

MINUTES

BIG RAPIDS CHARTER TOWNSHIP

PLANNING COMMISSION

Tuesday, March 12, 2019 --- 7:30 p.m.

Big Rapids Township Hall, 14212 Northland Drive, Big Rapids, MI 49307

I. CALL TO ORDER: 7:30 P.M.

Chairman Amanda Wethington called the regular meeting of the Big Rapids Charter Township Planning Commission to order at the township hall on Tuesday, March 12, 2019 at 7:30 p.m.

II. ROLL CALL:

Present: Zach Cook, Gordon Oliver, Mark Sweppenheiser, Carman Bean and Amanda Wethington. Mary Davis and Bob Hampson are excused. The record shows a quorum is present. Also Present: Zoning Administrator and Recording Secretary, Brent Mason.

III. CONFLICTS OF INTEREST:

Mrs. Wethington asked if any of the Commission members had known conflicts of interest with any item on the agenda for this meeting. No one indicated that a conflict of interest existed.

IV. MINUTES:

Mrs. Wethington asked the Commission to review the minutes of the January 15, 2019 regular meeting. Mr. Sweppenheiser made a motion to approve the January 15, 2019 minutes as submitted. Mr. Bean seconded the motion. There was no further discussion. The motion passed unanimously with five ayes.

V. PUBLIC COMMENT:

There was no public comment.

VI. SITE PLAN REVIEW:

Mr. Mason introduced Chris Grzenkowicz from Desine Inc. He is the engineer of record for the Aldi Food Market # 11 site plan 162929 revised on 01/15/2019, being presented for review. This project is a 2-phase project to remodel and add onto the existing Aldi Food Market at 21481 Perry Avenue. The phase 1 addition will be 2,148 sq. ft. and will include all building remodeling, sign changes and refacing including changes in the parking lot lighting and landscaping changes. Phase 2 is the provision of additional parking to the southeast and north edge of the existing lot, taking them from 71 parking space up to 84. At this time, they do not have a date set for the parking expansion but anticipate that it will be about 4 to 5 years out. The building expansion was originally expected to be on the construction calendar for April 2019, however the corporate office has pushed this project back to 2020. Mr. Bean commented on the fact that the ZBA has already approved a dimensional variance for the south side of the building, allowing it to be built up to the existing utility easement. Mr. Mason reviewed some of the items that were brought up in the engineering review of the site plan and advised that all items that were suggested by our engineer were now taken into account on this revised site plan. Mr. Sweppenheiser asked Mr. Mason to explain the concern regarding the sidewalk

connection across the driveway. There is a ground mounted transformer in close proximity to the proposed sidewalk extension and they must meet ADA requirements for any sidewalk, therefore they aren't sure they can place the sidewalk in the suggested location, but they do have a back-up plan to have the pedestrian walkway marked across the parking lot. Mrs. Wethington asked if there were any more questions. Hearing none she asked for a motion. A motion to approve Site Plan for the Aldi addition (Plan162929 dated 10/15/2019), Zoning Permit PZ18-0041 covering Phase 1 and 2, with the provision that construction must begin by June 30, 2020 was made by Mr. Bean, seconded by Mr. Sweppenheiser. No further discussion took place. The motion was approved unanimously with five ayes.

VII. PUBLIC HEARING FOR SUP 19-001:

Mrs. Wethington called the Public Hearing for SUP19-001 regarding the Child Daycare operation at Resurrection Life Church to order at 7:40 p.m. Mr. Mason provided the Commission members with background information; Christine Huntey was approached to operate a child daycare center at the Resurrection Life Church at 14734 - 215th Avenue and has met all the necessary prerequisites to obtain licensing from the State of Michigan. She has been in operation for over a month, and was under the impression that all permitting was in place through the church, therefore she didn't realize that a Special Use Permit from the Township was needed for this use. The State of Michigan used to require an approval form from the local zoning jurisdiction, but apparently that was not requested in this situation. Mr. Mason advised that while child care centers cannot be denied, the local jurisdiction does have the authority to regulate certain items such as hours of operation, fencing requirements and other safety issues. Mr. Mason advised that Big Rapids Township doesn't issue a local license for child care centers. Mr. Bean asked if the fenced area was already in place, and Ms. Huntey replied that it is not. They are waiting for the weather to allow the fencing to be installed. Mr. Mason advised that the new section of the building is completed and an occupancy permit has been issued for the area being used by the day care center. Ms. Huntey stated that they are using 5 rooms. Mr. Sweppenheiser asked how many children they currently provided care for, and Ms. Huntey replied that the license is for 77 kids and currently about 40 are school aged. Mr. Mason asked what type of fence they plan to use. Ms. Huntey replied that it will be a chain-link fence. There were no other comments for the Public Hearing, so Mrs. Wethington closed the hearing at 7:44p.m.

Mrs. Wethington began the commission deliberation by reviewing the SUP questions:

SECTION 153.130 - USES BY SPECIAL PERMIT

(A) Uses requiring special permits are those uses of land which are not essentially incompatible with the uses permitted in a zoning district, but possess characteristics or locational qualities which require individual review and restriction in order to avoid incompatibility with the character of the surrounding area, public services and facilities, and adjacent uses of land. Proposed uses will be evaluated according to their compatibility with the nature, extent and density of the surrounding area.

(B) Special permit uses may be permitted only in those zoning districts where they are designated by this chapter, and only when specifically approved by the Big Rapids Township Planning Commission in accordance with the provisions of this chapter.

(C) Prior to approval of a special use permit, the Planning Commission shall insure that the standards specified in this section, as well as standards established elsewhere in this chapter shall be satisfied. All uses by special permit shall comply with each of the following standards and requirements as listed in this division (C).

- (a) The nature, location, and size of the special use shall not change the essential character of the surroundings area, nor disrupt the orderly and proper development of the district as a whole. The use shall not be in conflict with, or discourage the adjacent or neighboring lands or buildings.

Everyone agreed that it meets this requirement.

- (b) The special use shall not diminish the value of the land, buildings or structures in the neighborhood.

No one thought that this was a concern.

- (c) The special use shall not increase traffic hazards or cause congestion on the public highways or streets of the area. Adequate access to the parcel shall be furnished.

Mr. Mason advised that the roadway in front of this property is 4 lanes wide, so traffic congestion will not be an issue. Everyone agreed this is not a concern.

- (d) The water supply and sewage disposal system shall be adequate for the proposed special use by conforming to State and County Health Department requirements, and the special use shall not over-burden any existing services or facilities.

This property is served by public utilities (City water and Township Sewer). Not a concern.

- (e) Uses by special permit shall not be significantly more objectionable to nearby properties by reason of traffic, noise, vibrations, dust, fumes, odor, smoke, glare, lights, or disposal of waste than the operation of any principal permitted use, nor shall the special use increase hazards from fire or other dangers to either the property or adjacent property.

Everyone agreed that this is not a concern.

- (f) The Planning Commission may require that the premises be permanently screened from adjoining or contiguous properties by a wall, fence, plant screen and/or other approved enclosure when deemed necessary to buffer the surrounding uses from objectionable noise, light, etc., created by the special use.

No screening will be required.

7. The special use shall be consistent with the intent and purpose of this Ordinance and with the intent of the Land Use Plan for Big Rapids Township. The special use shall be compatible with the natural environment and shall not be inimical to the public health, safety and general welfare.

No one thought this was an issue.

Mr. Bean began by requesting the approval of SUP 19-001 be linked to the construction of the fence, and asked Ms. Huntey when she thought that might be completed. She stated that it would occur as soon as the weather allows.

Mr. Bean made a motion to approve SUP 19-001 with the provision that the fence be completed by July 1, 2019. Mr. Oliver supported the motion. The motion was approved unanimously with five ayes.

IX. OTHER BUSINESS:

Mr. Mason updated the members about upcoming training opportunities in the City of Big Rapids and from MTA at the Shack. RSVP deadline for the City training is March 22. The MTA training at the Shack is scheduled for June 23 so there is a little more time to register yet.

Mr. Mason mentioned that an item he would like the Planning Commission to review is regulation of wind generation and photo-voltaic solar panel electric power generation. He recently received information from our electrical inspector and believes that we should be prepared for the inevitable use of these panels. He will be researching the information and prepare a presentation for the Commission in the near future.

Mr. Sweppenheiser asked about our mining ordinance and whether we determine if the mineral rights are retained by the property owners or another entity, and how would we

determine who the mineral rights belong to when an application to mine comes in for review.

Mr. Stanek mentioned that the Capital Improvement Plan will be coming before the Commission next month. Mr. Mason stated that he is preparing for the CIP update and wants to have the Planning Commission take a lead role in promoting the extension of water and sewer services to the west side of the expressway in the Highway Interchange District.

Mr. Mason updated the Commission members on the status of current commercial construction projects. At this time the CIP is the only item on the agenda for next month. There are a few additions and modifications from the Fire Department and grounds department. Mr. Sweppenheiser asked if the items will be ranked prior to the next meeting and Mr. Mason stated that he could have proposed rankings in place for everything before the meeting and email those ranking out to everyone so that there wouldn't have to be a lot of time spent on discussion at the meeting.

X. ADJOURNMENT:

Hearing no further business for the Planning Commission, Mrs. Wethington adjourned the meeting at 8:10 p.m.

Motion to approve the Planning Commission minutes of March 12, 2019 by: Mr. Sweppenheiser. Seconded by: Mr. Bean. Roll call vote carried with four ayes.

Brent R. Mason, Recording Secretary
BIG RAPIDS CHARTER TOWNSHIP
PLANNING COMMISSION

April 09, 2019
Date Approved