

PLANNING COMMISSION MINUTES

SPECIAL MEETING

FEBRUARY 14, 2017

The Clam Lake Township Planning Commission Special Meeting was called to order by Chairperson Stoutenburg at 6:04 p.m. at the Clam Lake Township Hall located at 8809 E. M-115, Cadillac, MI 49601. The purpose of the meeting is to hold a Public Hearing and review an application for a Special Use Permit/Site Plan Review on the Love Inc Property at 753 Sunnyside Drive, Cadillac, MI to rebuild a charity building that acted as a hub connecting churches across the region to help people in need. The former church building burned down in June of 2016.

APPLICANT/

PROPERTY OWNER: Love Inc of Wexford & Osceola Counties

PROPERTY ADDRESS: 753 Sunnyside Drive, Cadillac MI

PARCEL NUMBER ID: 83-2109-09-2303

CURRENT ZONING: Residential, which allows church use by Special Use Permit

TAX DESCRIPTION: ALL THAT PART OF SW1/4 OF NW ¼ OF WHITE PINE TRAIL R/W –2 A. SUB TO EASMT REC L591 P2941 & L600 P124 CL. SEC. 9 T21N R9W

Planning Commissioners Present: Stoutenburg, Morin, Stahl

Planning Commissioners Absent: Wade

Planning Commission Staff Present: Zoning Administrator Warda

Others Present: Pastor Tom Reirston from Love Inc, Dean Utecht of Arrow

Homes, Township Supervisor Kitler, Township Supervisor Mackey

Motion by Member Stahl seconded by Member Morin to open the Public Hearing.

Roll Call Vote:

YEA: Stoutenburg, Morin, Stahl

NAY: None

Public Hearing opened.

Pastor Tom Reirston stated he is the Chairman of the Board of Love Inc. He said they want to replace the building that burned down June 29, 2016. He added that it will be the same ministry and purpose of Love Inc., a clearing house and screener for people in need to put them in touch with churches and other organizations. He said that many people would come directly to churches to share their tales of woe. He said they rarely give cash as they can’t control what they spend it on. He stated that Love Inc. screens the people to make sure the need is legitimate, then refers them to a congregation to provide food, nights lodging, etc.

The Planning Commission reviewed Zoning Administrator’s February 6, 2017 Memorandum:

MEMORANDUM

TO: Clam Lake Township Planning Commission

FROM: Cindy Warda, Zoning Administrator

DATE: February 6, 2017

RE: Love Inc. Special Use Permit/Site Plan Review Public Hearing

The purpose of the meeting is to review an application for a Special Use Permit/Site Plan Review on the Love Inc Property at 753 Sunnyside Drive, Cadillac, MI to rebuild a charity building that acted as a hub connecting churches across the region to help people in need. The former church building burned down in June of 2016. The Subject Property is zoned R-Residential which allows church use by Special Use Permit. Special Use Permits also require a Site Plan Review.

**Special Use Permit Standards**

1. Is the use reasonable?

**Yes, it is a replacement structure for same use before prior church building burned down.**

1. Is the use designed to protect the health, safety and welfare of the community?

**Yes, it is a charitable organization that aids the community.**

1. Is the use consistent with the intent and purpose of the district?

**Yes, the R-Residential Zone allows for church use in said district by Special Use Permit.**

1. Is the use compatible with adjacent land uses?

**Yes, the design of the building looks residential in an area of residential, office & apartment complexes.**

1. Are public services and facilities capable of accommodating increased loads caused by the land use or activity?

**Yes. Existing utilities from similar prior use. Private septic, Private well.**

1. Does the use comply with other general and specific standards in Section 10.16 of this Ordinance if applicable (specific standards for some Special or Conditional Uses), and the respective district, and general provisions in Article 3 of this Ordinance (Supplementary set-backs, land provisions, non-conforming uses/buildings, parking, signs, wetland provisions)?

* Yes as to wetlands. Subject Parcel not on Wetland Map. Have not heard back from the DEQ or DNR regarding this property to date.
* Business signage not shown on building elevations. Requirement is one (1) sign placed flat on building, not to exceed 20 s.f. One (1) free standing ground sign permitted, not to exceed ten (10) feet in height, maximum 32 s.f and minimum setback of 25 feet from property lines**. A sign permit will be required.**
* Existing parking lot not striped to show number of parking spaces and only the handicapped spaces are shown on Site Plan. Site plan shows six (6) handicapped spaces which exceeds number required. For 1-25 parking spaces, one HC space required. For 26-50 parking spaces, two (2) HC spaces are required. Parking spaces for office use is one (1) space per 300 s.f. of building area, Subject is 3,960 s.f. so 13.2 spaces required, say 14. There is adequate space in the parking lot**. I recommend that the parking lot be striped as per parking standards for an orderly flow especially since the parking lot is irregularly shaped.**
* Unclear as to if there will be any outdoor trash receptacles**. If so, solid waste storage must be screened from view.**
* Exterior lighting not shown on plan. Typical residential style lighting permitted on building. **Any parking lot lighting would have to be directed down, shielded with no “splash” to adjoining properties.**

**Special Use Permit Conditions**

1. Special Use Permits may be granted with conditions, limitations, or additional requirements imposed by the Commission. Any conditions, limitations or requirements upon which approval is based shall be:
2. Reasonable and designed to protect natural resources, the health, safety, and welfare of the public;

**Meets requirement.**

1. Relevant to the social and economic well-being of the owners and occupants of the lot in question, of the adjacent area, and of the community as a whole;

**Meets requirement.**

1. A valid exercise of police power;

**Meets requirement, police power deals with land use through zoning regulations.**

1. Related to the purposes which are affected by the proposed use or activity;

**Meets requirement.**

1. Consistent with the intent and purpose of this Ordinance, generally and specifically, for the respective District;

**Meets requirement.**

1. Designed to ensure compatibility with adjacent uses of land and the natural environment;

**Meets requirement.**

1. Designed to ensure that public services and facilities affected by the proposed land use or activity will be capable of accommodating increased service and facility loads caused by the land use or activity.

**Meets requirement.**

**Special Land Uses**

For Special Land Uses, The Township Planning Commission shall also review a site plan to be submitted with the application. The Planning Commission shall then approve, approve with conditions or deny the submitted site plan. Although a rejected site plan will not void a special use approval, construction permits may be denied until the site plan meets the requirements of this Article and approved.

**Standards for Site Plan Approval**

1. All elements of the site plan shall be designed to take into account the site’s topography, the size and type of plot, the character of adjoining property and the type and size of buildings. The site shall be developed so as not to impede the normal and orderly development or improvement of surrounding property for uses permitted in this Ordinance.

**Meets requirement. Residentially looking building design in an area of residential, office and apartment complexes. Site Plan meets the R-Residential District Dimensional Requirements, shown on plan as building envelope.**

1. The landscape shall be preserved in its natural state, insofar as practical, by removing only those areas of vegetation or making those, alterations to the topography which are reasonably necessary to develop the site in accordance with the requirements of this Ordinance.

Unknown. This is a replacement building on same building site. This requirement most likely for vacant lot with new construction.

1. The site plan shall provide for reasonable visual and sound privacy for all dwelling units located therein. Fences, walks, barriers and landscaping shall be used, as appropriate, to accomplish these purposes.

**No landscaping plan shown.**

1. All buildings or groups of buildings shall be arranged so as to permit necessary emergency vehicle access as required by the Fire Department.

**Have not heard back from Fire Marshall regarding this plan to date.**

1. A pedestrian circulation system which is separated from the vehicular circulation system may be required. In order to ensure public safety, special pedestrian measures such as crosswalks, crossing signals and other facilities may be required in the vicinity of schools, playgrounds, shopping area and other uses which generate a considerable amount of pedestrian traffic.

**No sidewalks shown along building nor access to parking lot.**

1. Appropriate measures shall be taken to ensure that removal of surface waters will not adversely affect neighboring properties or the public storm drainage system. Provisions shall be made to accommodate storm water, prevent erosion and the formation of dust. The use of detention/retention ponds may be required. Surface water on all paved areas shall be collected at intervals so that it will not obstruct the flow of vehicular or pedestrian traffic or create puddles in paved areas.

**Replacement of prior building that burned down, using existing topography.** **No topo shown on site plan. Appropriate measures need to be taken to ensure the removal of surface waters will not adversely affect neighboring properties. Provisions need to be made to accommodate storm water, prevent erosion and the formation of dust. Wexford County does not require a Soil Erosion Permit for the Subject as less than an acre of ground will be disturbed.**

1. All loading and unloading areas and outside storage areas, including areas for storage of trash, which face or are visible from residential districts or public thoroughfares, shall be screened by an opaque wall or landscaped screen not less than six (6) feet in height.

**No outdoor trash receptacles shown on plan.**

1. Exterior lighting shall be arranged so that it is deflected away from adjacent properties and so that it does not impede the vision of traffic along adjacent streets. Flashing or intermittent lights shall not be permitted.

**No exterior lighting plan shown.**

**Staff Recommendations:**

**Approval of the Special Use Permit and approval of Conditional Site Plan Review for Love Inc at 753 Sunnyside Drive with the following conditions.**

* **The parking lot be striped as per parking standards for an orderly flow especially since the parking lot is irregularly shaped.**
* **A sign permit obtained for any signage.**
* **No exterior lighting plan shown. Require any parking lot lighting be directed downward, shielded with no “splash” to adjoining properties. Residential type exterior building lighting fine.**
* **Any outside solid waste storage must be screened from view.**
* **A sidewalk shown along building be installed with crosswalk or other safe access to parking lot.**
* **Appears to be using existing topography.** **No topo shown. Appropriate measures need to be taken to ensure the removal of surface waters will not adversely affect neighboring properties. Provisions need to be made to accommodate storm water, prevent erosion and the formation of dust. Wexford County does not require a Soil Erosion Permit for the Subject as less than an acre of ground will be disturbed.**

Zoning Administrator Warda referred to the revised Site Plan that Arrow Homes brought to the meeting. She said that the revised Site Plan shows the parking lot striping and sidewalks as per staff recommendations.

Zoning Administrator said there are no plans for signage, parking lot lighting or a dumpster; that if that changes, the applicant will notify the Township.

Zoning Administrator stated that Arrow Homes follow the existing topography as to not cause any drainage problems.

Zoning Administrator added that she had not received any correspondence regarding the proposed construction.

Motion by Member Morin seconded by Member Stahl to close the Public Hearing.

Roll Call Vote:

YEA: Stoutenburg, Morin, Stahl

NAY: None

Public Hearing closed, back in Regular Session.

Motion by Member Stahl seconded by Member Morin to grant the Special Use Permit and approve the Site Plan for Love Inc. as presented on the revised Site Plan dated 2/13/2017.

YEA: Stoutenburg, Morin, Stahl

NAY: None

Motion carried.

Motion by Member Morin seconded by Member Stahl to adjourn the Planning Commission Special Meeting.

YEA: Stoutenburg, Morin, Stahl

NAY: None

Motion carried.

Meeting adjourned 6:12 p.m.