



Armada Township

PLANNING COMMISSION

23121 E. Main Street, P.O. Box 578

Armada, Michigan 48005

Telephone: (586) 784-5200 Facsimile: (586)784-5211

MINUTES

January 4, 2017

7:00 p.m.

Regular Meeting

Call to order

1. Pledge of Allegiance
2. Roll Call
3. Approve/Amend Agenda
4. Approval of minutes: **Regular Meeting December 7, 2016**
5. Public Comments
6. Public Hearing: **Rezoning Application for 72025 North Ave. from R-1 to B-2**
7. Reports and Correspondence
8. New Business: **A.) Rezoning for 72025 North Ave. from R-1 to B-2**
B.) Blake's Big Apple Winery
9. Unfinished Business: **A.) Amendments to Zoning Ordinance: Signs; accessory structures**
10. PC Projects:
11. Public Comments
12. Adjournment

Next Scheduled Regular Meeting: February 1, 2017

Call to order: Chair Kehrig called the meeting to order at 7:00 p.m.

Pledge of Allegiance: Chair Kehrig led the group in the Pledge of Allegiance.

Roll Call: Present: Finlay, Jabara, Wieske, DeCock, Kehrig, Abercrombie. Also present: Planner Joe Tangari and Recording Secretary Christine White.

Approve/Amend Agenda: **Motion made by Finlay, seconded by Abercrombie, to approve the agenda as presented. All Ayes: Motion Carried.**

Approval of Minutes: Regular meeting minutes December 7, 2016. **Motion made by Finlay, seconded by Abercrombie, to approve minutes as presented. All Ayes: Motion Carried.**

Public Comments: An audience member asked about how taxes would be affected if the rezoning is approved, and if it was just one parcel being rezoned.

Public Hearing: Rezoning Application for 72025 North Ave. from R-1 to B-2: Motion made by Finlay, seconded by DeCock, to open the Public Hearing at 7:04 p.m. All Ayes: Motion Carried. Chair Kehrig went over the procedure for the Public Hearing and confirmed the receipt and adequacy of the petition to rezone which included the notices to the neighbors within three hundred feet. Petitioner Darren Krause presented to the commission that his current veterinary clinic located at 73543 Fulton is no longer ideal for his business. He went through the Village for approval to build a new building and was ready to start and found out about the K of

C Hall being for sale. He stated that nothing on the outside would be done, that the inside would be changed. He does mostly small animals and the building would fit his needs. The building he proposed to the Village is five thousand square feet. K of C is six thousand. Large animals are hauled in and hauled out the same day, and he will continue this. He would like to continue having the AYSO soccer fields. There were questions about engineering and drainage of the site. Planner Tangari discussed conditional rezoning and what it allows the applicant to do. It could tie the rezoning to the site plan, limit the uses to one or two, and eliminate more questionable uses. The planning commission cannot impose conditional rezoning, only the applicant can.

Dan Fox, 71755 North Ave.; questioned if it is going to be a clinic and if there was going to be a shelter, boarding, or grooming done on the property.

Kennel runs are prohibited in the B-2 district.

Motion made by Abercrombie, seconded by Finlay to close the Public Hearing at 7:25 p.m.

All Ayes: Motion Carried.

Reports and Correspondence: Chair Kehrig noted the Planning & Zoning News for November. A memo from the Building Inspector Mel McNutt, and a ZBA report for a 12 feet high fence along the pipeline was denied. **Motion made by Wieske, seconded by DeCock, to receive and file as presented. All Ayes: Motion Carried.**

New Business: A.) Rezoning for 72025 North Ave. from R-1 to B-2 Planner Tangari went through his rezoning review with the commission. The applicant is requesting to rezone a parcel from R-1 single family residential to B-2 General Business for the purpose of establishing a veterinary clinic in the existing building. Veterinary clinics are permitted in the B-2 district. The building is currently the Creek Center Banquet Hall. Also known as the K of C Hall. He went over the surrounding parcels and what they are zoned. The front portion of the property is in an area designated mixed use on the future land use map. The rear portion is designated single family. Commercial activities are part of the mixed use district. If developed with the proposed use it would have minimal impact on public services, given that the site uses well and septic. If the existing building is used the natural features will be negligible. If the site is developed to its full potential it could have a substantial impact. The proposed use will not have a significantly greater impact on nearby roadways. It could if developed to its full potential. There is no land zoned B-2 in the township. This site could accommodate any use permitted in the B-2 district. A veterinary clinic is not an appropriate use to permit in a residential district. The commission should consider this use in the B-1 district, perhaps with greater restrictions on outdoor activity. Spot zoning is the process of singling out a small parcel of land for a use classification totally different from that of the surrounding area, for the benefit of a single property owner and to the detriment of others. Three questions need to be answered to determine if a rezoning would constitute spot zoning. Is the rezoning request consistent with the Master Plan? The commission discussed if a stand-alone commercial use would fit the general master plan for this area, which shows the space of this parcel split between mixed use and single family residential. Some were not comfortable with the whole twenty six acres being rezoned, and wanted to see a modified rezoning application with a lesser amount. The Township Board is not required to approve all of the property. Planner Tangari would like to confirm the procedure before the board acts. Is the proposed zoning district a logical extension of an existing zoning district in the area? There is no B-2 zoning anywhere in the township. This parcel would be a stand-alone B-2 district. There is nowhere else he could go. Would approving the request grant a special benefit to a property owner or developer? In this case it would be the ability to operate a business out of the existing building. The parcel does not have to be split to rezone. It can be done with a legal description, but a survey would have to be done. The applicant would have to change the application. **Motion made by Finlay, seconded by Jabara, to recommend to the Township Board rezoning of the entire parcel from R-1 to B-2. Roll Call: Finlay; Aye, Jabara; Aye, Wieske; Aye, DeCock; Nay, Kehrig; Nay. Abercrombie; Aye, 4 Ayes 2 Nays: Motion Carried.**

Motion made by Finlay, seconded by Jabara, to move Hidden River up and Blake's Big Apple Winery down on the agenda. All Ayes: Motion Carried.

Unfinished Business: A.) Site Plan Hidden River Development: Mr. Jon Eadie attorney for Mike DeMil owner of the Hidden River Development went over the amended plan with the commission for an open space community. They requested that the garage requirement, and parallel yield plan be waived due to the number of units per square acre and the current status of the property, specifically the roads being partially completed by the previous owner. The Planner went through his review with the commission. Under the open space provisions the commission has the ability to vary setback requirements. The interior roads already exist, but sidewalks should be considered, as each unit is constructed. Street trees are required in the amount of one per lot or not less than one per forty feet of roadway. The plan submitted provides one tree per lot, but this equates to less than one per forty feet. The plan should be revised to meet the standard. The western property line abuts industrial land in Bruce Township. The plan does show a tree line along the line screening the development of industrial uses. An emergency path has been provided from near the entrance of the subdivision to the furthest cul de sac. The fire department has not received any information on the water mains or hydrant spacing. The emergency path will be at the developers discretion; if adequate hydrants are installed it will not be needed. **Motion made by Jabara, seconded by Kehrig, to approve the Hidden River site plan as an open space and farmland community contingent on the following stipulations: waiver of side facing garage requirement, waiver of requirement for a parallel yield plan, reduction of side yard set-backs to five feet, the five feet sidewalks are being waived in lieu of paved trails. Approval is also conditioned upon meeting the street tree requirement of the land division ordinance. Finlay, Jabara, DeCock, Kehrig, Abercrombie: Ayes. Wieske: Nay. Motion Carried.**

New Business B.) Blake's Big Apple Winery: The applicant was not present to go over the proposed winery with the commission. The commission had several questions and would like to have a site plan with detail that shows what the building will look like inside and outside, and that shows all existing buildings on the property, along with set-backs, existing septic, and emergency access. The commission discussed section 8.0 of the ordinance book and site plan requirements. The Planner thinks there should be more clarification for site plan reviews, and a minimum standard should be included in this section. **Motion made by Jabara, seconded by DeCock, to table for more information. All Ayes: Motion Carried.**

Unfinished Business: B.) Amendments to Zoning Ordinance: Signs; accessory structures: Planner Tangari said he would have sign information in February. The commission went over the Building Inspectors memo suggesting a two hundred square foot increase per parcel size. Planner Tangari will compare to the existing and come back next month with the information.

PC Projects: None.

Public Comments: None.

Adjournment: Motion made by Finlay, seconded by Jabara, to adjourn at 9:23 p.m. All Ayes: Motion Carried.

Respectfully submitted:

Christine White,
Recording Secretary

Approved:

DJ Kehrig,
Chairperson

_____ Date _____