIC HEARINGS - None
7. UNFINISHED BUSINESS
 - A. Planned Unit Development #20014 (Okemos Land Investment LLC), develop Silverleaf planned unit development consisting of 150 detached single family homes on approximately 94 acres located on the north side of Bennett Road, west of Hulett Road.
8. OTHER BUSINESS
 - A. Mixed Use Planned Unit Development (MUPUD) ordinance review.
9. REPORTS AND ANNOUNCEMENTS
 - A. Township Board update.
 - B. Liaison reports.
10. PROJECT UPDATES
 - A. New Applications - None
 - B. Site Plans Received - None
 - C. Site Plans Approved
 1. Site Plan Review #20-05 (Hudson Senior Living), construct 147,721 square foot senior apartment building with 133 units at 1673 Haslett Road.
11. PUBLIC REMARKS
12. ADJOURNMENT

AGENDA page 2
CHARTER TOWNSHIP OF MERIDIAN
PLANNING COMMISSION MEETING
August 24, 2020 7PM

TENTATIVE PLANNING COMMISSION AGENDA
September 14, 2020

1. PUBLIC HEARINGS
 - A. Special Use Permit #20061 (Elsabeth Engeda), expand an existing adult foster care home at 5340 Park Lake Road to accommodate up to 10 residents.
2. UNFINISHED BUSINESS
3. OTHER BUSINESS
 - A. Mixed Use Planned Unit Development (MUPUD) ordinance review.

Individuals with disabilities requiring auxiliary aids or services should contact: Principal Planner Peter Menser, 5151 Marsh Road, Okemos, MI 48864 or 517.853.4576 - Ten Day Notice is Required.
Meeting Location: Zoom web conferencing application
Meeting ID: 872 0006 8286 Password: 5151

Providing a safe and welcoming, sustainable, prime community.



**CHARTER TOWNSHIP OF MERIDIAN
PLANNING COMMISSION
REGULAR MEETING MINUTES**

August 10, 2020

Meeting held virtually using the Zoom web conferencing application

7:00 P.M.

PRESENT: Commissioners Premoe, Richards, McConnell, Hendrickson, Cordill, Clark, and Shrewsbury

ABSENT: Commissioner Trezise

STAFF: Director of Community Planning & Development Mark Kieselbach, Principal Planner Peter Menser, Information Technology Director Stephen Gebes, Multimedia Producer Samantha Diehl.

1. CALL MEETING TO ORDER

Chair Hendrickson called the regular meeting to order at 7:00 P.M.

2. PUBLIC REMARKS

- A. Robert McCarthy, Attorney for 1732 Hamilton Road, representing Jonathan Brown managing member of Auto Tech of Okemos, noted he would be available to answer questions regarding item 7A unfinished business later in the meeting, for Special Use Permit #20051.

3. APPROVAL OF AGENDA

Commissioner Cordill moved to approve the amended agenda.
Seconded by Commissioner Premoe.

Commissioner Cordill asked to modify the agenda by allowing item 7A to move ahead of 6A as a courtesy, because of the public hearing.

4. APPROVAL OF MINUTES

- A. July 27, 2020 Regular Meeting

Commissioner Premoe moved to approve the minutes.
Seconded by Commissioner Cordill.
VOICE VOTE: Motion approved unanimously.

5. COMMUNICATIONS

Chair Hendrickson noted the two communications were submitted in the August 10, 2020 meeting packet and thanked the public for their written communications.

7. UNFINISHED BUSINESS

- A. Special Use Permit #20051 (1732 Hamilton Road LLC), establish motor vehicle repair shop at 1732 Hamilton Road.

Motion by Commissioner Richards to adopt the resolution approving Special Use Permit #20051 with conditions.

Supported by Commissioner McConnell.

Planning Commission Discussion:

- The conditions are appropriate for the business.
- Commissioner Cordill visited the site and noted a large front window had boards leaning on it and asked if the window was broken and if an additional condition should be added to address the issue.
- Director Kieselbach stated there is a property maintenance code for Meridian Township and the Code Enforcement Officer would address such concerns.
- The applicant's representative, Robert McCarthy stated the window would be repaired and the boards would be removed.

ROLL CALL VOTE:

YEAS: Commissioner Richards, McConnell, Premoe, Cordill, Shrewsbury, Clark, and Chair Hendrickson.

NAYS: None

MOTION CARRIED: 7-0

6. PUBLIC HEARINGS

- A. Planned Unit Development #20014 (Okemos Land Investment LLC), develop Silverleaf planned unit development consisting of 150 detached single family homes on approximately 94 acres located on the north side of Bennett Road, west of Hulett Road.

Chair Hendrickson opened the public hearing at 7:12 p.m.

Principal Planner Menser provided a detailed overview of the Planned Unit Development request. A majority of the development proposed will be site condominiums and the northern approximately 20 acres would be donated to Meridian Township as open space. Principal Planner Menser noted with a Planned Unit Development proposal, the Planning Commission will make a recommendation on the project and the Township Board will make the final decision. Mr. Menser further noted the applicant has a team available to answer questions and he would be available as well.

Comments from the applicant:

The applicant's representative David Straub with Mayberry Homes stated the rezoning of the property was completed in early 2020 following the suggestion by the Township Board to meet with neighbors under the leadership of Township Manager Frank Walsh to discuss concerns. All seven conditions have been met. A couple items during neighborhood meetings - the residents

asked for 75 feet between property lines and the current plans show 129 feet between property lines. In addition, the applicant is donating 20 acres to Meridian Township and are pleased to extend the natural corridor on the north end of the property. Mr. Straub noted 90% of the future homes would back up to the open space. In conclusion, he stated they are excited about the project and if approved, plan to break ground in the spring of 2021. Mr. Straub noted team members who were also available on the call for questions. Breanna Guevara with Marx Wetlands LLC who worked on the Natural features Inventory and Impact Assessment and Julie Kroll, Engineer with Fleis & Vandenbrink who worked on the Traffic Impact Study.

Public Comments:

- A. Jan Casey, 2677 Laforet Circle, spoke with concern for maximizing safety on the pathway for elementary school children who will be walking to and from school. She also noted concern near the area between Silverleaf and Bennett Woods Elementary school as there is a gap in the pathway system, currently no sidewalk to connect the areas.

Planning Commission Discussion:

- Concern was raised regarding the wavier for setbacks in the side yard. RAA zoning allows for 10 feet and the proposed P.U.D. setback is only 5 feet which seems too narrow. This does not seem characteristic of a suburban setting.
- The rear yard setback in RAA zoning allows for 30-40 feet depending on the lot depth and the proposed P.U.D. setback would be 10 feet, 5 feet for deck/patio. There could be a tendency for residents to extend decks into common areas. Leave enough room to build in the future and prevent future challenges of amending the P.U.D. process for decks.
- The wavier proposed for lot frontage in the P.U.D. ranges from 37.3 feet of lot width to 121.9 feet and concern was expressed about 37.3 feet not fitting into character of the surrounding suburban development. It was suggested to increase to 50 feet from the previous proposal of 37.3 feet.
- Drainage issues were discussed at a recent neighborhood meeting with Commissioner Lindemann in attendance. He listened to the concerns expressed and said any issues that arise will be addressed. The storm drainage will be designed to avoid impact on Champion Woods and Woods of Heron Creek.
- The developments drainage will move to the north and west and away from the existing neighboring communities.
- The traffic study determined Bennett Woods Elementary School should do their own traffic study to maximize the management and safety of their site.
- The first phase of the development will consist of 29 homes and the other phases will follow as the needs for the market continue.
- There are no plans for Bennett Road enhancements yet with the proposed development but Principal Planner Menser will contact the Ingham Country Road Commission and follow up at the next Planning Commission meeting.
- Frank Walsh, Township Manager, has kept in touch with neighboring residents and last week conducted a zoom meeting to address questions and concerns.
- Are there any other P.U.D.'s that have the 5 foot setbacks in the side yard? Principal Planner Menser will pull some examples for the next Planning Commission meeting.

A straw poll indicated the Planning Commission would be in support of recommending approval of the proposed Planned Unit Development. A resolution will be provided for the August 24, 2020 Planning Commission meeting.

Chair Hendrickson opened the public hearing at 8:45 p.m.

8. OTHER BUSINESS

A. Mixed Use Planned Unit Development (MUPUD) ordinance review.

Principal Planner Menser provided the ordinance language and noted some of the challenges he has experienced with the ordinance such as:

- The length of time the process takes, with public hearings with both the Planning Commission and Township Board
- The amenities could be improved

9. REPORTS AND ANNOUNCEMENTS

A. Township Board update.

Principal Planner Menser provided a summary of the August 6, 2020 Zoom Township Board meeting and noted the next Zoom Township Board meeting will be August 18, 2020.

B. Liaison reports.

- Commissioner McConnell provided an update on the Environmental Commission meeting held on August 5, 2020.
- Chair Hendrickson noted the Zoning Board of Appeals has only met once in the past three months.

10. PROJECT UPDATES

A. New Applications- None

B. Site Plans Received - None

C. Site Plans Approved

1. Site Plan Review #20-03 (Buddy's Rendezvous Pizzeria LLC), demolish existing restaurant and construct new 7,069 square foot Buddy's Pizza restaurant at 2010 Grand River Avenue.

11. PUBLIC REMARKS

A. Dan McCole, 4137 Benham Way, provided his perspective of the drainage issue with Sundance Estates, Champion Woods and Woods of Heron Creek. He wanted to clarify the existing issues of water not effectively draining in the area.

12. ADJOURNMENT

Commissioner Premoe moved to adjourn the meeting.

Supported by Commissioner McConnell.
VOICE VOTE: Motion carried unanimously.

Chair Hendrickson adjourned the regular meeting at 8:57 p.m.

Respectfully Submitted,
Debbie Budzynski, Recording Secretary



To: Planning Commission

From: Peter Menser, Principal Planner

Date: August 19, 2020

Re: Planned Unit Development #20014 (Okemos Land Investment LLC), develop Silverleaf PUD consisting of 150 single family residential lots on approximately 94 acres located on the north side of Bennett Road, west of Hulett Road.

The Planning Commission held the public hearing for PUD #20014 at its meeting on August 10, 2020. Overall, the Commission voiced general support for the project but shared concerns related to lot size and setbacks in the proposed development. To address these concerns staff has gathered information on setbacks in similar developments to help guide further discussion on the proposal.

While every project is different, there are three projects in the Township that are similar to the Silverleaf PUD proposal, all developed by Mayberry Homes. There are other PUDs in the Township, but many of them are older and feature attached units or are significantly smaller in size in terms of both land area and number of units. The following table compares lot frontage and setbacks in the Okemos Preserve (2005), Champion Woods (2005), and Copper Creek (2018) developments.

	Front yard	Side yard	Rear Yard	Lot frontage
RAA zoning	25 feet	10 feet	30-40 feet	90 feet
Okemos Preserve	10 feet	5 feet	10-15 feet	55-70 feet
Champion Woods	20 feet	7.5 feet	0-5 feet	65-70 feet (varies)
Copper Creek	5 feet	5 feet	10 feet 5 feet for decks	57-117 feet (varies)
Silverleaf	10 feet	5 feet	10 feet 5 feet for decks	37-121 feet (varies)

The PUD ordinance is intended to allow for flexibility with regards to setbacks and lot area. The smaller lot sizes and setbacks are offset by larger areas of open space, less vegetation removed, less paving for roads, fewer trees cut down, and an overall smaller development footprint. A PUD does not have to fit within a specific development pattern or be comparable to other projects in the community. The lot sizes and setbacks are market driven; the developer has a vested interest in designing lots that will sell. While Planning staff is comfortable with the setbacks and lot frontage as proposed, staff preference would be to avoid having lot-specific setbacks as proposed in the attached letter from the developer, which may be difficult to track administratively in the future.

Bennett Road pathway

At the public hearing a resident asked about the status of the pathway along Bennett Road. As part of the Silverleaf project the developer will be responsible for constructing the required seven foot wide pathway along the project frontage on the north side of Bennett Road, which is approximately 688 linear feet. That leaves a gap in the pathway of approximately 635 feet to get to Bennett Woods Elementary. 435 feet of the pathway gap is on property owned by the applicant, which is zoned PO (Professional and Office) and may be developed in the near future. The remaining 200 feet is on property owned by the Schultz Vet Clinic. The pathway gap will eventually will be constructed as those properties are developed or improved. In the meantime, during the Site Plan Review process Township staff will explore options for ensuring that children living in the new development will have a safe walking and biking route to the nearby school.

Planning Commission Options

The Planning Commission may recommend approval, approval with conditions, or denial of the proposed PUD. A resolution to recommend approval of the project to the Township Board is provided.

- **Move to adopt the resolution approving Planned Unit Development #20014 to develop 150 detached single family residential lots on approximately 94 acres located on the north side of Bennett Road, west of Hulett Road.**

Attachments

1. Letter from David Straub at Mayberry Homes dated August 19, 2020.
2. Resolution to recommend approval.

G:\Community Planning & Development\Planning\PLANNED UNIT DEVELOPMENTS (PUD)\2020\PUD 20014 (Bennett Holding LLC)\PUD 20014 (Bennett Holding LLC)\PUD 20014.pc2.docx



August 19, 2020

Community Planning and Development
Meridian Township
5151 Marsh Road
Okemos, MI 48864

RE: Silverleaf Condominium PUD

As most of you know, Mayberry Homes has been building homes in and around Meridian Township since 2002. Our owner, Bob Schroeder, has been building homes in the greater Lansing area for over 50 years. Our communities are thoughtfully designed and executed, starting with the land planning process and culminating with state-of-the-art home designs. Mayberry Homes is proud to introduce Silverleaf.

During the August 10, 2020 Planning Commission Public Hearing, questions were raised regarding building setbacks. Our proposed 5' side yard setback and the 10' rear yard setback, that allows for a 5' encroachment for decks or patios, were the areas of greatest concern. The Commissioners asked for examples in the Township that have similar conditions. We are aware of at least three (3) communities within the Township where alternative setbacks were allowed. Okemos Preserve has 5' side yard setbacks (photos attached); Copper Creek was approved with the same setbacks that we're requesting for Silverleaf; Champion Woods has zero rear yard setbacks with a minimum 5' rear yard setback on certain lots. We would also like to highlight Avondale Square in East Lansing. This community included 40' wide lots with 5' side yards (photos attached). We are proud to share that Avondale Square was awarded a national award for community design.

With respect to the rear yard setback, we're ok to restrict the 5' rear yard encroachment to only include those lots that back to open space. Thus, no 5' encroachment on back to back, or back to side lots. These restrictions would be placed on lots 15-17, 22, 23, 31, 51, 55, 64, 75, 76 and 85. As previously stated, well over 90% of the homes will back to open space.

We respectfully request that the 5' side yard setback be approved as originally presented. We don't anticipate that all homes will require the maximum footprint on the lot. Some will and some will not.


Our requested setbacks will allow for a more interesting streetscape. Varying separation between homes provide more interest from the street view. The minimum 20' setback to the garage face not only ensures that a car will fit on the driveway without impeding the community sidewalk but will encourage the house and porch to be pulled forward of the garage face. Our goal is to maximize our buyer's investment through a thoughtful approach in the up-front planning process.

Please remember that the spirit of the PUD ordinance is to permit greater flexibility and encourage more creative design of residential developments than is possible under conventional zoning regulations. We are confident that the Silverleaf Condominium PUD will complement the Township's vision and deliver a spectacular community that we can all be proud of.

Sincerely,

David Straub
Mayberry Homes




AVONDALE
Square



OKEMOS
PRESERVE 



RESOLUTION TO RECOMMEND APPROVAL

**Planned Unit Development #20014
(Okemos Land Investment LLC)**

At a regular meeting of the Planning Commission of the Charter Township of Meridian, Ingham County, Michigan, held virtually via the Zoom web conferencing application, in said Township on the 24th day of August, 2020, at 7:00 p.m., Local Time.

PRESENT: _____

ABSENT: _____

The following resolution was offered by _____ and supported by _____.

WHEREAS, Okemos Land Investment LLC has submitted a request to establish a planned unit development (PUD) identified as Silverleaf; and

WHEREAS, the proposed planned unit development includes the construction of 150 detached single family residential lots on approximately 94 acres located on the north side of Bennett Road, west of Hulett Road; and

WHEREAS, the subject site is appropriately zoned RAA (Single Family-Low Density), which allows for a planned unit development; and

WHEREAS, the Planning Commission held a public hearing at its regular meeting on August 10, 2020, and has reviewed staff material forwarded under cover memorandums dated August 4, 2020 and August 19, 2020; and

WHEREAS, the proposed planned unit development is consistent with the seven conditions established in Rezoning #19060; and

WHEREAS, the proposed planned unit development provides adequate buffering between the development and adjacent residential land uses to the north and east; and

WHEREAS, the proposed planned unit development meets the minimum PUD performance objective to preserve at least 50% of the project area, excluding wetlands and floodplains, as open space; and

WHEREAS, the proposed planned unit development will be harmonious and similar in character with the existing residential developments to the north and east of the subject site; and

WHEREAS, the requested waivers for lot size, lot frontage, and building setbacks are necessary to facilitate preservation of open space; and

WHEREAS, the proposed planned unit development will be adequately served by public water and sanitary sewer; and

WHEREAS, the approximate 1.60 dwelling units per acre (du/a) density of the proposed development is consistent with the R2-Residential 0.5-3.5 Future Land Use Map designation from the 2017 Master Plan; and

**Resolution to Recommend Approval
PUD #20014 (Okemos Land Investment LLC)
Page 2**

WHEREAS, the proposed planned unit development meets the minimum PUD performance objectives as stated in Section 86-439(b) of the Code of Ordinances; and

WHEREAS, the proposed development is consistent with Objective E of Goal 2 of the 2017 Master Plan to preserve open space and natural areas by utilizing the planned unit development ordinance for the project; and

WHEREAS, the proposed planned unit development is consistent with Objectives A and B of Goal 1 of the 2017 Master Plan to preserve and strengthen residential neighborhoods by ensuring new residential developments meet high standards of visual attractiveness, health and safety, and environmental sensitivity.

NOW THEREFORE, BE IT RESOLVED THE PLANNING COMMISSION OF THE CHARTER TOWNSHIP OF MERIDIAN hereby recommends approval of Planned Unit Development #20014, subject to the following conditions.

1. Approval is in accordance with the submitted site plan prepared by Kebs, Inc., dated May 11, 2020 (revision date July 30, 2020) and received by the Township on July 30, 2020.
2. The waivers requested for lot size, lot frontage, and building setbacks are recommended for approval as depicted on the submitted site plan prepared by Kebs, Inc., dated May 11, 2020 (revision date July 30, 2020) and received by the Township on July 30, 2020.
3. The project shall remain consistent with the seven conditions established in Rezoning #19060.
4. The approximately 20 acres identified for donation to Meridian Township as PUD open space shall be conveyed to the Township prior to issuance of any permits for the project.
5. The applicant shall obtain all necessary permits, licenses, and approvals from the Ingham County Road Department, Ingham County Drain Commissioner, Michigan Department of Environment, Great Lakes, and Energy (EGLE), and the Township, as applicable. Copies of all permits and approval letters shall be submitted to the Department of Community Planning and Development.
6. The utility, grading, and storm drainage plans for the site are subject to the approval of the Director of Public Works and Engineering and Ingham County Drain Commissioner and shall be completed in accordance with the Township Engineering Design and Construction Standards.
7. No grading or land clearing shall take place on the site until the site plan has been approved by the Director of Community Planning and Development and grading and soil erosion and sedimentation control (SESC) permits have been issued for the project.
8. The proposed roads in the development shall be built to Ingham County Road Department construction standards and shall be subject to the approval of the Director of Public Works and Engineering.
9. Construction traffic for development of the property shall only access the site from Bennett Road.

**Resolution to Recommend Approval
PUD #20014 (Okemos Land Investment LLC)
Page 3**

10. Any wetland boundaries or setbacks located on or adjacent to residential lots shall be clearly identified by posted signage notifying the property owner of restrictions related to grading, mowing, placement of structures, landscaping, and dumping in the wetlands. The size, number, location, and language of the signs shall be subject to the approval of the Director of Community Planning and Development.
11. The applicant shall construct the required seven foot wide pathway along the north side of the Bennett Road frontage of the properties included in the development. The pathway shall be designed and constructed in accordance with Township Engineering and Construction standards. The design and location of the pathway shall be subject to the approval of the Director of Public Works and Engineering.
12. Street trees shall be provided along all internal roads in the development. The species, size, and location of the street trees shall be subject to the approval of the Director of Community Planning and Development.
13. The open space shall be reserved or dedicated by lease or conveyance of title, including beneficial ownership, to a corporation, association, or other legal entity or by reservation by means of a restrictive convenient.

ADOPTED: YEAS: _____

NAYS: _____

STATE OF MICHIGAN)

) ss

COUNTY OF INGHAM)

I, the undersigned, the duly qualified and acting Chair of the Planning Commission of the Charter Township of Meridian, Ingham County, Michigan, DO HEREBY CERTIFY that the foregoing is a true and a complete copy of a resolution adopted at a regular meeting of the Planning Commission on the 24th day of August, 2020.

Scott Hendrickson
Planning Commission Chair

Chapter 86. Zoning

ARTICLE IV. District Regulations

DIVISION 4. Other Districts

§ 86-440. Mixed use planned unit development (MUPUD).

[Ord. No. 2004-08, 10-31-2004; Ord. No. 2005-11, 11-27-2005; Ord. No. 2006-08, 12-31-2006; Ord. No. 2007-12, 10-28-2007; Ord. No. 2008-04, 4-13-2008; Ord. No. 2010-02, 2-28-2010; Ord. No. 2011-08, 7-5-2011]

- (a) Purpose and intent. The purpose of the mixed use planned unit development (mixed use PUD) section is to create more walkable pedestrian oriented developments by promoting and accommodating developments in rational mixed patterns that respect Meridian Township's transitional land use concept to protect, enhance and preserve natural resources. The second purpose is to encourage rehabilitation of existing structures to include those originally built or partially built before zoning ordinances were adopted, and in such a manner that will maintain traditional urban design to preserve and enhance community resources.

The intent of this section is two-fold.

- (1) Meet Township goals through well planned, integrated, high quality mixed use in redevelopment projects:
 - a. Enhance health and safety goals by requirements for walkability, pedestrian orientation and high quality, durable, building materials.
 - b. Increase Township prosperity goals and citizen welfare by appreciated property values which will support necessary public services.
 - c. Actualize our cultural heritage through citizen pride in creative, new places to walk to, shop at and work in that retain a flavor of Meridian Township's rich history.
 - d. Enhance diversity goals with new types of residential uses in close-knit community design.
 - e. Improve our natural environment goal by mixed use redevelopment with incentives for more intensely landscaped buffers and open spaces designed to complement Township parks and green space plans.
- (2) Improve the potential for financially attractive and high quality mixed use projects in the Township while meeting Township goals of a safe, healthy and sustainable community.
 - a. Enhance incentives for investment by the ability to mix residential with commercial and office uses within the same development.
 - b. Allow flexibility in setback and parking requirements.

- c. Encourage redevelopment by allowing increases in density in exchange for providing specified community amenities.
 - d. Achieve attractive and commercially successful core areas through cooperative development projects with one or more land owners.
 - e. Encourage mitigation to lessen potential hazards associated with the location of a mixed use PUD such as when adjacent to a railroad.
- (b) Definitions.

AMENITY

Aesthetic, practical or other characteristics of a development that increase its desirability to a community or its marketability to the public. Amenities may differ from development to development.

AWNING

A roof-like cover, often fabric, metal, or glass designed and intended for protection from weather or as a decorative embellishment, and which projects from a wall or roof of a structure over a window, walk, door, or the like.

BALCONY

A platform that projects from the wall of a building and is surrounded by a railing or balustrade, for the private use of tenants.

CLOSE-KNIT COMMUNITY

A style of land development advocating smaller, narrower lots, shallower yards and setbacks, smaller and more intensely used spaces, etc. that is less land consumptive than traditional suburban development.

HORTICULTURAL MAINTENANCE PLAN

A written statement documenting the methods to be used to maintain landscaping materials in a healthy condition, free of refuse and debris.

IMPROVEMENT

Alterations to any structure that do not change the intensity of its use, do not increase the gross floor area, height, or bulk of the structure by more than 10%, and/or do not block or impede public access.

MONUMENT SIGN

A freestanding sign, in which the entire bottom (base) is in contact with the ground and is independent of any other structure.

ORNAMENTAL

Something that is either decorative or something that provides aesthetic quality to an object required for other purpose.

PEDESTRIAN ORIENTED DEVELOPMENT

Development designed with an emphasis primarily on the street sidewalk and on pedestrian access to the site and building, rather than on auto access and parking areas with design bearing a definite relationship to the human dimension. The building is generally placed close to the street and the main entrance is oriented to the street sidewalk. There are generally windows or display cases along building facades which face the street. A pedestrian oriented neighborhood offers variety in housing clustered around well-defined neighborhood centers which support jobs, commercial activity, and a range of amenities to sustain lively streets and gathering places. It offers a gradient density from open space to high-intensity commercial cores. The layout of pathways, streets and transportation corridors minimizes conflict between walking, biking, and driving.

REDEVELOPMENT

The process by which an existing developed area is rehabilitated, restored, renovated, expanded and/or adaptively reused. Redevelopment may also mean a site that contains an existing building(s) to be removed with the approval of the mixed use PUD.

SIGN PROGRAM

A plan of all signs proposed to be installed in a mixed use PUD project submitted for approval to create a coordinated project theme of uniform design elements such as color, lettering style, size, and placement consistent with the context of the project and its surroundings and the purpose and intent of this section.

SUBSTANTIAL IMPROVEMENT

Alterations to any structure that does change the intensity of its use, does increase the gross floor area, height, or bulk of the structure by more than 10%, and/or does block or impede public access.

WAIVER

Permission to depart from the requirements or standards of the underlying zoning district.

(c) Permitted locations and uses.

(1) Locations.

- a. Mixed use PUD shall be permitted in the C-2, C-3, CS, and CR zoning districts, where public water and sewer are available.
- b. Mixed use PUD shall be permitted in the PO and C-1 districts where public water and sewer are available, provided that when adjacent to land zoned and developed in a single-family residential district, the height of buildings in the mixed use PUD shall be no taller than the abutting residential district would allow.

(2) Uses.

- a. All uses permitted by right and by special use permit in the underlying zoning district or districts where a project includes more than one zoning district, provided that the purpose and intent of this section is incorporated within the total development plan.
- b. Limited commercial uses in an underlying PO zoning district.
 1. In addition to the uses permitted in the underlying PO zoning district, only the following neighborhood-oriented commercial uses are allowed:
 - i. Personal service establishments which perform services on the premises such as, but not limited to, barber or beauty shops, repair shops (jewelry, electronic, shoe, small appliances, etc.), pharmacies, tailor shops, laundries and dry cleaners, with the exception of dry cleaning plants.
 - ii. Restaurants and cafes which serve food or beverages. This use shall not include bars and taverns.
 - iii. Grocery stores.
 - iv. Financial institutions.
 - v. Retail merchandise establishments.
 - vi. Outdoor seating areas for cafes and restaurants.

2. Commercial development shall not be located in any PO zoned mixed use PUD without approval by the Township Board of the location and general amount of commercial uses shown in the form of a site plan at the time of approval of the mixed use PUD. The request will be evaluated for consistency with the intent of the mixed use PUD ordinance and whether it is harmonious with adjacent sites. The Township Board may approve, approve with conditions, or deny a request in regards to the location and amount of any allowed commercial development in a PO zoned mixed use PUD.
3. If the Township Board approves the location and/or amount of commercial uses in a PO zoned mixed use PUD, it may place conditions on the development in order to guarantee consistency with the purpose and intent of the mixed use PUD ordinance, which includes, but is not limited to, providing walkable, pedestrian-friendly communities and ensuring compatibility with surrounding residential neighborhoods on adjacent sites. Conditions may include, but are not limited to, the following subjects:
 - i. Hours of operation.
 - ii. Total square footage allotted for the commercial uses.
 - iii. Location, design, and orientation of specific commercial uses which may locate within the development and their placement in relationship to neighboring uses.
 - iv. Proportion of the development which may be occupied by individual commercial uses or by all commercial uses.
 - v. Maximum noise levels emitted.
 - vi. Lighting levels, direction, and timing.
 - vii. Sufficiency of parking.
 - viii. Enhancement of walkability within the development and connectivity to surrounding uses.
 - ix. Landscaping and screening.
- c. Single- and multiple-family residential uses up to a density of 14 dwelling units per acre when developed in conjunction with the redevelopment of an existing building(s) for a use permitted by right or by special use permit in the underlying zoning district and on the same parcel of land. The density may be increased to 18 dwelling units per acre by offering four or more additional unique and extraordinary amenities acceptable to the Township.
[Amended 5-15-2018 by Ord. No. 2018-06]
- d. Single- and multiple-family residential uses up to a density of 10 dwelling units per acre when developed in conjunction with the development of an undeveloped site for a use permitted by right or by special use permit in the underlying district and on the same parcel of land.
[Amended 5-15-2018 by Ord. No. 2018-06]
- e. For mixed-use PUDs within the Okemos Downtown shown on Map 1 and the Haslett Downtown shown on Map 2^[1] the Township Board may in its sole discretion approve a higher density per acre of residential dwelling units and an increase in the height of a building based upon the proposed mixed-use PUD complying with the following performance criteria:
[Amended 5-15-2018 by Ord. No. 2018-06]

1. Architectural design and placement of building(s) on the parcel(s) will be consistent with the architectural standards set forth in the Master Plan, of current adoption, and are to include sustainability and environmental considerations, including, but not limited to, energy usage from renewable energy resources. Achieving Energy Star or LEED Silver standards or better is highly valued.
2. The building height is no more than four stories above the finished grade. A fifth story may be allowed where there is a minimum of a ten-foot setback for such fifth story from the predominant first-floor facade elevation. Overall height from the finished grade to the top of the wall does not exceed 60 feet. Floor-to-ceiling height is at a minimum of 14 feet for first floor commercial or office uses, and a minimum of nine feet for all residential and any upper floors, regardless of use.
3. A parking plan that provides a unified design for any parking structures with the main building through the use of similar building materials, color, and architectural style.
4. An innovative design including a number of different dwelling unit types, sizes, and floor plans are available within the mixed-use PUD.
5. The mixed-use PUD provides common areas and/or amenities for residents and the general public, including, but not limited to, gathering spaces, gardens, courtyards, pavilions, pocket parks, swimming pools, exercise rooms, storage rooms, lockers, and covered parking.
6. The mixed-use PUD promotes nonmotorized and shared (public) transportation by providing convenient access to the public pedestrian/bicycle pathway system and public transportation systems as outlined in the Master Plan.
7. The mixed-use PUD provides opportunities for shared parking, accessways, and driveways with adjoining properties or provides additional parking spaces that may be used by the public.
8. The mixed-use PUD generally provides commercial and other nonresidential uses on the ground floor(s), and the development demonstrates a financially viable plan for sustainable commercial and/or office space usage.
9. The mixed-use PUD demonstrates how proposed higher density will not negatively impact the character, aesthetics, safety, or welfare of surrounding businesses and neighborhoods.
10. The mixed-use PUD considers any potential for increased traffic and provides solutions to address the traffic increases.
11. The mixed-use PUD makes efforts to preserve and use existing structures or provides explanations to justify why such preservation and use is not possible.

[1] *Editor's Note: Said maps are included as an attachment to this chapter.*

- f. Uses may be mixed vertically and/or horizontally.
[Added 5-15-2018 by Ord. No. 2018-06]
- (d) Phasing. Mixed use planned unit developments may be phased provided each phase incorporates a use permitted in the underlying zoning district. Phasing plans shall be evaluated for the proportionality of permitted use(s) to residential use(s). Phasing plans shall be submitted with the original mixed use PUD.
- (e) Amenities.

- (1) Requirements and guidelines.
 - a. Every mixed use PUD shall incorporate one or more amenities.
 - b. Every request for a density bonus shall incorporate one or more amenities in addition to those required by subsection (e)(1)a.
 - c. Waivers from zoning ordinance standards may be granted by the Township Board in exchange for amenities.
 - d. Amenities shall not be combined or counted more than once or counted toward any other requirement of the ordinance.
 - e. When multiple amenities are proposed, multiple criteria categories should be represented.
 - f. Amenities shall be visible and/or accessible to the public from a fully improved street, and/or a benefit to the general public.
- (2) Criteria. Amenities acceptable for consideration by the Township shall meet one or more of the following criteria:
 - a. Type, value and number of amenities shall be proportionate to the size and/or cost of the project.
 - b. Variety of amenity categories represented.
 - c. Support of goals expressed in this section, the Township Board policy manual, the master plan or other applicable adopted plans.
 - d. Consistency and compatibility with the intended use of the site.
 - e. Continuity of design elements.
 - f. Appropriate and harmonious with the surrounding area.
 - g. Potential to act as a catalyst for improvements to surrounding sites.
- (3) Categories listing examples of possible amenities.
 - a. Conservation:
 1. Any alternative energy system.
 2. Grey water recycling.
 3. Green roofs.
 4. Electric car charging stations.
 5. Activities or technologies listed for Leadership in Energy and Environmental Design (LEED) certification by the U.S. Green Building Council or certification criteria of organizations with similar goals; for example, American Society of Landscape Architects' (ASLA) Sustainable Sites Initiative (SITES) or Society of Environmentally Responsible Facilities (SERF).
 - b. Environment:
 1. Significantly increased pervious surfaces.

2. Rehabilitation of degraded sites.
 3. Green space exceeding the underlying permeable surface regulation.
 4. Rehabilitation of green space designated as links on the greenspace plan.
 5. Street trees installed at a 20% higher density or one inch caliper larger than required by the Code of Ordinances.
- c. Accessibility:
1. Transit stops. The addition or relocation of one or more transit stops when supported by a local transit provider.
 2. Foot and bicycle pathways and sidewalks that connect with the Township's pedestrian/bicycle pathway system and routes identified in the Township's green space plan via a public right-of-way or public access easement.
 3. Covered bicycle storage on site.
- d. Parks, recreation and culture for active and passive activities:
1. Public recreation resources.
 2. Public cultural venues.
 3. Public art at 1% of the project cost designed to withstand natural elements and reasonable public contact for at least 10 years.
- e. Social interaction:
1. Outdoor gathering spaces or outdoor eating spaces of 300 square feet or more.
 2. Public outdoor seating plazas adjacent to or visible and accessible from the street including, but not limited to, benches or other outdoor seating not associated with an outdoor cafe.
 3. Privately maintained courtyards, plazas, pocket parks, and rooftop gardens and similar features with seating for the public.
- f. Site and building design:
1. Underground utilities.
 2. Combination of first floor awnings and upper floor balconies adjacent to a public street.
 3. Porches on any structure.
 4. Multilevel or underground parking.
 5. Ornamental paving treatments for sidewalks and/or parking areas such as, but not limited to, concrete masonry unit pavers, brick, stone or pervious concrete or asphalt.
 6. Innovative lighting.
 7. Sidewalk planters located in the vicinity of sidewalks and/or outdoor seating areas.

8. Public access to new technology including wireless access points, electronic information displays, excluding unsolicited electronic broadcast information.
9. Consolidation of multiple land parcels into one to facilitate an integrated design.
10. Fountain.

(f) Design standards.

(1) General restrictions.

- a. Except as noted elsewhere in this section, the yard, setback, lot size, type and size of dwelling unit, frontage requirements, and impervious surface regulations and restrictions are generally waived for the mixed use PUD, provided that the spirit and intent of this section, as defined in Subsection **86-440(a)** above, are incorporated with the total development plan. The Planning Commission may recommend and the Township Board shall establish all requirements by means of the approval of the planned unit development.
- b. Maximum height in a mixed use PUD shall be no higher than 45 feet. Exceptions provided in § **86-591** shall apply.
- c. Except as stated above, all requirements regarding floodways, floodplains and wetlands in the conservancy district shall apply to the mixed use PUD.
- d. Metal and portable buildings shall be prohibited.
- e. Residential uses shall be located as far as possible from railroad tracks.

(2) Structure.

- a. Building materials generally. Materials should include, but are not limited to, wood, brick, clapboards, beadboard, glass, and stone. Other materials, such as vinyl, aluminum, and other metal sidings should be avoided. All buildings shall be completed on all sides with acceptable finishing materials. Any element not specifically mentioned in this section shall otherwise conform to other provisions of the Code of Ordinances.
- b. Architectural design. Diversity and variety in architecture is encouraged.
 1. Architectural design shall be consistent with pedestrian-oriented development.
 2. Property owners shall be encouraged to design and construct their building facades so that these improvements relate to and are sensitive to nearby historical features, blend with the facades of adjacent buildings and complement streetscape improvements in the area. Buildings greater than 50 feet in width shall be divided into increments of no more than 50 feet through articulation of the facade.
 3. Windows shall cover no less than 50% of nonresidential street level facades.
 4. All mechanical, heating, ventilation, and air conditioning (HVAC) and like systems shall be screened from street level view on all sides by an opaque structure or landscape material selected to complement the building.
 5. Railings, benches, trash receptacles and/or bicycle racks, if provided, shall be of commercial quality, and complement the building design and style, subject to the approval of the Director of Community Planning and Development.

(3) Parking.

- a. Setbacks for parking areas from the public street, adjoining properties, and when adjacent to residentially zoned properties shall be established during the review process. Consideration should be given to preservation of existing residential neighborhoods and heritage trees.
 - b. The number of required off-street parking spaces shall comply with § **86-755** of the Code of Ordinances, which outlines the schedule of requirements for parking spaces. The Township Board may reduce the number of off-street parking spaces required for a development. The Township Board shall establish a reasonable number of required off-street parking spaces based on the characteristics associated with the property and availability of other sources of parking or the provision of amenities in lieu of parking.
 - c. Parking lots are encouraged to be on the side or in the rear of a building.
 - d. Bicycle parking shall be separated from automobile parking in visible locations.
- (4) Landscaping shall generally comply with the provisions of the Code of Ordinances. Landscaping should be designed to preserve existing significant natural features and to buffer service areas, parking, or dumpsters; a mix of evergreen and deciduous plants and trees are preferred with seasonal accent plantings to add to the visual appeal of the area. Native plant species are encouraged and a horticultural maintenance plan shall be required. Landscaping shall also comply with other applicable provisions of this section. Maintenance of landscaped areas shall be subject to Subsection **86-758(3)** of the Code of Ordinances. Additional landscaping may be required in order to preserve and/or protect adjacent properties.
- (5) Lighting. All outdoor lighting associated with nonresidential and multiple family residential projects in a mixed use overlay area shall conform to Article **VII** in Chapter **38** of the Code of Ordinances and is subject to the approval of the Director of Community Planning and Development. Street lighting intended to provide illumination for pedestrians on the sidewalk shall not exceed 15 feet in height.
- (6) Signs. Each applicant shall submit a sign program illustrating each proposed sign type, its size and location as part of the project's application materials. The size, number and location of signs shall be submitted at the same time as the mixed use PUD project. The Director of Community Planning and Development may be authorized to approve the entire sign program, or any part of the sign program, as part of the site plan review process.
- a. General guidelines.
 1. Signs designed to enhance the pedestrian experience, reflect and complement the character of the building, and respect the overall character of the area in an attractive and functional manner are preferred.
 2. Signs shall not cover or obscure architectural features of buildings but should be located in logical signable areas which relate to the pattern of the facade.
 3. Signs shall be properly maintained.
 4. Signs or sign faces shall not be changed or installed without a new building permit and in accordance with an approved sign program.
 - b. The following sign types are permitted in the mixed use PUD district. Except as indicated below, the number and size of signs shall be approved as part of the project's application for the mixed use PUD approval.
 1. Wall signs, defined as a sign mounted flat against, or painted on the wall of a building (not a window sign) with the exposed face of the sign in the plane parallel to the face of the wall.

- i. Only one primary wall sign for each business with direct access to a public street shall be permitted.
 - ii. Identification signs are a type of wall sign that fit within an imaginary two square foot rectangle. One identification sign shall be permitted for the business name and/or logo and shall be located on the wall surface adjacent to a tenant's main entry. Restaurants may add an additional two square feet to the rectangle for a menu.
 - iii. Tenant directory signs are a type of wall sign used to identify businesses without direct frontage on a public street. The sign shall be located adjacent to the main entrance to the nonfrontage suites and shall not exceed six feet in height.
 2. Canopy or awning signs, defined as a sign incorporated into a canopy or awning. The sign and/or logo on a canopy or awning shall not exceed 30% of the canopy nor shall it be internally lit.
 3. Projecting signs, defined as a sign attached to and projecting perpendicularly from a building wall, excluding canopy or awning signs. One projecting sign per business with direct access to a public street shall be permitted. Projecting signs shall fit within an imaginary six square foot rectangle except projecting signs located under a canopy or first floor eaves or overhang shall fit within an imaginary rectangle with a maximum area of four square feet. The lowest edge of a projecting sign shall be no lower than eight feet above the sidewalk elevation.
 4. Window signs, defined as a sign affixed to the interior or exterior of a window or placed behind a window pane so as to attract attention of persons outside the building. Window signs shall not exceed 40% of the window area, except opaque signs shall be limited to 10% of the window area. Etched glass and similar artistic designs shall not be considered opaque.
 5. Freestanding signs, defined as any sign supported wholly or in part by some structure other than the building housing the business to which the sign pertains, are generally not permitted in the mixed use PUD district. Exceptions for freestanding signs of the monument type may be permitted when a building is set back a minimum of 15 feet from the right-of-way line with the resulting yard set aside for permanent public open space. In such case, the size, location and design of the sign shall be reviewed and approved as part of the overall sign program.
- (7) Sidewalks. Sidewalks shall be a minimum of five feet in width, except in two specific scenarios:
- a. When the sidewalk(s) is immediately adjacent to an outdoor seating cafe, the sidewalk shall be a minimum of seven feet in width to provide additional maneuverability, and
 - b. When the sidewalk(s) is immediately adjacent to an off-street parking area, where vehicles may overhang on the sidewalk, the sidewalk shall be a minimum of seven feet in width to provide additional maneuverability.
- (8) Pedestrian/bicycle pathways. Where a site submitted for mixed use PUD approval is located on a route of the Township's pedestrian/bicycle pathway master plan, construction or reconstruction of the route shall conform to Township standards for pedestrian/bicycle pathways.
- (9) Noise levels. No noise exceeding 70 dB(A) shall be emitted, as measured from a property line.
- (g) Procedure.

- (1) Each applicant shall confer with the Department of Community Planning and Development regarding the preparation of the mixed use PUD application. The general proposal in the form of a conceptualized site plan shall be reviewed by the Director of Community Planning and Development in a preapplication conference prior to submission of the mixed use PUD application. The Director of Community Planning and Development shall furnish the applicant with requirements to the components of the mixed use PUD application. It is not required that any person requesting a preapplication conference be an owner of or holder of an equitable interest in the subject property.
- (2) An applicant is urged to meet with owners and occupants of surrounding properties to apprise them of a proposed development, share the physical design, receive comments, and revise the proposal accordingly prior to submitting an official application. The Township will assist by providing property owner and occupant contact information.
- (3) Concept plan (optional). A property owner, prospective applicant or their representative may submit a concept plan for review and comment by the Planning Commission and Township Board.
 - a. Purpose.
 1. To acquaint the Planning Commission and Township Board with the proposed project.
 2. To provide guidance regarding the proposed design's compatibility with the purpose, intent and standards of the mixed use PUD ordinance.
 3. To reduce the applicant's time and cost.
 - b. Submittal requirements.
 1. A written request to initiate a concept plan review submitted to the Director of Community Planning and Development.
 2. A written summary of the project (amount and type of uses, basis for the design concept).
 3. A concept plan drawn to scale containing the following information:
 - i. Boundaries and acreage of the site.
 - ii. Zoning.
 - iii. Adjacent road network.
 - iv. General layout of buildings, interior access roads and unique design elements.
 - v. General location of known features affecting the site layout such as, but not limited to, floodplain, wetlands, woodlands, railroads, drains, rivers or rivers and streams, parkland, etc.
 - c. Review procedure.
 1. Upon receipt of a written request and other required data and information, the Director of Community Planning and Development shall review the concept plan.
 2. Within 30 days of the date of receiving a complete request the director shall forward to the Planning Commission and Township Board the concept plan and accompanying data along with any written comments from the director. The Planning Commission and Township Board shall concurrently review the concept plan and

may offer comments or suggestions on the design. Comments or suggestions made during the review of the concept plan shall not be binding on the Township or the applicant.

- (4) Required data and information for a mixed use PUD.
 - a. A complete application accompanied by the appropriate fee.
 - b. A map drawn to an engineer's scale of the total property involved, showing its location in the Township and its relation to adjacent property.
 - c. A site analysis indicating principal factors which influenced the design, including building elevations and/or architectural documents and plans.
 - d. A schematic layout of the proposed storm sewer system.
 - e. A document generally describing the proposed phasing program for the mixed use PUD of all dwelling units, nondwelling units, recreation and other facilities, and open space improvements.
 - f. A reproducible two-foot contour topographic map (i.e., sepia, mylar, etc.) drawn at the same scale as the site plan and showing the existing relief features on the site.
 - g. A sign program.
 - h. Natural features study for previously undeveloped properties.
 - i. Traffic study where the project will exceed 100 vehicle trips during the peak hour of the adjacent roadway.
 - j. Building elevations drawn to scale (in color).
 - k. The developer shall provide the Township with copies of comments from other reviewing agencies, such as:
 1. The Ingham County Road Commission.
 2. The Ingham County Drain Commissioner.
 3. Michigan Department of Transportation (if applicable).
 4. Michigan Department of Environmental Quality (if applicable).
 5. Township Environmental Commission (if applicable).
 6. Township Engineering Department.
 7. Township Fire Department.
 8. The appropriate School Board (if applicable).
 - l. The developer shall provide proof of property ownership, or a letter from the owner authorizing the request and proof of property ownership from the author of the letter.
- (5) Hearing. Upon submittal of a complete application, the Planning Commission shall hold a public hearing.
 - a. Notice of public hearing. Notices shall comply with the provisions outlined in Subsection **86-65(b)** of the Code of Ordinances.

- (6) Planning Commission decision. Following the public hearing, the Planning Commission will make a decision on whether to recommend approval of the request, recommend approval with conditions of the request, or recommend denial of the request, to the Township Board. The Planning Commission shall recommend approval, modification, or denial, to the Township Board, within 60 days of the date the planned unit development was placed on the commission's agenda and shall within said 60 days, report its action to the Township Board. The sixty-day period may be extended if the applicant consents.
 - (7) Township Board decision. After receiving a recommendation from the Planning Commission, the Township Board shall conduct a public hearing which shall be preceded by notice as specified in the preceding subsection (e)(3). Following the public hearing, the Township Board shall make a determination to approve, modify, or deny the request. The Township Board shall approve, modify or deny the planned unit development within 30 days of the date the planned unit development was placed on the board's agenda. The thirty-day period may be extended if the applicant consents.
 - (8) Site plan review. Upon approval by the Township Board of the mixed use PUD, the developer shall submit a complete application to the Department of Community Planning and Development for site plan review, as outlined in the Code of Ordinances. The site plan review process shall be subject to the standards outlined in Chapter **86** of the Code of Ordinances.
 - (9) Any condition imposed upon a mixed use PUD shall be part of the record and remain unchanged, unaltered, and not expanded upon, except with the mutual consent of the Township and the landowner. The Township shall maintain a record of conditions which are changed.
- (h) Effect of issuance.
- (1) Effective date. The effective date of an approved mixed use PUD shall be the date of the Township Board decision.
 - (2) When a mixed use PUD becomes void. If construction related to the mixed use PUD has not commenced within four years after the effective date, approval shall be void, except one two-year extension may be considered if a written request is submitted to the Department of Community Planning and Development prior to the expiration date.
 - (3) Extension of a phased mixed use PUD. Once the first phase of a multiphased mixed use PUD is under construction, the Township Board may grant a two-year extension for future phases if a written request is submitted to the Department of Community Planning and Development prior to the current expiration date. Provided construction progresses on subsequent phases, the Township Board may grant additional two-year extensions if a written request is submitted to the Department of Community Planning and Development prior to the most recent expiration date.
- (i) Amendments.
- (1) Generally. The property owner may apply for an amendment in writing to the Director of Community Planning and Development. The director shall make a determination as to whether a proposed amendment constitutes a major or minor amendment to the original planned unit development.
 - (2) Major amendments. A major amendment shall have a significant impact on the mixed use PUD and the conditions of its approval, which shall include, but not be limited to:
 - a. Building additions located outside a building envelope as shown on the approved mixed use PUD site plan.
 - b. Building additions that reduce any setback shown on the approved mixed use PUD site plan.

- c. Building additions in excess of 2,000 square feet for buildings under 20,000 square feet in gross floor area or 10% of an existing building over 20,000 square feet in gross floor area.
 - d. Expansion of a use that results in an additional 100 or more vehicle trip ends during the peak hours.
 - e. Addition of land to the mixed use PUD equal to or more than 20,000 square feet for existing sites less than 40,000 square feet in area or two times the original site size for sites over 40,000 square feet.
 - f. Expansion of a use that anticipates a 10% or greater increase in required off-street parking.
 - g. Any addition to a legal nonconforming site.
- (3) Minor amendments. All amendments not deemed to be major amendments by the Director of Community Planning and Development shall be considered a minor amendment.
- (4) Process to amend a mixed use PUD.
- a. Major amendments shall follow the same procedure set forth in this section for new applications, including, but not limited to, submitting an application and fee.
 - b. Minor amendments. The Director of Community Planning and Development shall initiate the following review process:
 - 1. Application. An application for an amendment to a mixed use PUD shall be submitted to the Director of Community Planning and Development.
 - 2. Fee. A fee shall be paid at the time of filing the application in the amount established in the schedule of fees adopted by the Township Board.
 - 3. Hearing. Upon submittal of a complete application, the Director of Community Planning and Development shall hold a public hearing.
 - i. Notice of the public hearing. Notices shall comply with the provisions outlined in Subsection **86-65(b)** of the Code of Ordinances.
 - ii. Director of Community Planning and Development decision. Following the public hearing and after adequate review and study of the application, the Director of Community Planning and Development shall make a decision to approve, approve with conditions or deny the minor amendment request within 60 days of the public hearing date. The sixty-day period may be extended if the applicant consents.
 - 4. Site plan review. Upon approval of a minor amendment by the Director of Community Planning and Development, the applicant shall submit a complete site plan review application to the Department of Community Planning and Development, as outlined in Chapter **86** of the Code of Ordinances.
 - 5. Any condition imposed upon a minor amendment to a mixed use PUD by the Director of Community Planning and Development shall remain unchanged, unaltered, and not expanded upon, unless the change is reviewed and authorized by the Director of Community Planning and Development.
 - c. Appeal. An aggrieved person may appeal the decision of the Director of Community Planning and Development to the Township Board in accordance with § **86-188**.

- (j) Enforcement. The provisions of this article shall be enforced in the manner provided elsewhere in this Code of Ordinances. Any development that is not otherwise in conformance with these regulations shall not be approved.