

MINUTES BIG RAPIDS CHARTER TOWNSHIP PLANNING COMMISSION

Tuesday, August 9, 2016 --- 7:30 p.m.

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

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

Chairman Philip Keating called the regular meeting of the Big Rapids Charter Township Planning Commission to order at the township hall on Tuesday, August 9, 2016 at 7:30 p.m.

II. ROLL CALL:

Present: Carman Bean, Philip Keating, Jim Shane, Mark Sweppenheiser and David Hamelund. Michael Hults and Gordon Oliver are excused. The record shows a quorum is present. Also Present: Zoning Administrator and Recording Secretary, Brent Mason. Supervisor Bill Stanek is also excused.

III. CONFLICTS OF INTEREST:

Mr. Keating asked if any of the Commission members had known conflicts of interest with any item on the agenda for this meeting. Mr. Hamelund indicated that a co-owner of the property being considered for an SUP tonight was an employee of his. The Commission briefly discussed this information and determined that they did not believe this qualified as a conflict of interest.

IV. APPROVAL OF MINUTES:

There were no minutes to review. .

V. PUBLIC COMMENT:

None

VI. PUBLIC HEARING for SUP16-002:

At 7:34 p.m. Mr. Keating reconvened the Public Hearing for SUP16-002 to Order. Robin and Eric Goodwell are requesting a special use permit to operate a storage facility on 7.33 acres of property across the street from their business @14585 220th Avenue. Mrs. Goodwell presented a preliminary site plan to the Commission, showing the property and a general layout of the usage. There are still some minor details that need to be finalized. Mr. Shane asked if the dark border on the drawing accurately represents the parcel they will be buying. Mrs. Goodwell said that it did. It represents the 7.33 acres at the south end of the master parcel. It has not been split yet. Mr. Bean stated that he has looked at the language in the zoning ordinance on a number of occasions, and as he reads the Uses by Special Permit, it says "other non-listed commercial uses." Does this qualify as other non-listed commercial uses? Mr. Shane stated that the way our ordinance reads, is that anything that can go in the commercial district can go in the Highway Interchange District if this board approves it. Mr. Shane continued by saying that he believes this board has the responsibility of determining whether it is appropriate or not.

Mr. Mason read the letter of June 7, 2016 from Brandon Jurries of Trigger Time Outfitters into the record:

Planning Commission Members:

I am writing you today to express our concern with the Planning Commission's review of Special Use Permit SUP16-002, a request to change the zoning within our Highway Interchange District. After some consideration, unfortunately we must strongly object with the issuance of SUP16-002. This zoning variance would allow the building of a storage facility on properties located within our Highway Interchange District.

As a current retail manager and the legal representative of the owners/tax payers, we relied upon the current zoning of this property; commercial retail, in our decision to build and operate within the Highway Interchange District. While we would welcome any new **retail** construction, as it might enhance, or at the least help maintain, the value of our investment. Should a variance of the proposed type, be allowed. We feel it would substantially decrease our current value and future diminish expansion of the retail district. An action that would most certainly result in a request by us for a tax base reduction.

In summation, we would like to note that a similar request was denied less than 3 years ago. We strongly suggest that his request be denied as well. If you would like to discuss this further with us or our legal representation please contact us at the above.

Thank you,
Signed Brandon Jurries
Operations Manager, Trigger Time Outfitters

Mr. Bean asked what the similar request was. Mr. Mason advised that the similar request was an informal request that occurred at a Planning Commission Meeting during the public comments. There was no Special Use Permit request ever heard by the Commission. During the public session, the requestor determined that he was not going to proceed with his request to locate a self-storage facility on this very same property. Mr. Keating asked for any other questions or comments. Mr. Shane asked the Goodwells if they owned the property across the street. They answered that they did. Mr. Shane asked how large a piece of property that was. They said it was 10 acres. Mr. Keating asked what the Goodwells planned for security for the site. They said it would be fenced and gated. Mr. Keating asked about lighting, and they replied that they would like motion activated lights staggered on the buildings, or timed lights depending on what hours the facility would be open. Mr. Keating asked if there would be any outdoor storage. They said no. Mr. Keating asked if there would be anything that would obstruct the view of this facility from the expressway. Mr. Goodwell stated that there are pine trees there right now and they are on the highway right of way. Mr. Keating asked if they had reviewed the Highway Interchange Setback Requirements and they do not pose a problem as far as they are concerned. The Goodwells replied that they do not pose any problems with their proposal. Mr. Keating closed the Public hearing at 7:46 p.m. Mr. Bean made a motion to approve Special Use Permit request SUP16-002. Seconded by Mark Sweppenheiser. Mr. Keating opened the discussion to further comments. Mr. Shane objects to this usage primarily because it is not consistent with the intent of the Highway Interchange District. He then read the list of permitted uses and stated that he feels this use will have no vitality whatsoever, creating basically no traffic in and out. He further

stated that it doesn't have to be there to provide its service. He further feels it creates a dead spot in the district next to an existing retail business. Mr. Hamelund asked about the Approval Process for the Pain Clinic and PT Plus. Mr. Shane doesn't know how the Pain Clinic came to be, and the PT Plus building was a teen dance club before the area was zone highway interchange. The church did get a special use permit. Mr. Hamelund then asked if all the properties on the west side of the expressway were covered under special use permits, and Mr. Shane believed that they were. Mr. Shane further stated that if the ordinance isn't working, it should be reviewed. Mr. Sweppenheiser asked if anybody else was concerned about the issuance of a SUP without a final site plan. The commission discussed this subject for a while and came to the conclusion that many Special Use Permits have been approved conditionally without a final site plan or the site plan will change and have to be brought back for review and another approval. Mr. Sweppenheiser asked if we could make the approval contingent on the final site plan. Mr. Keating did comment that he feels this use probably has no business being here. However, most if not all of the businesses on the west side probably should not be there, but at one time the attitude must have been that anything is better than nothing. There was more discussion on the way the decision process occurs. Mr. Keating ran through the questions for determining if a special use permit should be approved. Mr. Shane feels this use does change the essential character of the area. No other comments were made. Mr. Keating asked for the motion to be reread: Mr. Bean motioned to approve Special Use Permit request SUP16-002. Seconded by Mr. Sweppenheiser. Mr. Shane informed the Commission that when a motion is made, it should have a reason for the motion. Mr. Bean modified his motion to state that under Section 2.7C Uses by Special Permit, the verbage "other non-listed commercial uses" is in the section and that this use falls under that description. Mr. Keating called the question, and Mr.Keating, Mr. Sweppenheiser and Mr. Hamelund voted in favor. Mr. Bean and Mr. Shane are opposed. The motion carried 3 yeas to 2 nays. Mr. Keating asked that the vote be recorded by name. Mr. Keating thanked the Goodwells for their application.

The Commission took on a vibrant discussion about whether zoning language changes would make a difference with the area development. The language and the ordinance do need changes. Mr. Sweppenheiser stated that all the changes in the language won't make much difference without utilities being available. Mr. Keating asked how the Commission wants to proceed with the future of the highway interchange district. Mr. Sweppenheiser reiterated the idea of utilities being necessary for the future development of the area west of the expressway.

VII. ADJOURNMENT:

Mr. Keating entertained a motion to adjourn at 8:48 p.m. The motion was made by Mr. Bean and seconded by Mr. Shane. Motion carried with 5 yeas.

Motion to approve the Planning Commission minutes of August 9, 2016 by: Mr. Bean, Seconded by: Mr. Oliver. Roll call vote carried with 5 yeas:

Philip Keating, Chairman
BIG RAPIDS CHARTER TOWNSHIP
PLANNING COMMISSION

Date Approved