



# CHEBOYGAN COUNTY PLANNING COMMISSION

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## CHEBOYGAN COUNTY PLANNING COMMISSION MEETING WEDNESDAY, NOVEMBER 4, 2009 AT 7:00 P.M. ROOM 135 – COMMISSIONER'S ROOM - CHEBOYGAN COUNTY BUILDING

**PRESENT:** Stuart Bartlett, Charles Freese, Anthony Matelski, Harold Borowicz, Patty Croft, Rebecca Behm, Charles Oswald  
**ABSENT:** Michael Kavanaugh, Keith Moore  
**STAFF:** Steve Schnell  
**GUESTS:** David Shotwell, Amy Durant, Eugene Andrzejewski, Sandy Jasinski, L.G. Stormzand, Mark Stormzand, John Brown, Bill Morgan, Russell Crawford, Jason Campbell, Randy Hoddard, Shawna Jankoviak, Mary O'Hare, Tom O'Hare, John Moore, Dennis Dombroski, Brian Fullford

The meeting was called to order by Chairperson Croft at 7:00pm.

### APPROVAL OF AGENDA

The meeting agenda was presented. **Motion** by Mr. Freese, seconded by Mr. Matelski, to approve the agenda as presented. Motion carried. 7 Ayes (Bartlett, Freese, Matelski, Borowicz, Croft, Behm, Oswald), 0 Nays, 2 Absent (Kavanaugh, Moore)

### APPROVAL OF MINUTES

The October 7, 2009 Planning Commission minutes were presented. **Motion** by Mr. Matelski, seconded by Mr. Bartlett to approve the minutes as presented. Motion carried. 7 Ayes (Bartlett, Freese, Matelski, Borowicz, Croft, Behm, Oswald), 0 Nays, 2 Absent (Kavanaugh, Moore)

The October 26, 2009 Planning Commission minutes were presented. **Motion** by Mr. Matelski, seconded by Mr. Bartlett to approve the minutes as presented. Motion carried. 7 Ayes (Bartlett, Freese, Matelski, Borowicz, Croft, Behm, Oswald), 0 Nays, 2 Absent (Kavanaugh, Moore)

### PUBLIC HEARING AND ACTION ON REQUESTS

**Ronald McKendrick** - Requests a special use permit for outdoor shooting of clay pigeon targets under Section 9.3.22, Uses which are not expressly authorized in any zoning district either by right or special use permit. The property is located at 9901 Richardson Road, Inverness Township, section 17, parcel 091-017-200-001-00 and is zoned Agriculture & Forestry Management (M-AF). *This item was tabled at the 10/07/09 Planning Commission meeting.*

Ms. Croft stated that Mr. McKendrick has asked that his request be tabled until the December 16, 2009 Planning Commission meeting. **Motion** by Mr. Moore, seconded by Mr. Matelski, to table Mr. McKendrick's special use permit request until the December 16, 2009 Planning Commission meeting. Motion carried. 7 Ayes (Bartlett, Freese, Matelski, Borowicz, Croft, Behm, Oswald), 0 Nays, 2 Absent (Kavanaugh, Moore)

**Jason Campbell** – Requests a special use permit for a gas station/convenience store/food store (section 6.3.4, 6.2.22 and 6.1 and 9.3.8), restaurant/tavern(section 6.2.7 and 6.2.16 and 9.3.5) and automotive repair facility (section 6.2.3 and 9.3.2). The property is located at 638 M-68, Koehler Township, section 36, parcel #171-036-300-009-00 and is zoned Agriculture & Forestry Management (M-AF) and Commercial Development (D-CM).

Mr. Schnell stated if the special use permit is approved it will eliminate any non-conformities that may be on this parcel. Mr. Schnell stated the applicant is providing all required parking and is also meeting all zoning requirements for these uses. Mr. Schnell referred to the site plan and noted the location of all proposed uses, the parking lot expansion and the detention basin. Mr. Schnell stated that on the site plan there is an area labeled vehicle display. Mr. Schnell stated this suggests a used car lot and it is not part of this request. Mr. Schnell stated the applicant requested this label be removed from the site plan as there will not be a used car lot. Mr. Schnell stated that on the application it is noted that emergency vehicle accesses have been improved. Mr. Schnell stated the second floor above the restaurant will be used for storage only for the restaurant and store. Mr. Schnell stated there is an existing canopy over the gas pumps.

Mr. Schnell stated a zoning permit was issued in 2009 for the applicant to move walls within the building. Mr. Schnell noted that there was nothing in the changes at that time that required site plan review.

Mr. Schnell stated the applicant is exceeding the amount of required parking spaces. Mr. Schnell stated there is a large parking and staging area that will be used for larger semi trucks to turn around. Mr. Schnell stated this area will also be used periodically for Mr. Campbell to stage trucks for his power transmission line repair facility. Mr. Schnell stated Mr. Campbell does not run this business at this location.

Mr. Schnell stated in his staff report he mentioned the auto repair shop is existing. Mr. Schnell stated that Mr. Freese noted that the prior use of this building was an antique shop. Mr. Schnell stated that even though the repair shop may not be an existing use Mr. Campbell will be meeting all the requirements for the auto repair shop.

Mr. Schnell stated that in the public notice all of the uses were listed as requiring a special use permit. Mr. Schnell stated that in the Commercial zoning district some of the uses only require a site plan review. Mr. Schnell stated in the portion of the property that is zoned Forestry/Agriculture all of these uses would require a special use permit. Mr. Schnell stated that some of the parking for these uses may occur in the portion of the property that is zoned Forestry/Agriculture. Mr. Schnell stated that Mr. Campbell agreed to have all of these uses reviewed as a special use permit to be safe.

Mr. Schnell stated there will be seven exterior lights that will be downward facing. Mr. Fullford stated there are actually eight lights.

Mr. Freese asked if there is an MDOT approval for the driveway access. Mr. Schnell stated he has not received anything yet regarding the driveway access. Mr. Fullford stated he spoke with Justin Wing from MDOT today. Mr. Fullford stated he has not received a complete response yet other than they have to pave the approaches. Mr. Fullford referred to the site plan and noted there is a proposed sign in front of the auto repair shop. Mr. Fullford stated that he asked Mr. Wing if this sign could be placed closer to the road. Mr. Fullford stated he has not received a response yet from Mr. Wing. Mr. Freese stated if the sign is in the right of way a permit will be required. Mr. Fullford asked if Mr. Campbell will have to come back to the Planning Commission to relocate the sign closer to the road if it is approved by MDOT. Mr. Schnell noted that if the Planning Commission approves this request it could be conditioned upon MDOT approval. Discussion was held.

Ms. Croft asked for public comment. There were no public comments. Public comment closed.

Board held discussion. Mr. Matelski stated he prefers to see this type of plan where someone is using an existing building. Mr. Matelski stated this is good use of the building and it is laid out well.

The Planning Commission reviewed and approved the General Findings. The Planning Commission reviewed the Findings of Fact Under Section 18.7. The Planning Commission agreed to delete b5, c5, d4 and h3. The Planning Commission agreed the revised Findings of Fact Under Section 18.7 have been met. The Planning Commission reviewed the Specific Findings of Fact Under Section 20.10. The Planning Commission agreed to delete b3, c3, d4 and h3. The Planning Commission agreed the revised Specific Findings of Fact Under Section 20.10 have been met. **Motion** by Mr. Freese, seconded by Mr. Matelski, to approve the special use permit based on the General Findings, Findings of Fact Under 18.7 and Specific Findings of Fact Under Section 20.10 and subject to the following conditions:

1. Storage only on the second floor above the restaurant
2. District Health Department #4 approval
3. MDOT approval for driveway
4. External lighting to be directed downward
5. Approval of detention ponds by Soil Erosion Officer
6. Approval of sign in the location designated on the site plan with the change in location to the right of way subject to approval from MDOT
7. Deletion of vehicle display on site plan
8. DEQ approval for the gas station and repair facility
9. Receipt of vehicle repair facility license from the State of Michigan

Motion carried. 7 Ayes (Bartlett, Freese, Matelski, Borowicz, Croft, Behm, Ostwald), 0 Nays, 2 Absent (Kavanaugh, Moore)

## **UNFINISHED BUSINESS**

No comments.

## **NEW BUSINESS**

### **Discussion of Village Center Rezoning Process**

Mr. Schnell stated that some of the Planning Commission's top priorities right now are the two Village Center rezoning (Indian River and

Topinabee) and the Moran rezoning.

Mr. Schnell identified the Indian River stakeholders as Tuscarora Township Board, Tuscarora Township Planning Commission, Indian River, DDA and Indian River Community Economic Development Alliance. Mr. Schnell identified the Topinabee stakeholders as Mullett Township and Topinabee Development Association. Mr. Schnell stated that Mullett Township submitted a letter of support. Mr. Schnell noted that the Tuscarora Township Planning Commission is working on their Master Plan and this rezoning will affect their Master Plan.

Mr. Schnell reviewed an outline of the proposed Village Center rezoning process:

1. Inventory existing conditions
2. Provide summary to Planning Commission and Stakeholders
3. Provide recommendations and gather feedback on:
  - a. Zoning district boundaries
  - b. Uses allowed in the district
  - c. Setbacks (e.g. where to do zero lot lines)
4. Draft regulations

Mr. Schnell stated if the meetings are held at the County Buildings the stakeholders will be notified of the meeting. Mr. Schnell stated it may be helpful to have one or two meetings in the area that is being reviewed. Mr. Schnell stated a site visit could also be scheduled. Mr. Freese stated site visits would allow the Planning Commission to find out what the people in that location want. Mr. Freese believes this is a good idea. Ms. Behm stated she is in favor of site visits and she believes Tuscarora Township Planning Commission should be involved when establishing the setbacks for this district. Mr. Freese suggested having a joint meeting. Discussion was held.

Ms. Behm asked if other townships have been contacted to see if they have any areas that they would like to have considered for rezoning to Village Center. Mr. Schnell stated that these two areas were identified first due to the demand and the other townships have not expressed an immediate need. Ms. Behm suggested sending out letters at a later date to notify the townships of the Village Center classification and to see if they have any areas that should be considered for rezoning to Village Center. Mr. Schnell stated that Afton and Alverno were two areas that have been discussed in the past. Mr. Matelski stated Tower was another area that was mentioned.

#### **STAFF REPORT**

No comments.

#### **PLANNING COMMISSIONER'S COMMENTS**

Discussion was held regarding the Planning Administrator position that is available in the Planning and Zoning Department.

Mr. Freese suggested the Planning Commission work on the following definitions: assisted living facility, hospice facility, nursing homes, daycare facility, hotels/motels, single-family dwellings, multi-family dwellings and bed and breakfast. Mr. Freese stated that he grouped all of these definitions together because they are related to some type of a living facility. Mr. Freese stated he would like to see Mr. Schnell provide the definition and then ask the Planning Commission members for input. Discussion was held.

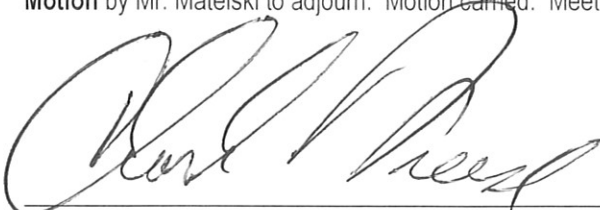
Mr. Schnell stated that in the past definitions have been created but there are no regulations set up for the definitions. Discussion was held on the best way to address working through the definitions and regulations. Mr. Schnell stated he would like to present to the Planning Commission the proposed definition and the proposed regulation together. Mr. Schnell stated he would like the Planning Commission to adopt the definition and the regulation together as one unit. Discussion was held.

#### **PUBLIC COMMENTS**

No comments.

#### **ADJOURN**

**Motion** by Mr. Matelski to adjourn. Motion carried. Meeting was adjourned at 7:44pm.



Charles Freese