



AGENDA
CHARTER TOWNSHIP OF MERIDIAN
PLANNING COMMISSION – REGULAR MEETING
February 8, 2021 7PM

1. CALL MEETING TO ORDER
2. PUBLIC REMARKS
3. APPROVAL OF AGENDA
4. APPROVAL OF MINUTES
 - A. January 11, 2021 Regular Meeting
5. COMMUNICATIONS
 - A. Senta Goertler RE: traffic at Chick fil A
6. PUBLIC HEARINGS - None
7. UNFINISHED BUSINESS
 - A. Mixed Use Planned Unit Development (MUPUD) ordinance review.
8. OTHER BUSINESS - None
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 - None
11. PUBLIC REMARKS
12. ADJOURNMENT

Zoom meeting ID: 872 0006 8286 Zoom password: 5151

TENTATIVE PLANNING COMMISSION AGENDA

AGENDA page 2
CHARTER TOWNSHIP OF MERIDIAN
PLANNING COMMISSION MEETING
February 8, 2021 7PM

February 22, 2020

1. PUBLIC HEARINGS
 - A. Zoning Amendment #21010 (Township Board), amend Sections 86-2, 86-404, and 86-405 of the Code of Ordinances to require Township Board approval of special use permits for motor vehicle sales and service establishments and automobile dealerships in the C-2 and C-3 (Commercial) zoning districts.

2. UNFINISHED BUSINESS
 - A. Mixed Use Planned Unit Development (MUPUD) ordinance review.

3. OTHER BUSINESS
 - A. None.

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**

DRAFT

January 11, 2021

**Meeting held virtually using the Zoom web conferencing application
7:00 P.M.**

**PRESENT: Commissioners McConnell, Hendrickson, Cordill, Shrewsbury, Trezise,
Premoe, Snyder, Blumer, Richards (7:33 P.M.)**

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

1. CALL MEETING TO ORDER

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

2. PUBLIC REMARKS – NONE

3. APPROVAL OF AGENDA

Commissioner Cordill moved to approve the agenda.

Seconded by Commissioner McConnell.

VOICE VOTE: Motion approved unanimously.

4. APPROVAL OF MINUTES

A. December 14, 2020 Regular Meeting

Commissioner Premoe moved to approve the minutes.

Seconded by Commissioner Blumer.

VOICE VOTE: Motion approved unanimously.

5. COMMUNICATIONS- NONE

6. PUBLIC HEARINGS - NONE

7. UNFINISHED BUSINESS

A. Election of Officers

Commissioner Trezise moved to re-elect Chair Hendrickson for 2021.

Supported by Commissioner Cordill.

VOICE VOTE: Motion approved unanimously.

Commissioner Cordill moved to re-elect Vice-Chair Trezise for 2021.

Supported by Commissioner Blumer.

VOICE VOTE: Motion approved unanimously.

Commissioner Cordill moved to re-elect Commissioner Richards as Secretary.

Supported by Commissioner McConnell

Commissioner Richards was not in attendance yet at the meeting, but later agreed to be re-elected.

VOICE VOTE: Motion approved unanimously.

B. ZBA Representative and Board/Commission Liaison assignments

Vice-Chair Trezise asked for a motion to re-elect Chair Hendrickson for 2021. A member of the Planning Commission is required by the Code of Ordinances to serve on the Zoning Board of Appeals (ZBA) as a regular member. The current Planning Commission representative on the ZBA is Chair Hendrickson, who was appointed at the May 18, 2020 meeting following the resignation of the previous representative.

Motion by Commissioner Blumer to re-appoint Chair Hendrickson as the Planning Commission representative on the Zoning Board of Appeals for 2021.

Supported by Commissioner Shrewsbury.

VOICE VOTE: Motion approved unanimously.

Chair Hendrickson reviewed the list of other Meridian Township boards and commissions the Planning Commission members are representatives/liaisons for and noted the dates and times they conduct their regular meetings.

Commissioner Premoe noted he has not been sworn in yet for the Brownfield Redevelopment Authority and Principal Planner noted he would follow up with the Clerk's office.

Chair Hendrickson noted it would be good to have the commissioner's jump in somewhere even if serving as a back-up.

Director Kieselbach noted Commissioner Richards mentioned at last month's Transportation Commission meeting that he would like to be replaced, if possible.

Commissioner Shrewsbury stated difficulty in committing to additional boards and commission meetings due to her professional work responsibilities but appreciates the reports and fellow commissioners who are assuming the responsibilities.

Chair Hendrickson reviewed the 2021 updated board/commission appointments as follows:

- Corridor Improvement Authority (CIA) – Commissioner Cordill
- Downtown Development Authority (DDA) – Commissioner Blumer
- Environmental Commission – Commissioner McConnell
- Economic Development Corporation (EDC) – Vice-Chair Trezise
- Transportation Commission – Commissioner Snyder
- Brownfield Redevelopment Authority (BRA) – Commissioner Premoe

C. 2021 Planning Commission Goals

Chair Hendrickson reviewed the list of 2020 goals Principal Planner Menser provided in the meeting packet and the Planning Commissioners discussed their progress and hurdles (due to the pandemic).

Planning Commission Discussion:

- Progress was made on the Form Based Code ordinance draft but the intended completion date of April 30, 2020 was missed.
- No action was taken to address revisions to the Zoning ordinance and Zoning map with action plan on page 15 of the Master Plan.
- A subcommittee was created to work on updating the Mixed Use Plan Development ordinance and progress was made during the last quarter of the year.
- Completing a plan for review and updating the Master Plan in 2020 did not get done.
- The sign ordinance draft was not completed by the end of the year. This process will be detailed and we are running a few years behind some of the court cases that are controlling it.
- Consult with the Zoning Board of Appeals to get feedback on what kind of sign related cases have been presented.
- Principal Planner Menser reviewed the items that needed to be looked at on the Action Plan on page 15 of the Master Plan for the revisions to the Zoning ordinance and Zoning map.

Commissioner McConnell wanted to commend Chair Hendrickson for an excellent presentation at the recent Township Board meeting with his PowerPoint presentation on Form Base Code.

Chair Hendrickson noted the goals listed seem reasonable as discussed by the Planning Commission and asked for a motion to adopt them for the 2021 year.

1. Implementation and finalization of updating the Mixed Use Planned Unit Development (MUPUD) ordinance by end of March 2021.
2. Revise the sign ordinance by end of October 2021.
3. Completion of Form Base Code ordinance changes by end of June 2021
4. Begin the process of updating the Future Use Land Map in anticipation of the 2022 Master Plan Revision by end of December 2021.

Commissioner Premoe moved to adopt the 2021 Planning Commission goals

Supported by Commissioner Blumer

VOICE VOTE: Motion approved unanimously.

Chair Hendrickson noted the assignment of Subcommittee's to assist with goalsetting for 2021:

- Mixed Use Planned Unit Development (MUPUD) ordinance subcommittee members- Commissioner Premoe, Commissioner Cordill, and Commissioner Richards.
- Form Base Code subcommittee members- Chair Hendrickson, Vice-Chair Trezise, Commissioner McConnell and Commissioner Snyder.
- Sign Ordinance subcommittee members- Commissioner Blumer, Commissioner Shrewsbury, and Commissioner Richards.

- Future Use Land (FUL) subcommittee members- Commissioner Snyder, Commissioner McConnell, Commissioner Cordil, and Chair Hendrickson.

D. Form Base Code

Principal Planner Menser noted Chair Hendrickson attended the Township Board meeting last week and delivered a comprehensive PowerPoint presentation on Form Base Code, great job.

Principal Planner Menser will continue working on the draft of the updated Form Base Code ordinance and will have available at a future meeting.

8. OTHER BUSINESS - NONE

9. REPORTS AND ANNOUNCEMENTS

A. Township Board update.

Principal Planner Menser provided a summary of the Township Board meeting held on January 5, 2021 and noted the next Township Board meeting will be January 19, 2021.

Principal Planner Menser also noted there is a meeting scheduled for January 26, 2021 with the Township Board and the Township's Boards and Commissions at 6:00 P.M. via Zoom and he will send an email invitation to attend. This provides an opportunity for everyone to share goals and accomplishments within the Township.

B. Liaison reports.

- Chair Hendrickson provided an update from attending the December Zoning Board of Appeals meeting.
- Commissioner McConnell provided an update from attending the Environmental Commission meeting on January 6, 2021.
- Commissioner Trezise noted the Downtown Development Authority and Economic Development Corporation both met the first week of January but he was unable to attend.

Commissioner McConnell noted some discussion recently regarding the Village of Okemos and it brought up some questions about the ability to rent office space in the Township and the office space and how long it might continue. Can we get some information about what kind of commercial or office occupancy rates are and what the trends might be in the future? Principal Planner said he would work with Director Clark to get some information.

10. PROJECT UPDATES

- A. New Applications - None
- B. Site Plans Received - None
- C. Site Plans Approved - None

11. PUBLIC REMARKS - NONE

12. ADJOURNMENT

Commissioner Richards moved to adjourn the meeting.

Supported by Commissioner McConnell.

VOICE VOTE: Motion carried unanimously.

Chair Hendrickson adjourned the regular meeting at 8:11 p.m.

Respectfully Submitted,

Debbie Budzynski, Recording Secretary

From: [Senta Goertler](#)
To: [Planning Commision \(DG\)](#)
Subject: Meijer Parking Lot
Date: Monday, January 25, 2021 3:19:59 PM

Dear Planning Commission,

While I am not a Meridian Township resident, given that our street is literally the border between East Lansing and Meridian Township, we spent much of our time in Meridian Township. We love all the parks and improvements to the parks! Thank you for all the planning and work that goes into establishing and maintaining these parks.

We also do most of our shopping and dining in Okemos. Lately, we have gotten very frustrated in the Grand River/Okemos Rd area. Since the pandemic lockdown, there has been much more traffic to Panera and Chick-fil-A. This has resulted in dangerous left turns out of and into the Panera parking lot; and long lines causing traffic back-up in the west-bound lane and the median. Chick-fil-A's traffic pattern was already a disaster before the pandemic and now is just impossible. Traffic backs-up into Grand River. Within the parking lot, Chick-fil-A customers are lining up with a double lane already in the Meijer parking lot - two lanes wide against traffic, which makes trying to travel west in the north portion of the Meijer parking lot a suicide mission.

I am hoping that a solution could be found to create better and less dangerous traffic patterns around these businesses. I am glad to see the businesses strive, but would prefer if it could be done in a way that keeps people safe.

Thank you very much,
Senta



To: Planning Commission

From: Peter Menser, Principal Planner

Date: February 4, 2021

Re: Mixed Use Planned Unit Development (MUPUD) ordinance review

The Planning Commission last discussed the MUPUD ordinance at its meeting on December 14, 2020. At the meeting the MUPUD sub-committee reported their list of recommendations on revisions to the ordinance. Since that meeting staff has completed a draft ordinance incorporating many of the recommendations to date. Further discussion is still needed on the following concepts, which the Planning Commission may add to as deemed necessary:

Review Process: Removing or limiting the role of the Planning Commission and Township Board in the MUPUD process may impact the Township's ability to rigorously vet development proposals. How can we reduce the overall time of the process while still keeping both groups involved?

Commercial/Non-residential space: Further discussion is needed with regards to establishing minimum sizes for commercial/non-residential space, which may limit overall project and site flexibility.

Vertical/horizontal mix of uses: Several scenarios have been discussed, but it might be strategic to keep the ordinance as-is in order to remain open to a wider variety of projects.

Amenities – Outside of eliminating some of the more basic amenities in the existing ordinance language, more work is needed to develop ideas for a new “menu” of amenities.

The following is an update of the considerations explored by the sub-committee and the corresponding changes made to the ordinance.

Concept plan review

Considerations:

- Township Board review of concept plan and Planning Commission review of MUPUD.
- Authority to review concept plan could vary depending on the location of the proposed project and adjacent land uses (*added 9/28/20*).
- Concept plan review required for phased projects (*added 10/12/20*).
- Concept plan required at Township Board level only (*added 10/12/20*).
- Send concept plan to Planning Commission as FYI only (*added 10/12/20*).

Action taken:

- Amenities need to be shown in concept plan (*added 10/12/20*).
- Added and/or option for review of concept plan by either the Township Board or Planning Commission.

Applicability

Considerations:

- Consider only offering MUPUD for redevelopment projects, in PICA areas, or at the Meridian Mall property.
- Allow MUPUD only in areas eligible for brownfield funding (*added 9/28/20*).
- No MUPUD option allowed for greenfield development (*added 10/12/20*).

Action taken:

- Kept the current standards for applicability, but reduced the allowable density for MUPUD proposals on undeveloped sites as a deterrent.

Amenities

Considerations:

- Size of amenity should be defined percentage of development or minimum square footage.
- Amenity serving general public, residents of development, or both.
- Amenity must be accessible to general public.
- Need to identify different and additional types of project amenities.
- Current bar too low, amenities need to be above and beyond what is typically provided.
- Potential to divide amenity list into categories based on intended audience.
- Creation of “menu” amenity list from which developers can choose.
- Amenities “menu” could differ based on project location (*added 9/28/20*).
- Cost of amenity must be solely born by developer (*added 9/28/20*).
- In addition to amenity “menu” include provision allowing other amenities as deemed appropriate to offer flexibility (*added 9/28/20*).
- Look to Township Climate and Sustainability Plan for amenity ideas (*added 9/28/20*).
- Amenity needs to be measureable, verifiable, and sustained (*added 10/12/20*).
- At least one amenity must serve general public in obvious way (*added 10/12/20*).
- Consideration of off-site improvements to serve as amenity (*added 10/12/20*).
- Need to establish specific number or size of amenity, which must be proportionate to overall size of project (*added 10/12/20*).
- Any amenity needs to be proportional in scope to each phase (*added 10/12/20*).
- Concern with use of Township tax dollars for amenity (*added 11/16/20*).
- If public amenities are included in MUPUD project the maintenance of those amenities needs to be clarified (*Added 12/14/20*).

Action taken:

- Revised definition of amenity to match subcommittee suggestion.
- Added language requiring one or more amenities in each project phase.
- Eliminated several amenities that should be considered typical project requirements.
- Added requirement for submittal of list of amenities.

Design standards

Considerations:

- Require standards for railings, benches, trash bins, etc. *(added 10/12/20)*.
- Require vertical mixing of land uses; prohibit horizontal mixing *(added 10/12/20)*.

Action taken:

- Changed the term “should” to “shall” as it pertains to building materials.
- Require parking lots to be located only in side or rear of property *(added 10/12/20)*.

Procedures/length of process

Considerations:

- Overall process takes too long.
- State Act requires whichever body holds the public hearing to make final decision.
- Eliminate public hearing requirement with Planning Commission *(added 10/12/20)*.
- Require decision same night for MUPUD if Planning Commission does review *(added 10/12/20)*.

Action taken:

- Reduced the overall amount of allotted time the Planning Commission and Township Board have to make a decision on a MUPUD from 60 days to 30 days.

Waivers

Considerations:

- Waiver criteria too broad and easy to obtain.

Action taken:

- Established one to one ratio for waivers to amenities.
- Added requirement for submittal of list of waivers and justification for each.

Phasing *(added 9/28/20)*

Considerations:

- Require concept plan for projects with more than one phase, no concept plan required for one phase projects.
- Require progress reports on phasing to enforce project requirements.

Action taken:

- Added provision requiring each project phase to have one or more amenities.

Density

Considerations:

- Limit density based on site constraints vs. specific number of dwelling units aka eliminate density limits.
- Counting units vs. number of bedrooms.
- Determine density on a project-by-project basis (*added 12/14/20*).

Action taken:

- Raised maximum number of dwelling units per acre (du/a) from 14 to 20 for redevelopment projects.
- Added amenities to qualify for increased density from 18 up to to 25 du/a for redevelopment projects.
- Reduced the maximum number of dwelling units per acre for projects on undeveloped land from 10 to 5.
- Added the Meridian Mall to the areas allowing density and height bonuses.

Commercial component of project

Considerations:

- Requirement of commercial may be unrealistic given market conditions and changing trends.
- Possibility to eliminate requirement for non-residential space.
- Establish minimum size for commercial component.
- Challenging to enforce lack on commercial space.
- Clarify commercial space is not for leasing office or fitness room (*added 10/12/20*).
- Establish specific amount of commercial in project, such as 50% of first floor minimum (*added 10/12/20*).
- Allow use of existing commercial only if vertical construction proposed (*added 10/12/20*).

Action taken:

- Eliminated requirement for any separate SUP, similar to CPUD ordinance.
- Revised commercial uses in PO zoned project to allow those permitted in C-1 zoning.
- Added provision requiring major amendment when non-residential space in a building(s) is reduced by 25 percent of the usable floor area or greater.
- Removed references to commercial uses and replaced with non-residential.

Amendments

Considerations:

- Current provisions allow significant project changes to fall under minor amendment.
- Major amendment process requires both Planning Commission and Township Board approval.
- Possibility for Planning Commission to handle major amendments without Board approval *(added 9/28/20)*.
- Make amendment easier/faster process depending on the project *(added 12/14/20)*.

Action taken:

- Reduced the number of projects qualifying for minor amendments by amending the criteria.
- Revised major amendment process so they are only reviewed by Township Board.

Effect of issuance (added 2/4/21)

Action taken:

Reduced the approval period of MUPUD approval from four years to two years and reduced the length of an approved extension from two years to one year.

Attachments

1. Draft MUPUD ordinance dated December 14, 2020.

G:\Community Planning & Development\Planning\ZONING AMENDMENTS (ZA)\2020\MUPUD 2020\MUPUD review.pc5.docx

Chapter 86. Zoning

ARTICLE IV. District Regulations

DIVISION 4. Other Districts

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

- 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: Enhance health and safety goals by requirements for walkability, pedestrian orientation and high quality, durable, building materials. Increase Township prosperity goals and citizen welfare by appreciated property values which will support necessary public services. 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. Enhance diversity goals with new types of residential uses in close-knit community design. 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 **non-residential** 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.~~

Extraordinary project feature that provides usable benefit to both the occupants of the development and general public and reflects scale of facility, building, or place.

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, **non-residential 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 **non-residential 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 **in return for the provision of amenities.**

- (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~~ **Non-residential** uses in an underlying PO zoning district.

1. **All uses allowed in the C-1 (Commercial) and PO (Professional and Office) zoning district by right and by special use permit are permitted in a PO zoned mixed use PUD.** ~~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.~~

- ~~2 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 **non-residential commercial** uses.
 - iii. Location, design, and orientation of specific **non-residential 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 **non-residential commercial** uses or by all **non-residential 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~~ **20** 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~~ **25** dwelling units per acre by offering four or **more of the following amenities** ~~additional unique and extraordinary amenities acceptable to the Township.~~
- 1. A mix of unit types with no more than 50 percent of one type of housing unit type.**
 - 2. Provision of bedrooms no smaller than minimum X size or X in number.**

3. **Provide a minimum of at least 25 percent of one or two bedroom units in project**
 4. **Minimum amount of non-residential space in project**
 5. **Vertical mixing of land uses**
 6. **??? Others ???**
- d. Single- and multiple-family residential uses up to a density of ~~10~~ **5** 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.
- e. For mixed-use PUDs within the Okemos Downtown shown on Map 1, ~~and~~ the Haslett Downtown shown on Map 2, **and the Meridian Mall property shown on Map 3**, 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:
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 **non-residential 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 **non-residential** ~~commercial~~ and other nonresidential uses on the ground floor(s), and the development demonstrates a financially viable plan for sustainable **non-residential** ~~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.
- f. Uses may be mixed vertically and/or horizontally.
- g. The mixed use PUD approval shall serve as the special use permit review and approval for any use or other activity requiring special use permit approval in the underlying zoning district, provided the use or other activity requiring special use permit approval is identified before the Township Board approves the mixed use PUD. Any use subject to special use permit review proposed after a mixed use PUD approval must be processed pursuant to the special use permit requirements set forth in Chapter 86, Article II, Division 4 of the Code of Ordinances.**

1. **The mixed use PUD approval shall serve as the special use permit for any project subject to § 86-658 of the Code of Ordinances; a separate special use permit shall not be required.**
2. **A mixed use PUD application to redevelop an existing use previously approved by special use permit shall act as the request to amend the existing special use permit.**

(d) Phasing. Mixed use planned unit developments may be phased provided each phase incorporates a use permitted in the underlying zoning district **and includes one or more amenities acceptable to the Township**. 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. **For every one waiver requested at least one amenity must be provided.**
- 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 **shall** ~~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.
- g. One or more amenities must be provided in each project phase.**

(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 **fragile** 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, **except for those mixed-use PUDs within Okemos Downtown as shown on Map 1, the Haslett Downtown shown on Map 2, and the Meridian Mall property shown on Map 3.** Exceptions provided in Section 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 ~~shall should~~ include, but are not limited to, wood, brick, clapboards, beadboard, glass, and stone. Other materials, such as vinyl, aluminum, and other metal sidings ~~shall 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 **shall only be permitted in** ~~are encouraged to be on the a side or in the rear yard of a building.~~ **In no case shall a parking lot extend beyond the front façade of a building.**
 - d. Bicycle parking shall be separated from automobile parking ~~in visible locations~~ **and meet the provisions of Section 86-760.**
- (4) Landscaping shall generally comply with the provisions of the Code of Ordinances. Landscaping **shall** ~~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 **shall be** 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 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) **Pre-application meeting:** Each applicant shall confer with the **Director** ~~Department~~ of Community Planning and Development regarding the preparation of the mixed use PUD application **prior to submittal**. ~~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 meeting ~~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 **and attend meetings as deemed necessary.**
- (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 **/or** Township Board.
 - a. Purpose.
 1. To acquaint the Planning Commission and **/or** 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.

4. A list of the amenities proposed for the project, along with descriptions and locations of each.

- 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 ~~d~~Director shall forward to the Planning Commission and/or Township Board the concept plan and accompanying data along with any written comments from the ~~d~~Director. The Planning Commission and/or 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 **site plan** ~~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, **including** ~~of~~ all dwelling units, ~~nondwelling-residential~~ units, recreation and other facilities, and open space improvements.
- f. A reproducible two-foot contour topographic map (~~i.e., sepi, 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. **The natural features study shall include...**
 - i. Traffic study where the project will exceed ~~100~~ **50** 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 **Department** ~~Commission~~.
 - 2. The Ingham County Drain Commissioner.
 - 3. Michigan Department of Transportation (if applicable).
 - 4. Michigan Department of **Environment, Great Lakes, and Energy** ~~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.
 - m. A list of the amenities proposed for the project, along with descriptions and locations of each.**
 - n. A list of the waivers requested for the project, along with descriptions, dimensions, and locations of each, as well as justification or reasons why each waiver is being requested.**
- (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~~**30** 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 **30** ~~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 **30** ~~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~~ **two** years after the effective date, approval shall be void, except one ~~two~~ **one**-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 multi-phased mixed use PUD is under construction, the Township Board may grant a ~~two~~ **one**-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~~ **one**-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 **25** ~~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 increases~~ **s** in required off-street parking.
 - g. Any addition to a legal nonconforming site.
 - h. Any addition of 50 or more residential dwelling units to the mixed use PUD.**
 - i. Any reduction in non-residential space in a building(s) by 25 percent of the usable floor area or greater.**

- (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, **but review and a decision on the amendment shall be limited only to the Township Board.**
 - 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 ~~6~~ **30** 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.