

ISABELLA COUNTY
PLANNING COMMISSION

November 8, 2018

A Regular Meeting of the Isabella County Planning Commission was held on November 8, 2018 in Room 225 of the Isabella County Building, 200 North Main Street, Mt. Pleasant, Michigan.

MEMBERS PRESENT: Tim O'Neil, Phillip Vogel, Jim Horton, Ann Silker, Jeremy Murphy, Kelly Bean, Bob Campbell, Nathan Rogers

MEMBERS ABSENT: Jerry Neyer

SUPPORT STAFF PRESENT: Timothy A. Nieporte, Community Development Director
Ray Johnson, Zoning Administrator
Kim Kennedy, Recording Secretary

The meeting was called to order by Mr. Murphy at 7:00 pm.

The Pledge of Allegiance was recited by the commission.

APPROVAL OF AGENDA

Staff distributed an amended agenda to the commission.

Mr. Murphy requested that the amended agenda be approved as presented.

A motion was made by Mr. O'Neil supported by Mr. Bean to approve the amended agenda.

Yes: Tim O'Neil, Phillip Vogel, Jim Horton, Ann Silker, Jeremy Murphy, Kelly Bean, Bob Campbell, Nathan Rogers

No: None

Motion carried

PREVIOUS MINUTES

Minutes of the September 2018 regular meeting were circulated to the commission prior to the meeting for their review.

A motion was made by Mr. Horton supported by Mrs. Silker to approve the minutes.

Yes: Tim O'Neil, Phillip Vogel, Jim Horton, Ann Silker, Jeremy Murphy, Kelly Bean, Bob Campbell, Nathan Rogers

No: None

Motion carried

LIAISON REPORTS

Zoning Board of Appeals – No Meeting

Parks & Recreation – Mr.; Murphy reported that the Parks Board met and approved the master plan language and it will be forwarded to the Board of Commissioners.

Board of Commissioners – Mr. Horton reported that the elections took place and he was re-elected for the Board of Commissioners. Mr. Horton stated that Steve Swaney will be taking David Lings position. He believes that the Sheriff may be presenting a proposal for a new jail at the next meeting.

TOWNSHIP CONCERNS

Denver – None

Gilmore – None

PUBLIC COMMENT – None

SUP#18-04 Go-Kart Track

Mr. Johnson informed the commission that an application was filed on September 24, 2018 by Mark Hansen. The applicant is requesting a Special Land Use Permit to operate a Go-Kart Track, permitted as fairgrounds, flea markets and amusements parks, by Special Land Use in the Recreational Commercial District(C-2). The site is approximately 2.36 acres on N. Mission Rd., near the corner of N. Mission and E Jordan Rd. just south of the currently established indoor skating rink (also owned by the applicant).

Mr. Hansen is proposing to construct a 4 ft high berm topped with 3-4 ft tall spruce trees to screen the activity to the east towards N. Mission Rd. Mr. Hansen has indicated he would be fencing the north side of the track and will have video surveillance and employees monitoring the track for safety.

Mr. Hansen has indicated the use is seasonal and will be closed during the winter months (see attached hours and schedule). The applicant currently has restroom facilities available in the skating ring and he is proposing a port-a-jon onsite during the limited Go-Kart season. Staff has reached out to the Central Michigan District Health department who has stated no permits are required for this port-a-jon.

Mr. Niepore reviewed stipulations that staff is asking the commission to consider. These stipulations are based upon the narrative that was submitted with the application.

Mr. Horton had questions on lighting.

Mr. Nieporte clarified lighting requirements within the ordinance.

Mr. Rogers questioned if a stipulation should be that there are no gas carts after 8 pm because of the noise.

Mr. Nieporte stated that the commission can add or modify stipulations if they chose.

Mr. Hansen stated to the commission it was great working with staff when submitting the application. He informed the commission that the gas carts are for backup only. He stated he kept the use far from the road and wanted to construct the berm to further control noise.

Mr. Nieporte asked why he would not have electric go karts as backups.

Mr. Hansen stated re-charging time would cause an issue.

Mr. Horton asked if Mr. Hansen had plans for a batting cage.

Mr. Hanson stated he is focusing only on the go karts at this time.

Public hearing opened 7:17 pm

LeAnn LaLone the neighbor across the road had concerns of the noise and asked what would happen if the stipulations are not followed.

Mr. Nieporte stated staff has currently established enforcement procedures and in the event of non-compliance this commission has the option to revoke a permit.

LeAnn LaLone asked about the berm and the trees to be installed on the berm.

Mr. Nieporte reviewed the length of the berm and the ordinance requirement on the tree plantings.

Cornell LaLone neighbor across the road asked what the dates of operation were going to be.

Mr. Nieporte gave Mr. LaLone a copy of the hours of operation submitted by the applicant.

Mr. LaLone asked about ordinance pertaining to the skating rink.

Mr. Murphy stated the commission was only here for the proposed new use and that if he had concerns about compliance with regards to the skating rink, he can visit with staff in the office.

Mr. LaLone asked if he could get a copy of the site plan.

Mr. Nieporte stated he could get a copy from staff during office hours.

Dale Brown landowner to the rear had concerns of proposed water shed into the county drain.

Mr. Nieporte informed Mr. Brown that there is a stipulation to verify the proposal with the County Drain Office.

Mr. Horton expressed his desire to require documentation from the Drain Office.

Public hearing closed 7:27 pm

A motion was made by Mr. Horton supported by Mr. O Neil to approve Special Use Permit 18-04 (SUP#18-04) as submitted by Mark Hansen, to establish a Go-Kart Track in the Recreational Commercial (C-2) district and shall be further conditioned upon the following:

1. The go kart track shall able to operate until 10:00 p.m. on the days indicated in the application.
2. The applicant shall install the parking area in compliance with the ordinance
3. The applicant shall maintain a 25 ft grassed landscape area around the north, west and south sides of the activity and install a 4 ft high grassed berm between the activity and the parking area, beginning at the fence on the north property line and running to the south property line with a double row of staggered blue spruce trees planted 10 ft on center, the trees being a minimum of 3 ft in height.
4. All proposed outdoor lighting shall be installed in compliance with the ordinance. A lighting plan shall be delivered to the Zoning Administrator and approved prior to lighting installation.
5. Provide verification the proposed drainage is approved by the Isabella County Drain Commission Office.
6. The applicant shall be limited to no more than 2 gas go karts, with installed muffler silencers (to prevent loud noise), operating at any one time.

Commission discussion took place and found the applicant had shown compliance with the General Requirements for all Special Land Uses found in Section 12.03 of the Ordinance.

Hearing no further discussion the chair called for a vote.

Yes: Tim O'Neil, Phillip Vogel, Jim Horton, Ann Silker, Jeremy Murphy, Kelly Bean, Bob Campbell, Nathan Rogers

No: None

Motion carries.

SUP#18-06 Mini-Warehouse

Mr. Johnson stated an application was filed on October 16, 2018 Fred Sponseller on behalf of Fan-C Rental Company LLC., The applicant is requesting a Special Land Use Permit to establish a Mini-Warehouse permitted by Special Land Use in the Light Industrial District (I-1). The site is approximately 27.5 acres near the corner of W. Weidman Rd and N. School Rd.

Mr. Sponseller submitted a survey depicting a 6.2 acre parcel split from the larger 27.5 acre parcel. Staff has spoken to Mr. Sponseller and he has indicated he is intending to split the property to create this 6.2 acre parcel and it is this property the mini-warehouse will be cited upon. Staff did review the application for compliance based upon this proposed split and found that the application did appear to be meeting the ordinance requirements.

Mr. Horton asked about hours of operations and if there will be a gate.

Mr. Sponseller stated it will not be gated and would have open access 24 hour 7 days a week.

Mr. Nieporte informed the commission that an approval to operate 24/7 would need to be stated in a motion if an approval was going to be made.

Public hearing opened 7:35 pm

Greg Allen a neighboring resident commented on the number of currently operating storage units in the area and expressed that another was not needed.

Richard Schmidt representing Sherman Township stated that the Township Board supports this proposal.

Public hearing closed 7:37 pm

A motion was made by Mr. Horton supported by Mr. Bean to approve Special Use Permit 18-06 (SUP#18-06) as submitted by Fred Sponseller on behalf of Fan-C-Rental Company LLC, to establish a Mini-Warehouse in the Light Industrial (L-1) district and shall be further conditioned upon the following:

1. The applicant shall verify the existing driveway is adequate for the proposed commercial development.
2. The applicant shall install screening between the development and the sign in the form of 2 rows of staggered evergreen trees 10 ft on center at a minimum of 3 ft in height beginning at the east property line running west for 160 ft.
3. The proposed LED sign shall meet the requirements for electronic message boards within the ordinance.
4. The area between the installed trees and the road shall be maintained as a landscaped grassed area.
5. The hours of operation shall be 24 hrs. 7 days a week.

Mr. Horton discussed the proposal noted it is at the property owner's discretion to develop in conformance with the ordinance.

Mr. Rogers asked for clarification on the General Requirements for all Special Land Uses, specifically hazardous materials.

Mr. Nieporte made clarification on the language of the ordinance.

Mr. Horton asked if fireworks could be stored in the units.

Mr. Nieporte stated that it is his understanding that fireworks require special storage conditions.

Hearing no further discussion the chair called for a vote.

Yes: Tim O'Neil, Phillip Vogel, Jim Horton, Ann Silker, Jeremy Murphy, Kelly Bean, Bob Campbell, Nathan Rogers

No: None

Motion carries.

Farmland Agreement – Marlene Anthonissen, Coe Township

Mr. Nieporte reported that Marlene Anthonissen (Mibellon Investments, LLC) has submitted an application to the Farmland and Open Space Preservation Program (PA116) in Coe Township. The application is for 160 acres in Section 36. The application and maps are attached for your review. The property is currently being used for agricultural purposes and is zoned for and planned as Agricultural by Coe Township.

The application appears to be complete with the exception that the number of years being applied for is blank.

Mr. Nieporte stated that staff will forward a letter to the Coe Township indicating that the agreement did not indicate the number of years and that the commission no additional comments.

Farmland Agreement – Double D Dairy LLC, Nottawa Township

Mr. Nieporte reported that Double D Dairy LLC has submitted an application to the Farmland and Open Space Preservation Program (PA116) in Nottawa Township. The application is a 10 year application for 45 acres in Section 4. The property is currently being used for agricultural purposes and is zoned as Restrictive Agricultural (AG-1) and has a future land use designation of Agricultural Conservation (AC) by Isabella County.

Mr. Johnson stated that staff will forward a letter to the County Clerk indicating the commission had reviewed the farmland agreement and had no comments.

Union Township Map Amendment

a) Joseph and Sandra Falsetta REZ 2018-04

The community development office received a map amendment for review from Union Township. The Union Township planning commission voted at their October 16, 2018 meeting to recommend the Union Township board the re-zoning request be denied. The request was submitted to rezone two parcels on the corner of S. Lincoln Rd and W. Broomfield Rd. from One and Two Family Low Density Residential (R2-A) to General Business District (B-4). The Union Township Future Land

Use Map designates these properties as Rural Buffer.

The properties to the north, south, and east are currently zoned R2-A, the property to the West is currently zoned Agricultural (AG).

Mr. Nieporte stated that staff would forward a letter to Union Township that the commission had reviewed the request and had no comments.

b) McGurik Mini Storage Inc. REZ 2018-05

The community development office received a map amendment for review from Union Township. The Union Township planning commission voted at their October 16, 2018 meeting to recommend The Union Township board the re-zoning request be approved. The request was submitted to re-zone a parcel on the corner of W. Broomfield Rd. and S. Whiteville Rd. from Agricultural (AG) to One and Two Family Low Density Residential (R-2A). The Union Township Future Land Use Map designates these properties as Rural Preservation.

The proposed map amendment is represented by the hashed area in the attached map. The property to the north is currently zoned One and Two Family Low Density Residential (R2-A), the properties to the south, east and west are currently zoned Agricultural (AG)

Mr. Nieporte stated that staff would forward a letter to Union Township that the commission had reviewed the request and had no comments.

PUBLIC COMMENT - None

STAFF COMMENTS - None

PLANNING COMMISSIONER'S COMMENTS

Mr. Horton asked staff to inquire with Coe Township why the lights are not on the installed turbines even though they are not operational.

Mr. Nieporte stated he will inquire and report back.

Mr. Horton asked the passing of Proposal 1 and if this is an opt-in/opt-out issue.

Mr. Nieporte stated he will communicate to the attorney to have that conversation.

Mr. Rogers stated that a post on Facebook by Apex showing locations of proposed turbines and heights was brought to his attention.

Mr. Nieporte informed the commission that there has been no application turned into our office.

ADJOURNMENT

A motion was made by Mr. Horton supported by Mrs. Silker to adjourn the meeting seconded at 8:00 p.m.

Yes: Tim O'Neil, Phillip Vogel, Jim Horton, Ann Silker, Jeremy Murphy, Kelly Bean, Bob Campbell, Nathan Rogers

No: None

Motion carried



Tim O'Neil

Tim O'Neil, Secretary