

**Elk Rapids Township Planning Commission
Meeting Minutes – Tuesday, July 19, 2016**

The meeting of the Elk Rapids Township Planning Commission was called to order by the Chairman, Shen Smith at 6:30 PM at the Government Center, 315 Bridge St., Elk Rapids, MI 49629.

Present: Shen Smith, Dorance Amos, Gary Pepler, Renee Mischel,
Emile Sabty, Pug Sliger

Absent: James Lundy

Also Present: Len Harrett, Zoning Administrator, Larry Nix, Planning Consultant, William Derman,
Attorney, Tom Wiltse, Ron Hammond, Derek Spurlock and William White.

Adoption of Agenda: Agenda for the Tuesday, July 19, 2016 meeting was
M/S – Mischel/Sliger unanimously adopted by the commission. MOTION CARRIED.

Public Comments: None

Approval of Minutes: Minutes for the May 18, 2016 meeting was unanimously adopted
M/S – Sliger/Pepler by the commission. MOTION CARRIED.

Zoning Administrator’s Report:

Len Harrett, Elk Rapids Township Zoning Administrator reported a Zoning Violation and request for special meeting date for a Site Plan Review for Richard & Kathy Radatz, 10514 Lakeshore Drive, Lot 26 of Sunset Shore Sub-Division property tax #05-06-550-025-10. Also, the need to determine a date where there is a quorum for a special meeting in August.

The Planning Commission discussed the necessary requirements to schedule a Site Plan Review for the Radatz project with landscaping architect Derek Spurlock. The following requirements and details were discussed and summarized below:

- a) The submitted application and amended site plan for the Radatz project appears to be in order with a couple exceptions: The owners need to sign the permission to enter property section on the application and need to sign the site plan authorization page.
- b) In order to have a Site Plan Review in August a Publication for a Public Hearing Site Plan Review needs to be posted in the July 28, 2016 edition of the Elk Rapids Newspaper in order to comply with the 15 day advance public notice requirement.
- c) Based upon the timing of the public notice, it was noted that the Planning Commission has their regularly scheduled meeting on Tuesday, August 16, 2016. Therefore, the Commission and Mr. Spurlock agreed that it would make sense to hold the Site Plan Review for the Radatz project at the regularly scheduled August 16th meeting.
- d) It was noted that the applicant had already paid the \$500 fee with his application for a Special Site Plan Review Meeting. Therefore, since the Site Plan Review will be held during a regular meeting of the commission, Mr. Spurlock would be entitled to a \$300 refund because the fee for a Regular Meeting Site Plan Review is \$200.
- e) Chairman Shen surveyed the commission members to determine who would be available to attend the Site Plan Review on August 16, 2016. It was confirmed that at least 5 members would be in attendance.

- f) Chairman Shen requested that Lenn Harrett provide copies of all the necessary documentation on the Radatz project to Larry Nix, Bill Derman and Emile Sabty.
- g) Chairman Smith asked Emile Sabty to create the publication in the Elk Rapids News announcing the Public Hearing/Site Plan Review to be held on Tuesday, August 16, 2016.
- h) In preparation for the August 16th Site Plan Review, Chairman Smith encouraged landscaping architect Derek Spurlock to work with Larry Nix (Planning Consultant) and Bill Derman (Township Attorney) to prepare for the upcoming Site Plan Review.
- i) Mr. Spurlock agreed to provide the Planning Commission with eleven full size copies of the Radatz project by August 1, 2016.
- j) Chairman Smith encouraged the members of the Planning Commission to take the time to visit the Radatz site prior to the August 16th meeting.
- k) It was confirmed that a mailing notification to property owners within 300 feet of the Radatz project is not necessary.

Hayden Development Project: No further developments.

Other notices or correspondence for Planning Commission: None

NEW BUSINESS:

Planning Commission Administrative Discussion and Review of Zoning Ordinance in relation to greenbelts, buffering and possible further amendments with discussion regarding these issues and with any other administrative matters to be proposed and discussed.

(1) The modification of greenbelt (vegetative screening) requirements surrounding a Self-Storage facility at 10405 US-31South (Tax I.D. #05-06-029-006-00), and Pad-Lock Storage, LLC.

The Planning Commission discussed and compared the old Township Zoning Ordinance to the June 30, 2016 amended ordinance as it relates to greenbelt/screening requirements for the property noted above. A summary of this discussion is noted below:

- 1) Acknowledgement and thanks to Emile Sabty for taking the time to extract references in previous planning commission meetings regarding this Wiltse storage unit property. A copy of this document was available to commission members and the audience.
- 2) It was noted that the planning commission had received an application from Pad-Lock Storage/Wiltse, however no new site plan was submitted because Mr. Wiltse felt it was not required.
- 3) The old Township Zoning Ordinance required that the Pad-Lock Storage facility have some kind of a buffer/screening on the property. The newly amended Township Zoning Ordinance allows the planning commission the opportunity to waive the old buffer/greenbelt requirements; if the applicant can show cause as to why these requirements do not apply.
(Reference Section 11.05 C (8) below)

Amendment of Section 11.05C with the addition of Subsection 8. Section 11.05 C (8)
Is hereby amended as follows:

8. The Planning Commission may modify any buffer and/or greenbelt requirement of this section as not applicable to particular development circumstances and providing that such modification does not detract from the aesthetics or quality of the natural environment of the Township and if the Planning Commission finds that there would be no adverse effects resulting from the modification. It is the responsibility of the applicant to show cause how the modification meets the above standards.

Chairman Smith asked the Township Planner and Attorney if the Planning Commission can amend the original approved site plan for the Pad-Lock Storage/Wiltse property and remove/modify conditions 1 and 2 as not applicable OR does there need to be a site plan modification.

It was determined that the original process that took place for the Pad-Lock Storage/Wiltse property was a general notice and public hearing. Even though no one spoke to the special exception use and site plan assessment, doesn't mean no one was interested because Pad-Lock Storage original site plan was presented as having fencing and some sort of landscaping on the property.

Because due notice had not been given to the public, the Planning Commission could not address Mr. Wiltse's request to waive the buffering/screening for his property at tonight's meeting.

The newly amended ordinance would require the owner/Mr. Wiltse to create a new record that will show cause to the Planning Commission to waive the buffering/screening requirements for this property. An amendment to the previously approved site plan with photos is also required.

Once Mr. Wiltse has submitted the new documentation, the Planning Commission would need to go through the proper procedure of again posting a public notice to hold a public meeting for a Site Plan Review. No public mailing for property owners within 300 feet would be necessary.

Members of the Planning Commission suggested to Mr. Wiltse that as he prepares his new request to remove the buffering requirement, they would like to see some sort of landscaping on the front of his new buildings along US-31 to soften the view.

It was determined that the Site Plan Review for the Pad-Lock Storage facility could be scheduled for Tuesday, August 16, 2016 at the Planning Commissions regular meeting.

The fee to the applicant for this Site Plan Review would be \$200. It was also suggested that Mr. Wiltse submit a new application noting any new modifications. It was noted that two items need to be corrected/changed on the application: 1) Date the new application for June 30, 2016. (to reflect the date the amended Township Zoning Ordinance was approved and adopted). 2) Correct Elk Rapids Zip code on first page to: 49629.

It was also noted that the above new documentation needs to be submitted to the Planning Commission at least ten days prior to the upcoming Site Plan Review scheduled for Tuesday, August 16, 2016.

- (2) The modification of greenbelt (vegetative screening) requirements adjacent to parking lots for vehicles and U-Haul rentals at 16167 Wanigan Drive (Tax I.D. #05-06-029-006-00 and #05-06-385-017-00); dba Uncle Rod's.**

The Planning Commission discussed the above buffering/screening requirements with property owner Ron Hammond (Uncle Rod's). A summary of the discussion is noted below:

- a) The greenbelt/buffering requirements for Uncle Rod's property is a bit unique because his commercial property abuts to an agricultural zoned property.
- b) At the time of this meeting, Mr. Hammond had not submitted an application to the Planning Commission for consideration.
- c) Mr. Hammond was informed that the following items would need to be submitted by Friday, July 22, 2016, to be considered at the next Planning Commission Meeting scheduled for Tuesday, August 16, 2016:
 - i) Planning Commission Application – (If any modifications are requested, the application should be dated after June 30, 2016).
 - ii) A check in the amount of \$200 – (Site Plan Review Fee).
 - iii) Add a sketch and any additional documentation to show cause to the existing approved site plan.
- d) The Planning Commission encouraged Mr. Hammond to work with Larry Nix (Planning Consultant) and Bill Derman (Township Attorney) for assistance with preparing his documentation to show cause prior to the information being distributed to the Planning Commission.
- e) Mr. Hammond was also encouraged to speak to Bill & Anne White, owners of the agricultural property that currently abuts to his property and discuss the modifications he would like to make. Mr. Hammond was reminded that he has until October 30, 2016 to comply with the requirements of his original site plan in regards to greenbelts/buffering.

Unfinished Business: Altonen Orchard (Cider Works) - No update / No follow-up needed.

New Business: None

Public Comments: None

Member Comments: None

Adjournment: Unanimously approved. Meeting adjourned at 7:46 PM
M/S – Mischel/Peppler