

Village of Bellaire

PLANNING COMMISSION

Commissioners: Dan Bennett, Butch Dewey, Bill Drollinger, Fred Harris, and Don Seman

PLANNING COMMISSION MEETING MINUTES

February 6, 2018

5:00 p.m.

1. **Call to Order:** Chairman Drollinger called the meeting to order at 5:00 p.m.
2. **Roll Call Attendance:**
 - Present:** Chairman Drollinger, Dan Bennett, Butch Dewey and Fred Harris
 - Absent:** Don Seman
 - Staff Present:** Lori Luckett, Zoning Administrator
 - Also Present:** Jeremy VanSice, Paige VanSice, Dave VanSice, Chris VanSice, Andy Brady, and Lisa Hubbell
3. **Public Comments:** None presented.
4. **Approval of Minutes:** Chairman Drollinger noted for the record that the agenda stated the minutes were from the November 11, 2017 public hearing and meeting. The date of the public hearing and meeting was November 7, 2017. The minutes of the November 7, 2017, public hearing and meeting were approved as presented.

Motion by Commissioner Harris, seconded by Commissioner Bennett, to approve the minutes of the November 7, 2017 public hearing and meeting as written. Motion carried by unanimous voice vote.
5. **New Business:**

a) Site Plan Review – Bee Well Meadery LLC: Chairman Drollinger noted that the planning commission had proposed findings of fact. Zoning Administrator Luckett was asked to provide a synopsis of the request. She explained that the request was for a change of use. The video store had been purchased for use as an off-site tasting room. There are no proposed changes to the building footprint. They are proposing changes to the façade. They will be submitting a sign permit application later. Applicant knows that manufacturing is not allowed at this location. Their manufacturing is done in Kearney Township. Applicant has already received a permit from MDOT to work in the right-of-way. A copy of the permit is included in the packet. Changes to the façade include resurfacing and adding/resurfacing sconces. They may narrow the façade closer to the window. The property file contains a 1975 permit for alterations to an existing building. The building is 1452 square feet and located in the Central Business District. There are no front or side setbacks in the Central Business District. The rear setback is 5 feet off the right-of-way, Red Dog Lane. The building height is 21'; maximum allowed is 35'. Applicant proposes to change the façade roofline to a gambrel roof line. The site plan identifies interior improvements including installation of a walk-in cooler, a lounge, and a kitchen. They will use the existing mechanical and sanitation facilities. It was suggested that the Applicant confirm service line size for the facilities. Dave VanSice noted that the engineered drawings confirmed that they are handicap accessible. Chairman Drollinger asked whether the Applicant had anything else to add. Dave VanSice said it was cut and dry; they are remodeling the inside and changing the façade on the outside. The footprint is staying the same. Chairman Drollinger identified the exhibits for the record. Exhibit 1 Village of Bellaire Master Plan; Exhibit 2 Village of Bellaire Zoning Ordinance including Map; Exhibit 3 Site Plan Review Application Packet: a) Application-Site Plan Review Application and Checklist and Site Plan, b) Site Drawings, c) Google Earth photographs of site; Exhibit 4 Antrim County Property Information for Parcel 05-41-010-068-00; and Exhibit 5 MDOT permit. A motion was made to accept the exhibits.

Motion by Commissioner Dewey, supported by Commissioner Bennett, to accept the exhibits. Motion passed by unanimous voice vote.

The planning commission considered each standard for approval as read into the record by Chairman Drollinger.

SECTION 6.05 SITE PLAN APPROVAL STANDARDS

Each site plan shall conform with the applicable provisions of this Ordinance and the standards listed below:

- A. The site plan shall comply with the Village of Bellaire Master Plan and any other applicable Village adopted planning documents.

The Planning Commission finds:

1. The Existing Land Use Map in the Master Plan identifies the property as Commercial. The Future Land Use map identifies the parcel as Village Commercial. (Exhibit 1)
2. The parcel is located in the Central Business District (CBD). (Exhibit 2)
3. There are no minimum front or side setbacks. The minimum rear setback is 5'. (Exhibit 2)
4. The requested use is a permitted use. (Exhibit 2)

**Motion by Commissioner Dewey, seconded by Commissioner Harris, that this standard has been met.
Motion passed by unanimous voice vote.**

- B. All elements of the site plan shall be harmoniously and efficiently organized in relation to topography, the size and type of lot, the character of adjoining property and the type and size of buildings. The site shall be so developed as not to impede the normal and orderly development or improvement of surrounding property for uses permitted in this Ordinance.

The Planning Commission finds:

1. The Applicant will be occupying space within an existing building in the Central Business District (CBD). (Exhibit 2)
2. The footprint of the building will not be altered. (Exhibit 3)
3. The façade of the building will change. Different materials will be used. The façade roofline measures 21' from the ground. (Exhibit 3b)
4. Applicant has received a permit from MDOT to work in the right-of-way to reinforce overhanging balcony with tin siding and to remove old sign. (Exhibit 3a)
5. The height of the building will not change and cannot exceed 35'. (Exhibit 3a)

**Motion by Commissioner Harris, seconded by Commissioner Bennett, that this standard has been met.
Motion passed by unanimous voice vote.**

- C. The landscape shall be preserved in its natural state, insofar as practical, by minimizing tree, other vegetative material, and soil removal, and by topographic modifications which result in maximum harmony with adjacent areas. Landscape elements shall minimize negative impacts. Landscaping, buffering, and screening shall conform with the requirements of this Ordinance.

The Planning Commission finds:

1. This standard is not applicable to the request under consideration.

Motion by Commissioner Dewey, seconded by Commissioner Bennett, that this standard is not applicable to the request under consideration. Motion passed by unanimous voice vote.

- D. Special attention shall be given to proper site drainage so that removal of storm waters will not increase off-site sedimentation or otherwise adversely affect neighboring properties.

The Planning Commission finds:

1. This site is located in the Central Business District. (Exhibit 2)
2. The site is fully developed. (Exhibit 3c)
3. The property will not be changed or developed to effect storm water runoff. (Exhibit 2, Section 3.16)

Motion by Commissioner Dewey, seconded by Commissioner Harris, that this standard has been met. Motion passed by unanimous voice vote.

- E. The site plan shall provide reasonable, visual, and sound privacy for the proposed development, as well as the adjacent properties. Fences, walks, barriers, and landscaping shall be used, as appropriate, for the protection and enhancement of property and for the privacy of its occupants.

1. This application is for a change of use. (Exhibit 3a)

2. The use of the property does not adversely affect the adjacent properties and does not require visual or sound privacy. (Exhibit 3c)

The Planning Commission finds:

Motion by Commissioner Bennett, seconded by Chairman Drollinger, that this standard has been met. Motion passed by unanimous voice vote.

- F. A fire and safety preplan review shall be required and coordinated by the applicant with the Bellaire District Fire Department chief or his/her designee.

The Planning Commission finds:

1. The Applicant has coordinated the fire and safety preplan with Fire Chief Shumaker. (Exhibit 3a)

Motion by Commissioner Dewey, seconded by Commissioner Harris that this standard has been met. Motion passed by unanimous voice vote.

- G. All buildings or groups of buildings shall be so arranged as to permit emergency vehicle access.

The Planning Commission finds:

1. Emergency access is available off North Bridge Street and Red Dog Lane. (Exhibit 3c)

Motion by Commissioner Harris, seconded by Commissioner Dewey, that this standard has been met. Motion passed by unanimous voice vote.

- H. Every building or dwelling unit shall have access to a public street, private road, walkway, or other area dedicated to common use.

The Planning Commission finds:

1. Applicant will be occupying an existing building. Streets and walkways are established. (Exhibit 3)

**Motion by Chairman Drollinger, seconded by Commissioner Dewey, that this standard has been met.
Motion passed by unanimous voice vote.**

- I. Walkways shall be provided, separate from the road system, where feasible.

The Planning Commission finds:

1. Applicant will be occupying an existing building adjacent to established walkways. (Exhibit 4)

**Motion by Commissioner Dewey, seconded by Commissioner Harris, that this standard has been met.
Motion passed by unanimous voice vote.**

- J. Exterior lighting shall be designed and arranged so that it is deflected away from adjacent streets and adjoining properties, and shall be directed downward so as not to unnecessarily illuminate the night sky. Flashing or intermittent lights shall not be permitted.

The Planning Commission finds:

1. Currently mounted indirect outdoor lighting will flank the facade. (Exhibit 3)
2. Another light will be installed above the door to illuminate the entrance to the building. (Exhibit 3)

**Motion by Commissioner Bennett, seconded by Commissioner Dewey that this standard has been met.
Motion passed by unanimous voice vote.**

- K. The proposed arrangement of vehicular and pedestrian routes shall respect the pattern of existing or planned streets and nonmotorized pathways in the area. Streets and drives which are part of an existing or planned street pattern which serves adjacent development shall be of a width appropriate to the traffic volume they will carry and shall have a dedicated right-of-way.

The Planning Commission finds:

1. Applicant will be occupying an existing building, vehicular and pedestrian routes are established. (Exhibit 4)

**Motion by Commissioner Dewey, seconded by Commissioner Bennett, that this standard has been met.
Motion passed by unanimous voice vote.**

- L. All streets shall be developed in accordance with Village specifications.

The Planning Commission finds:

1. This standard is not applicable to the application under consideration.

Motion by Chairman Drollinger, seconded by Commissioner Harris, to waive this standard, as it is not applicable to the application under consideration. Motion passed by unanimous voice vote.

- M. All parking areas shall be so designed to facilitate efficient and safe vehicular and pedestrian circulation, minimize congestion at access and egress points to intersecting streets, including the use of service drives as appropriate, and minimize the negative visual impact of such parking areas.

The Planning Commission finds:

1. Applicant will be occupying a building located in the Central Business District (CBD). (Exhibit 2)
2. The Central Business District (CBD) is exempt from the parking requirements in Section 3.14. (Exhibit 2)

3. Despite being excepted from the requirement, Applicant indicates that parking is available in the county parking lot after hours and on weekends; the post office parking lot after hours; and on North Bridge Street/M-88 for four hours.

Motion by Commissioner Dewey, seconded by Commissioner Bennett, that this standard has been met. Motion passed by unanimous voice vote.

N. Residential and nonresidential development shall not include unnecessary curb cuts and shall use shared drives and/or service drives where the opportunity exists unless precluded by substantial practical difficulties.

The Planning Commission finds:

1. The Applicant will be occupying an existing building in the Central Business District (CBD). (Exhibit 2)

2. This standard is not applicable to the application under consideration.

Motion by Commissioner Harris, seconded by Commissioner Bennett, to waive this standard, as it is not applicable to the application under consideration. Motion passed by unanimous voice vote.

O. The site plan shall provide for the appropriate location of all necessary and proposed utilities. Locational requirements shall include underground facilities to the greatest extent feasible.

The Planning Commission finds:

1. Applicant will be occupying an existing building with utilities, including water and sewer, established. (Exhibits 3)

Motion by Chairman Drollinger, seconded by Commissioner Bennett, that this standard has been met. Motion passed by unanimous voice vote.

P. Site plans shall conform to all applicable requirements of state and federal statutes, and approval may be conditioned on the applicant receiving necessary state and federal permits before the Zoning Permit is issued.

The Planning Commission finds:

1. Work/improvements will be authorized by the Antrim County Construction Code Enforcement Department.

2. Applicant has received a permit from MDOT allowing work within the right-of-way. (Exhibit 5)

3. The use of space for wine tasting is contingent upon Applicant securing the appropriate permits and approvals.

Zoning Administrator Lockett asked about the status of the Applicant's request before the Michigan Liquor Control Commission. Chris VanSice responded that the application is still pending and that it generally takes months for approval

Motion by Chairman Drollinger, seconded by Commissioner Dewey, that this standard has been met. Motion passed by unanimous voice vote.

Q. The applicant shall demonstrate that reasonable precautions will be made to prevent hazardous materials from entering the environment, including:

1. Sites at which hazardous substances are stored, used or generated shall be designed to prevent spills and discharges to the air, surface of the ground, ground water, lakes, streams, rivers, or wetlands.

2. General purpose floor drains shall only be allowed if they are approved by the responsible agency for

connection to a public sewer system, an on-site closed holding tank (not a septic system), or regulated through a State of Michigan groundwater discharge permit.

3. State and federal agency requirements for storage, spill prevention, record keeping, emergency response, transport and disposal of hazardous substances shall be met. No discharges to ground water, including direct and indirect discharges, shall be allowed without required permits and approvals.

The Planning Commission finds:

1. Applicant's use of the property does not involve storage or use of hazardous materials.
2. Applicant will be occupying an existing building with water and sewer connections established. (Exhibit 3)

Motion by Commissioner Bennett, seconded by Chairman Drollinger, that this standard has been met. Motion passed by unanimous voice vote.

The site plan request for change of use was approved based on the findings of fact and site plan review standards.

Motion by Commissioner Harris, seconded by Commissioner Bennett, to approve, based on the findings of fact and the site plan review standards, the requested change of use from retail outlet with gross floor area of 5000 square feet or less to eating/drinking establishment (w/o drive through); subject to Applicant receiving approval for this location from the Michigan Liquor Control Commission. Pending that approval, Applicant is allowed to make exterior alterations to the façade including re-siding, and raising the roofline. The existing awning will be removed, re-covered and reinstalled. Updated exterior lighting/sconces will flank the windows; a new overhead light will illuminate the entrance. Applicant is also allowed to make interior improvements including the installation of a walk-in cooler, a lounge, and a kitchen. Motion passed by unanimous voice vote.

Dave VanSice asked about the requirements for signs and lighting. Andy Brady showed Chairman Drollinger a photograph. The proposed sign is metal on the front with light behind. The lighting will be covered for protection from the weather. Information about signs and lighting was requested and will be provided. Andy Brady also asked about the green space between the buildings. There is a fence on the street side. He wondered about weeds on the alley side. Zoning Administrator Lockett suggested that they contact the property owner for permission. He was also informed that there is a lawn ordinance that prevents lawn and weeds from being taller than 8 inches.

b) Election of Officers The current officers were identified - Chairman Drollinger, Vice-Chairman Bennett and Secretary Harris. Commissioner Bennett recommended that the current slate of officers be nominated. Commissioner Harris voiced his support. Chairman Drollinger asked whether there were any other nominations. Commissioner Bennett made a motion that the nominations be closed and that a unanimous ballot be cast for the slate.

Motion by Commissioner Bennett, supported by Commissioner Harris, that the current slate of officers be elected. Motion passed by unanimous voice vote.

c) Resolution for 2018-2019 Meeting Dates: The meeting dates for the 2018-2019 fiscal year were identified in Resolution #9 – May 1, 2018, August 7, 2018, November 6, 2018, and February 5, 2019. Chairman Drollinger informed the planning commission that he will not be at the August 7 meeting.

Motion by Commission Dewey, supported by Chairman Drollinger to approve the meeting dates set forth in Resolution #9 – May 1, 2018, August 7, 2018, November 6, 2018, and February 5, 2019. A roll call vote was conducted.

Ayes: Dewey, Bennett, Harris, and Drollinger. Nays: None.

d) Five Year Master Plan: Zoning Administrator Lockett explained that the Village of Bellaire Master Plan was up for review this year. She noted that the current plan was developed in 2008 and reviewed and recommended again in 2013. The village has seen many changes over the last five years. Lockett explained that the village has

been approached by the NLEA about the Redevelopment Ready Communities program. An integral component is having an updated master plan. Requests for quotes had been solicited from two entities, Networks Northwest and Beckett & Raeder. Representatives from each will be making a presentation to the village council at the February 7, 2018 meeting. Luckett explained that each entity had been recommended. Luckett noted that there likely will be more meetings through the year to work on the master plan. Members were encouraged to attend the village council meeting to provide any input. Luckett expressed her opinion that either would serve the village well and thought that it was very important to have a professional planner involved to make sure the plan addressed all community interests. Commissioner Harris noted that one entity was public the other was private. There was brief discussion of the respective quotes. Luckett identified the amount she had requested for the budget to cover the planning costs. Commissioner Harris suggested that there was a lot of work involved in the development of a master plan. Luckett agreed and stressed the importance of the plan in assuring that all have a voice. Chairman Drollinger and Commissioner Dewey agreed. Commissioner Dewey suggested that good planning prevents poor performance.

After discussion about the master plan, Luckett explained that she had received a request from Mammoth Distillery on Friday for site plan review. Because of the timing of the request, she informed the applicant that his request was too late for this meeting but could be considered at a special meeting to assure that all necessary information is provided. Due to members' availability, a special meeting was set for Wednesday, March 14, 2018 at 5:00 p.m. Luckett also informed the members that a letter had been sent to a property owner regarding operating without a permit and the need for site plan review. This matter may also be on the agenda in March. There was discussion about the sale of property on the corner of E. Cayuga and whether site plan review will be necessary. The questions is whether there will be a change of use on the site. A change of use will require review by the planning commission.

6. Unfinished Business: None presented.

7. Correspondence/Reports:

a) **Zoning Administrator's Report:** Zoning Administrator Luckett provided a written report of the permits issued since the date of the last meeting. Commissioner Harris asked about the change of use for Hello Vino. Luckett reminded the members that LCC approval will trigger review of the site plan for a minor change. Chairman Drollinger explained that her recent posting on Facebook was that she had received a liquor license and was thanking everyone, including the village.

8. Adjournment: Meeting adjourned at 5:47 p.m.

Minutes compiled by:
Lori Luckett, Zoning Administrator & Recording Secretary

Approved: _____
William Drollinger, Chairman

Date: _____