

Village of Bellaire

PLANNING COMMISSION

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

PLANNING COMMISSION MEETING MINUTES

May 1, 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:** Dan Bennett, Butch Dewey, Fred Harris, Don Seman and Bill Drollinger
 - Absent:** None
 - Staff Present:** Lori Luckett, Zoning Administrator
 - Also Present:** Ron Barwick, Josh Watrous and Katy Watrous
3. **Public Comments:** None presented.
4. **Unfinished Business - Master Plan Update:** Zoning Administrator Luckett informed the members that the village council would be making appointments to the Master Plan Committee at the May 2, 2018 council meeting. Initially, there were four applicants; one has since withdrawn. The planning commission will be part of this committee. Members were reminded that serving on the committee is voluntary and there will be no compensation. The date and time of the committee meetings will be determined. John Sych has begun working on committee materials.
5. **Approval of Minutes:** The minutes of the March 14, 2018 meeting were approved as written.
 - Motion by Commissioner Harris, seconded by Commissioner Bennett, to approve the minutes of the March 14, 2018 meeting as written. Motion carried by unanimous voice vote.**
6. **New Business:**
 - a) **Site Plan Review – Watrous Estates LLC:** Chairman Drollinger noted that the members each had a packet. The Applicant and Parcel Identification Number were identified, Watrous Estates, LLC and Parcel 05-41-019-004-20. Chairman Drollinger identified the exhibits: Exhibit 1 Village of Bellaire Master Plan; Exhibit 2 Village of Bellaire Zoning Ordinance including Map; Exhibit 3 Site Plan Review Application Packet including Application-Site Plan Review Application and Checklist and Site Plan and Google Earth photographs of site; Exhibit 4 Antrim County Property Information for Parcel 05-41-019-004-20 with legal description; and Exhibit 5 Copy of Building Permit issued March 31, 1987 with attached site plan.

Chairman Drollinger requested that the Applicant's information and narrative in the staff report be incorporated into the minutes by reference.

Applicant and Property Owner: Watrous Estates, LLC; Applicant's Address: 2142 S. M-88, Bellaire, MI 49615; Property Location: 706 E. Broad; Zoning District: Manufacturing (M); Master Plan Use: The Existing Land Use Map on page 4-2 of the Master Plan identifies the parcel as Industrial/Extra. The Future Land Use Map on page 7-2 of the Master Plan identifies the parcel as Industrial.

The Planning Commission conducted a public hearing to amend the zoning ordinance on November 7, 2017 to allow personal services in the Manufacturing District; to allow a combination of uses in the Manufacturing District; and to amend the Schedule of Regulations in the Manufacturing District. This Application for Site Plan Review is the final step in approval process for the proposed uses on this parcel.

The Applicant, Watrous Estates LLC, is a limited liability corporation organized under the laws of Michigan. Applicant is the owner of the subject property located in the Manufacturing District. Applicant is proposing to use the property for a barbershop and construction shop including storage and an office. Personal Services (such as barber, beauty, laundry or dry cleaning drop-off) are now a permitted use in the Manufacturing District (Article 4, Section 4.02E.6). Commercial Uses with outdoor storage (such as building tradesperson, landscaping business, nurseries, equipment rental, trucking/transport) are also a permitted use in the Manufacturing District (Article 4, Section 4.02E.16). Combinations of listed uses are allowed the Manufacturing District.

The minimum lot area in the Manufacturing District is ½ acre; minimum lot width 100'; minimum front set back 35'; side setback 20'; rear setback 25'. The maximum height of structures is 3 stories and 35'. There are two buildings on the property. The barbershop is located in a 20' x 24 building constructed on 8" block with standard 5/12 pitch truss construction. The building to be used for construction shop, storage and office is a 90'x20' pole building. The barbershop will operate with two employees. There are six parking spaces proposed including one accessible space. The minimum recommended number of spaces per Article 3, Section 3.14.C. is two per each operator chair, plus one parking space for each two employees. The contractor's sale office and workshop use is akin to "manufacturing or industrial establishments, warehouse or similar establishment". Two parking spaces for each two employees plus space to accommodate all vehicles used in connection with the establishment are recommended in Section 3.14.C. Applicant is requesting a 2' x 4' wooden ground mounted sign for the barbershop. The maximum size sign in the Manufacturing District is 32 square feet. Ground mounted signs must be installed a minimum of 10' from the front lot line and not in the right-of-way per Article 3.11.A.

The planning commission considered each standard for approval as read 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 Industrial/Extra. The Future Land Use Map identifies the parcel as Industrial. (Exhibit 1)
2. The parcel is located in the Manufacturing district (Exhibit 2)
3. The minimum lot area is ½ acre and minimum lot width 100'. (Exhibit 2)
4. A building permit and site plan show buildings on site as of March 31, 1987. (Exhibit 5)

5. The buildings are lawful but nonconforming because they do not meet the current side setback of 20'. (Exhibit 5)

Motion by Commissioner Dewey, seconded by Commissioner Seman, 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. Applicant is proposing to use existing buildings on a developed site. (Exhibit 3)
2. The proposed uses on this property will not impede the normal and orderly development of surrounding properties as the adjoining properties are already developed. (Exhibit 3)

Motion by Commissioner Harris, seconded by Commissioner Dewey, 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. The site is developed. (Exhibit 3)
2. Applicant is not proposing exterior alterations to the buildings or topography. (Exhibit 3)

Motion by Commissioner Seman, seconded by Commissioner Bennett, that this standard has been met. 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. The site is developed. Drainage patterns are existing. (Exhibit 3)
2. Applicant is not proposing to do any excavation on the site. (Exhibit 3)

Motion by Commissioner Dewey, seconded by Commissioner Bennett, 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. The property is developed and separated from the property to the east by 8' high chain-link fence. The west side of the property is not fenced. A split rail fence flanks the north and the south of the property. (Exhibit 3)

2. A landscape buffer is not required per Article 3, Section 3.20 as the property does not abut a residential use on the side or rear yard of the property. (Exhibit 2)

The Planning Commission finds:

Motion by Chairman Drollinger, seconded by Commissioner Bennett, 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 3)

Motion by Commissioner Seman, seconded by Commissioner Bennett, 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 East Broad Street. (Exhibit 3)

Motion by Commissioner Bennett, seconded by Commissioner Seman, 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. Existing buildings on site have access to East Broad Street established. (Exhibit 3)

Motion by Chairman Drollinger, seconded by Commissioner Harris, 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. The site is developed with existing buildings. (Exhibit 3)

2. There are no walkways along this portion of Broad Street. (Exhibit 3)

Motion by Commissioner Dewey, seconded by Commissioner Seman, 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. Applicant does not propose to add exterior lighting. (Exhibit 3)

Motion by Commissioner Seman, 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 Chairman Drollinger, 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 Seman, to waive this standard, as it is not applicable to the request 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 proposes handicap parking adjacent to the barbershop. Additional parking for six vehicles is located across the driveway. (Exhibit 3)

2. A loading area is designated in front of the contractor's office/workshop. (Exhibit 3)

Motion by Chairman Drollinger, seconded by Commissioner Harris, 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 Manufacturing District. (Exhibit 2 and Exhibit 3)

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

Motion by Commissioner Bennett, seconded by Commissioner Harris, 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. (Exhibit 3)

Motion by Commissioner Dewey, seconded by Commissioner Seman, 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 are to be approved by the Antrim County Construction Code Enforcement Department as necessary.

Motion by Chairman Drollinger, seconded by Commissioner Harris, 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. (Exhibit 3)

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

Zoning Administrator Lockett explained that approval of a sign was also being requested as part of the site plan approval process. Applicant is proposed a 2' x 4' wooden ground-mounted sign for the barbershop. The exact location of the sign is to be determined based on the right-of-way. The reference to Section 3.11 addresses the requirements.

A draft motion was reviewed. The site plan request for the combination of uses was approved based on the findings of fact and site plan review standards.

Motion by Commissioner Bennett, seconded by Commissioner Harris, to approve, based on the findings of fact and the site plan review standards, the requested combination of uses – Personal Services and Commercial Uses with outdoor storage. Six parking spaces plus one accessible parking space shall be provided for the barbershop. Two parking spaces for each two employees plus space to accommodate all vehicles used in connection with the establishment shall be provided for the contractor’s office/workshop. A 2’ x 4’ wooden ground-mounted sign identifying the barbershop, installed in accordance with Section 3.11, is also approved. Motion passed by unanimous voice vote.

7. Correspondence/Reports

a) **Zoning Administrator’s Report:** Zoning Administrator provided a written report of the permits issued since the last meeting. She explained that temporary structures, such as tents, are being permitted land uses. The building department is required to approve the structures. Lockett reminded them of the short – term rental presentation this month. She also informed them that SBC Management is coming to the ZBA this month to request an extension of the dimensional variance granted last year. There was brief discussion the short-term rental policy in Lake Tahoe, for three warnings and a fine of \$10,000 for violations.

8. Member/Public Comment: Chairman Drollinger asked if there was member or public comment. There was none presented.

9. Adjournment: Meeting adjourned at 5:27 p.m.

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

Approved: _____
William Drollinger, Chairman

Date: _____