

CHARTER TOWNSHIP OF FLUSHING

6524 N. SEYMOUR ROAD

FLUSHING, MICHIGAN 48433

810-659-0800

FAX: 810-659-4212

PLANNING COMMISSION MINUTES

DATE: NOVEMBER 14, 2005

TIME: 7:00 P.M.

WEB ADDRESS <http://www.gfn.org/flushing/index.html>

MEMBERS OF PLANNING COMMISSION

Aaron Bowron, Chair

Jerome Doyle, Vice Chair

Eric Swanson, Secretary

Richard Buell

Ronald Flowers

David Gibbs

Barry Pratt, Board of Trustee Representative

Jerald W. Fitch, Building Inspector

Julia A. Morford, Recording Secretary

PRESENT: Bowron, Doyle, Swanson, Buell, Flowers, Gibbs, Pratt, and Morford

ABSENT: Fitch

OTHERS PRESENT: Howard Scheuner, Developer of Hyde Park, Flint Journal Reporter Beata Mostafavi, and Flushing Township Supervisor Andy Trogot

I. MEETING CALLED TO ORDER at 7:02 p.m. by Planning Commission Chair Aaron Bowron with Roll Call and the Pledge to the American Flag.

BOWRON would like to eliminate item No. 1, listed under "New Business", **Jennings Realty, Inc.** due to the non-appearance of representatives for the matter being cancelled; **Howard Scheuner** instead would be listed as No. 1 under "New Business."

II. ADOPTION OF AGENDA: PRATT MOVED, seconded by Buell to adopt the Agenda as modified. **MOTION CARRIED.**

III. (A) APPROVAL OF MINUTES OF OCTOBER 3, 2005: FLOWERS MOVED, seconded by Doyle to approve the Minutes of October 3, 2005 with corrections. **MOTION CARRIED.**

(B) APPROVAL OF MINUTES OF OCTOBER 24, 2005: DOYLE MOVED, seconded by Flowers to approve the Minutes of October 24, 2005 as corrected. **MOTION CARRIED.**

IV. UNFINISHED BUSINESS:

None

V. NEW BUSINESS:

1. **Howard Scheuner (Scheuner), Developer for Hyde Park Subdivision – Brighton, MI. --- Informal Discussion Regarding Changes to Hyde Park PUD**

BOWRON stated the meeting was strictly an informal discussion of Hyde Park. There will not be any actions taken by the Planning Commission with regards to any proposed amendments to the Hyde Park Development. On behalf of the Planning Commission, the Chairperson explicitly disclaimed on any representation suggesting any commitment by the Planning Commission to act with certainty one way or the other with regards to future amendments to Hyde Park PUD including but not limited to those dealing with square footage requirements.

HISTORY:

BOWRON made reference to Item No. 10 of the approved Planning Commission Minutes of November 4, 2002 which stated:

“**DOYLE** stated that more square footage would be the best possible usage for a PUD. RSA which is single family dwelling, is the best possible zoning. **GENSHEIMER** stated that for a planned community, 1,400 square footage would be a reasonable minimum of square footage. **BARNWELL** stated he and **SCHEUNER** had reviewed the Township Ordinance, for square footage, and the minimum requirement had been 1,100. If the square footage should be too high, the marketing ability would be eliminated. **SCHEUNER** stated the difference between 1,200 and 1,400 square footage would be \$25,000 or \$135 a square foot.

BOWRON stated the results of the meeting on November 4, 2002 had resulted in five (5) ranch style homes to be at a minimum of 1,300 square feet, the balance of ranch style homes would be a minimum of 1,400 square feet or higher:

- a. Ranch – there would be five (5) ranch style homes at a minimum square footage of 1,300 square feet, the balance of ranch style homes would be at a minimum of 1,400 square footage or above.
- b. One and one-half (1½) story – 1,500 minimum square footage (1,050 square foot first floor, 450 square foot on the second floor).
- c. Two (2) story – 1,700 minimum square footage (900 square foot on the first floor and 800 square foot on the second level).

A fax had been received by the township from **HOWARD F. SCHEUNER (SCHEUNER)** dated October 12, 2005 which stated:

“We would like to arrange a workshop meeting to discuss Item No. 10 of your letter dated November 4, 2002, setting conditions for Hyde Park Estates. In particular we would like to open up discussion on Item No. 10 which sets the

minimum square footage for various types of homes. We have found out in the past year that we have not been able to sell the larger size homes specified in the PUD modification. We request that the minimum size of various home styles be changed to match the standards for Flushing Township. We request that the following minimum square footage apply to Hyde Park Estates:

Ranch/single story – 1,100 square foot

Bi-Level – 1,350 square foot and 450 square foot in ground

1½ Story – 1,350 square foot and 450 square foot on second floor

2 Story – 1,600 square foot with 800 square foot on the 1st floor and 800 square foot on the 2nd floor

Tri-Level – 1,350 square foot with 900 square foot on the 1st floor and 450 square foot on the upper level”

7:22 P.M. OPEN TO THE PUBLIC

SCHEUNER stated, per the fax dated October 12, 2005, he would like to modify Item No. 10 which had originally been one of the approved conditions in the November 4, 2002 agreement to match the existing zoning ordinances for Flushing Township. The request would conform to the minimum square footage contained in Article IV, *Site Regulations*, Section 20-404.

BOWRON inquired as to where the Bi-Level and Tri-Level home styles had been referred from; **SCHEUNER** stated the styles and footage for the bi-level and tri-level were never addressed but were taken from the township zoning ordinance regulations for the bi-level and tri-level.

No one in the audience voiced an opinion regarding the square footage issue.

7:25 P.M. PUBLIC HEARING CLOSED

QUESTIONS/CONCERNS FROM THE PLANNING COMMISSION:

- **DOYLE:** when the PUD was originally accepted, there were three (3) and four (4) unit townhouses; the square footage that had been put together that allowed the amount of square footage for the three (3) and four (4) units could be followed in the single family homes.

SCHEUNER stated the townhouses had been 900 square foot and the condominiums in the Condo Section were a minimum of 1,175 square foot.

- **FLOWERS:** in the 64 single-family homes, there were five (5) lots at 1,300 square foot and the rest at 1,400 square foot plus.
- **BOWRON:** what price range, as it currently stands, would the homes be sold for?

SCHEUNER stated the price range would be \$175,000 for a 1,300 square footage home. The current market price, according to the real estate representatives, showed that marketing studies out the door, with real estate commissions, fees, and land would be between

\$135,000 and \$140,000 in the Flushing area. For every one hundred (100) square foot that is decreased, the price of the home would be reduced by \$100 to \$122 a square foot. With a thousand (1,000) square foot ranch the price would be \$135,000 verses \$175,000 for a 1,300 square foot ranch based on **SCHEUNER'S** current figures.

- **DOYLE:** the 1,300 square foot ranch would consist of:
 - a. full basement
 - b. garage
 - c. property lots, located next to Potter Road and owned by Mr. Sandweiss, have been selling for approximately \$45,000 to \$50,000.
 - d. property still owned by developer HJM, which is fifty-two (52%) percent, are priced in the \$50,000 range; by using the 4 to 1 ratio, which is commonly used by builders, it would be in the \$200,000 home range.
- **DOYLE:** are the lot sizes approximately 9,900 square feet?
SCHEUNER stated the property lots varied between 7,500 and 15,000 square foot and made reference to Item No. 8 of the November 4, 2002 Planning Commission minutes.
- **PRATT:** how have the sales been for the past year?
SCHEUNER stated there has been one (1) model sold and one (1) additional lot sold to a local builder. In the condominium development, there have been a few more sales but in the single family section nothing has been sold.
- **DOYLE:** would the proposed homes be the same type of homes as the models?
SCHEUNER stated that Mr. Sandweiss would stay with his modular philosophy; HJM would stay with the stick-built type philosophy which is similar to the current panelized home under construction. The homes would either be stick built or panelized.
- **BOWRON:** as a community, the Planning Commission has as much interest in seeing the PUD work as **SCHEUNER**. Since no one has given voice as to one way or another, **BOWRON** personally believed the request would not be particularly horrendous or unreasonable. After reviewing the past minutes of the Planning Commission, at the time the square footage was mentioned, **SCHEUNER** wanted to make the square footage smaller due to marketability.
- **PRATT:** there are more and more divorced individuals, single parent families, people living longer, more aged people that have money to purchase property – the smaller square footage would fit that particular segment of society. Today, a larger proportion of single individuals are purchasing property.
- **BOWRON:** due to the demographics and also economics in Genesee County, there is clearly a buyer's market producing a lower cost home with smaller square footage home.
- **DOYLE:** the original request of the 64 single family homes would improve the PUD from what it was before all three (3) and four (4) unit townhouses were constructed with less square footage. It would be a good move to go into single family residence. The one

main concern would be the price per lot, which would not match the market outside the particular subdivision, which is usually less but a hardship as the cost has to be kept up. It would be an awkward position for competition. There would be a problem with the square footage of good quality stick built homes built by certain people, for less cost.

- **SCHEUNER:** he would move forward with a formal request.
- **SWANSON:** when Mr. Sandweiss had come before the Planning Commission regarding the inability of moving the modular homes, it had been due to a major reason from the feedback received. If **SCHEUNER** had a mixture of homes, such as panel type homes, stick built, one could see what would move. If both types of homes were built, would it eliminate the argument? **SWANSON** would be interested to see how stick built homes would move.

SCHEUNER felt it would be a perception issue - - the quality and construction of the modular homes has been good as **SCHEUNER** has been inside of them. The perception issue has been the bigger issue. Because of the perception issues, in the future if there is any construction, there would be a balance between the modular and the panelized (stick built) type construction. **SCHEUNER** likes the modular units but once again it is the perception issue.

- **SWANSON:** the building has been down in Genesee County.
- **SCHEUNER:** building permits have been off by seventeen (17%) to eighteen (18%) percent – it is a buyer’s market at present; completely reverse situation from a year ago.
- **BUELL:** what would the shrinkage of the minimum size homes do to existing property owners that already have homes constructed under earlier standards?

SCHEUNER stated there were five (5) modular models already constructed and one (1) stick built under construction at present – six (6) homes of the 64 single family homes having been constructed under the existing criteria of the 1,400 square foot size.

- **BUELL:** would the decision to reduce the square footage have any impact on the present homes already constructed?

SCHEUNER stated he was not sure if there would be an impact on the value of the homes but it would have an impact on the marketability of the homes that would be constructed as there would be more homes built. The more activity in a development the faster the development would take off.

- **BUELL:** (directed to Scheuner) are you convinced that smaller homes would sell in the particular market.

SCHEUNER stated that with the adjacent townhouses, which are 900 square foot and sell for \$119,000, they appear to be having a good absorption rate. (The townhouses are under the development of Devonshire Commons - Mary Jane Hudson, which is East of the 64 single family homes and also abuts to Potter Road).

- **BUELL:** what is the data as to the sales of homes in the Devonshire Commons (Mary Jane Hudson)?

- **DOYLE:** putting smaller homes on the single family residential lots, at present, would probably decrease the value of the existing tri and quad townhouses. The subdivision originally allowed for more expensive homes. If part of the subdivision should become less valuable, what would it do to the three and four plex townhouses that are currently constructed in the subdivision? There would be a tend to drag the value of the more expensive homes down.
 - **SCHEUNER** stated the current condominiums, five (5) plus and four (4) of **SCHEUNERS** homes for a total of nine (9), have all been sold for under \$140,000 with a square footage of 1,175.
- **DOYLE:** the price range would have to stay at a price that would be close enough to be the acceptable thing.
- **BUELL:** he is not sure if it is the size of the home that is creating the difficulty in moving real estate or because of difficult times with the economy.
- **PRATT:** the homes would be based on demand of the type of buyer due to deaths, divorces, single people that are looking for smaller property, individuals looking for small monthly house payments that would fit the individual need.
- **DOYLE:** would have to use the ingenuity in selling the homes to stress that your product would be better than the other builders.
- **BOWRON:** economics and demographics argue in favor of the smaller homes. The Planning Commission would have to hold to what the ordinance states.
- **FLOWERS:** what is taking place with the ponds?
 - **SCHEUNER** stated the aerators have been placed in the ponds; the Association has taken care of the landscaping; the developer has planted one hundred (100) plus trees around the perimeter of the area.
- **BUELL:** how many of the ponds will be aerated?
 - **SCHEUNER** stated there would only be one (1) pond that would be aerated (reference was made to the original designs of the ponds from 2002). The ponds are retention ponds. When Lawrence Engineering designed the ponds and the Genesee County Drain Commission approved the ponds, per James Barnwell of Desine Engineering, they were per the drawing specifications of the Genesee County Drain Commission. The ponds have been built to handle what is termed as “first flush.” If there is a fifteen (15) or twenty-five (25) year storm, there are three (3) ponds (two ponds located in the middle of the condominium development and one located adjacent to Potter Road) that would accumulate approximately four (4) feet of water. Over an eight (8) to eight and one-half (8½) hour time period, the water would drain down to a depth of six (6) inches in the ponds. It would allow for grass and settlement of the sediments that are deposited down the road from the builders, in the catch basins, or from run offs. The ponds could not be aerated because there would not be sufficient water in the

ponds. There are two (2) ponds adjacent to River Road that are not supposed to be aerated, but due to the concerns which the township had expressed and concerns of the Association, one of the ponds is aerated, but not the one closest to River Road.

- **BUELL:** thought there were suppose to be three (3) ponds aerated. One pond has the aerator and is in working condition. **BUELL** could see not installing an aerator in the second River Road pond, but would have trouble with the pond that is similar to an “island.”

SCHEUNER stated the “island” pond only had six (6) inches of water in it and would stay at six (6) inches until there was a storm which would then bring the water up to four (4) foot to handle the flush and would then drain back down to six (6) inches. The structure has been planned so there are a certain number of holes at the top, a little deeper into the pond there are additional number of holes and within six (6) inches of the bottom there is a pipe which allowed the pond to drain out to a depth of six (6) inches. When an aerator has been placed in a pond, it required a minimum of two (2) foot of water.

- **BUELL:** would the ponds, with the small amount of water, be creating a mosquito hatchery?

SCHEUNER stated at the Association’s Annual Meeting, the issues of the pond were reviewed and no one had any complaints regarding odor. **SCHEUNER** has walked out into the ponds to check for silt and there has only been six (6) inches of water in the pond, which was the design concept of the ponds).

- **DOYLE:** the concept was for the pond to drain slowly so there would not be any flooding.

SCHEUNER stated that when the ponds drain slowly, it allowed the sediments to come out. It takes two (2) to three (3) days after a storm for the pond to drain down. The concept was for only six (6) inches of water to be in the pond.

- **DOYLE:** what ponds are deeper than the “island” pond?

SCHEUNER referred to the two (2) ponds located by River Road – one held about three and one-half (3½) foot of water and the other held two (2) to three (3) foot of water. The ponds located next to River Road are detention ponds. The rest of the ponds are retention ponds. There have been no complaints concerning stagnation from the Association.

- **SCHEUNER:** he will apply for a formal request regarding the square footage issue for the 64 single family homes.
- **BOWRON:** if **SCHEUNER** applied for a formal request, the Planning Commission would be reviewing the bi-level and tri-level concept that had been mentioned in the fax dated October 12, 2005.

VI. PUBLIC COMMENTS:

7:57 P.M. OPEN TO NON-AGENDA COMMENTS

MORFORD introduced Reporter Beata Mostafavi from the Flint Journal to the Planning Commission members.

8:00 P.M. CLOSED TO NON-AGENDA COMMENTS

VII. BOARD COMMENTS:

1. **BOWRON** stated **ATTORNEY STEVE MOULTON** has been extremely busy so the proposed Draft Ordinance for Conditional Rezoning will not be on the Agenda for the Special Planning Commission Meeting for November 28, 2005; the matter will be on a future Planning Commission Agenda.
2. **BOWRON** stated after reviewing the issue of the number of special meetings for the Planning Commission with Township Treasurer, Carl Liepmann, the Planning Commission has been allocated six (6) more special meetings. A special request will be made by Board of Trustee Representative **PRATT** before the Board of Trustees at the appropriate time.
3. **BOWRON** would like to review the P.D.R. Programs. There are ways to implement the program through grants and matching funds:
 - a. County Commissioners control the funds; support is not present.
 - b. Brilliant idea.
 - c. Can't prevent a farmer from selling his property – has to be affordable to the farmers.
 - d. Master plan refers to protecting the farmland and open space.
4. **BOWRON** stated the intent and design of the “Special” Planning Commission Meetings were for workshop purposes. **FLOWERS** would also like to discuss square footage of the homes in the township at one of the future Special Meetings.
5. **BOWRON** felt the “Special” meetings should be referred to as “Special Workshop” meeting as there are only two (2) types of meetings: Regular and Special.
 - a. **DOYLE** felt there should be a regular business meeting once a month and if someone wanted to have a special meeting, it could be requested by an individual with the person paying for the meeting.
6. General Consensus of the Planning Commission members regarding the P.D.R. Program – all agreed it was a great program, but the problem was how to get the money.
7. **FLOWERS** stated the Master Plan would expire in 2012; **DOYLE** stated that at the end of a period of time and the Master Plan has been kept up to date, then the Planning Commission could approve the updated material. **FLOWERS** stated some of the concerns for the update would be population growth, the directions the township would like to follow in the next twenty (20) years, and what would be the status of the commercial and residential properties. The Genesee County

Transportation Plan has already been involved with the 2025/2030 Plan with ground work already finished and available to the township.

8. **BOWRON** felt when the zoning ordinances were being modified there should be in sync and harmony between the ordinances and the Master Plan. The ordinances implement and effectuate the Master Plan.
9. **DOYLE** stated the cost would be less if the ordinances were kept up to date instead of starting from scratch.
10. **FLOWERS MOVED**, seconded by Pratt to approve the Planning Commission Meeting Dates for 2006 as follows:

Monday, January 9, 2006	Monday, July 10, 2006
Monday, February 13, 2006	Monday, August 14, 2006
Monday, March 13, 2006	Monday, September 11, 2006
Monday, April 10, 2006	Monday, October 2, 2006*
Monday, May 8, 2006	Monday, November 13, 2006
Monday, June 12, 2006	Monday, December 11, 2006

***Indicates the date was changed from the second Monday to the first Monday of the month.**

11. **MORFORD** wanted the names of the Planning Commission members that were planning to attend the MTA sponsored seminar entitled "*Processing Land Division and Combination Requests*" to be held at the Holiday Inn Gateway Centre on Thursday, December 1, 2005.
12. **MORFORD** reviewed the details for the upcoming MTA 2006 Educational Conference in Grand Rapids, Michigan on January 24-27, 2006. The Planning Commission attendance has been approved by the Board of Trustees.
13. **MORFORD** invited the Planning Commission to the MTA Genesee County Chapter "*Spouses Appreciation Christmas Dinner*" on Saturday, December 10, 2005 at Crossroads Village, Mt. Morris, Michigan.
14. **DOYLE AND SWANSON** are up for re-appointment to the Planning Commission; if there are no objections, the re-appointments will take affect January 1, 2006 per Supervisor Andy Trogot.
15. **PRATT** stated the Board of Trustees had met with the Township Auditors and it was determined that Flushing Township is one of two townships in Genesee County that is debt free -- Davison Township is the other township.

VIII. MEETING SCHEDULE:

PROPOSED SPECIAL MEETING – MONDAY, NOVEMBER 28, 2005 – 7:00 P.M.
REGULAR SCHEDULED MEETING – MONDAY, DECEMBER 12, 2005 – 7:00 P.M.

IX. ADJOURNMENT: There being no further business, **BOWRON** adjourned the Planning Commission Meeting at 8:30 p.m.

AARON BOWRON, Chair

JULIA A. MORFORD, Recording Secretary

ERIC SWANSON, Secretary

Date of Approval

Planningminutes 111405