

Otsego County Planning Commission

Approved Minutes for June 17, 2013

Call to Order: 6:00 pm by Chairperson Stults

Pledge of Allegiance

Roll Call:

Present: Chairperson Stults, Vice-Chairperson Arndt, Mr. Hilgendorf, Mr. Brown, Ms. Nowak, Mrs. Jarecki, Mr. Klee, Mr. Hartmann, Mr. Hendershot, Mr. Mang

Absent: Mr. Borton

Staff Present: Mr. Schlaud, Ms. Boyak-Wohlfeil

Public Present: Gloria Torello, John Arevalo

Consent Agenda: None

Approval of minutes from March 18, 2013:

Motion made to approve minutes as written by Mr. Brown; Seconded by Mr. Klee.

Motion approved unanimously.

Other: None

Public participation for items not on the agenda:

Mr. Arevalo and Ms. Torello, residents of Elmira Township, questioned the conditions placed on Special Use Permit/PSPR12-003 for Boyne Valley Auctions. Mr. Arevalo had made a previous complaint concerning noise and Mr. Schlaud, Land Use Director, explored the issue. Mr. Schlaud did not find the noise to be intrusive but discussed it with the owners and they stated they would adjust their speakers. Mr. Schlaud stated he would investigate any future complaints.

Unfinished applicant business: None

Public Hearing:

1. *Michaywe' Boundaries-Rezoning area surrounding Michaywe' to coincide with existing zoning*
Parcels involved in the rezoning:

010-034-200-025-01	Glen A & Jeanne Catt	463 Charles Brink Rd
010-034-200-025-02	Bernadette Seidell Trust	477 Charles Brink Rd
010-034-200-010-50	Matthew T Feldpausch	59 Charles Brink Rd
010-034-200-005-00	First Presbyterian Church	513 Charles Brink Rd
010-034-200-010-01	First Presbyterian Church	Vacant
010-034-200-040-01	Up North Camping LLC	5101 Campfires Pkwy

Public Hearing Open:	6:17 pm
Public Hearing Closed:	6:17 pm

Otsego County Planning Commission

Approved Minutes for June 17, 2013

2. Highway Interchange Zoning District as a separate zoning district

Chairperson Stults stated the Highway Interchange District was a new district added to the Otsego County Zoning Ordinance.

Public Hearing Open: 6:17 pm
Public Hearing Closed: 6:17 pm

3. Otsego Lake Township revisions concerning Highway Interchange District/Article 3, Article 18

Chairperson Stults stated the revisions for the Highway Interchange District included additions in Article 3/Zoning Districts and Maps and Article 18/Section 18.38/Signs and Billboards.

Public Hearing Open: 6:18 pm
Public Hearing Closed: 6:18 pm

4. Proposed changes to Zoning Ordinance/Grammatical/punctuation errors, formatting errors, added sections, obsolete references...

Chairperson Stults stated the proposed changes were in connection to the cleanup and corrections of the Zoning Ordinance and the addition of three (3) sections.

Public Hearing Open: 6:19 pm
Public Hearing Closed: 6:19 pm

Advertised Cases:

1. Michaywe' Boundaries-Rezoning area surrounding Michaywe' to coincide with existing zoning
Parcels involved in the rezoning:

010-034-200-025-01	Glen A & Jeanne Catt	463 Charles Brink Rd
010-034-200-025-02	Bernadette Seidell Trust	477 Charles Brink Rd
010-034-200-010-50	Matthew T Feldpausch	59 Charles Brink Rd
010-034-200-005-00	First Presbyterian Church	513 Charles Brink Rd
010-034-200-010-01	First Presbyterian Church	Vacant
010-034-200-040-01	Up North Camping LLC	5101 Campfires Pkwy

Chairperson Stults stated the rezoning of the surrounding areas of Michaywe' had begun in 2006 and the above parcels were the last of these parcels for rezoning. He also stated parcel #010-034-200-040-01, the KOA Campground, was to remain part of the PUD/Planned Unit Development.

Mr. Hilgendorf made the following motion; Seconded by Ms. Nowak.

The Planning Commission recommends the Otsego County Board of Commissioners amend the zoning map so that the following properties south of Charles Brink Road do not have the PUD/Planned Unit Development overlay and amend the zoning for these parcels to RR/Residential Recreation, the same zoning as the surrounding area to the north and east of Michaywe'.

010-034-200-025-01	463 Charles Brink Rd
010-034-200-025-02	477 Charles Brink Rd
010-034-200-010-50	59 Charles Brink Rd
010-034-200-005-00	513 Charles Brink Rd
010-034-200-010-01	Vacant

Motion approved unanimously.

Otsego County Planning Commission

Approved Minutes for June 17, 2013

2. Highway Interchange Zoning District as a separate zoning district

Chairperson Stults stated the Highway Interchange District was a new district added to the Otsego County Zoning Ordinance. After discussion, Commission members agreed to the recommended changes from Townships. (*See attached document*)

The Planning Commission requested Mr. Schlaud address the definitions of 'service drives' and 'service roads' as an addition to Article 2/Definitions.

Motion made by Mr. Hartmann; Seconded by Mrs. Jarecki.

The Planning Commission recommends to the Otsego County Board of Commissioners the adoption of the Highway Interchange Zoning District as modified with the inclusion of 'service road'/'service drive' definitions, as written by Mr. Schlaud, Land Use Director, and included in Article 2/Definitions.

Motion approved unanimously.

3. Otsego Lake Township revisions concerning Highway Interchange District/Article 3, Article 18

Chairperson Stults stated the revisions added the Highway Interchange District /HX as a separate district to Article 3. Revisions also added HX to the listings of zoning districts and *Sound Pressure* tables in Section 18.47/Wind Generation.

Motion made by Mr. Hendershot; Seconded by Ms. Nowak.

The Planning Commission recommends the adoption of the changes in Article 3 and Article 18 as identified in the revisions.

Motion approved unanimously.

4. Proposed changes to Zoning Ordinance/Grammatical/punctuation errors, formatting errors, added sections, obsolete references...

Motion made by Mr. Hendershot; Seconded by Ms, Nowak.

The Planning Commission recommends to the Otsego County Board of Commissioners the adoption of the amendments to the miscellaneous cleanup changes as identified.

Motion approved unanimously.

New printed copies of the Otsego County Zoning Ordinance will be available for all Planning Commission and Zoning Board of Appeals members as well as electronic copies.

Unfinished Commission Business: None

Reports and Commission Member's Comments:

1. Highway Interchange/Sound Pressure Table Additions/Section 18.47 HX references

This item was included in the discussion above for Highway Interchange.

2. Article 14/Schedule of Dimensions-Highway Interchange Addition

Chairperson Stults explained the table previously sent to townships was not complete and requested sending it out for input so the recommendation to the Board of Commissioners of all items pertaining to the Highway Interchange District could be presented at once.

3. Recent Board of Commissioners decisions/Section 9.2.4 Livestock Auction Yard/18.20, Section 8.3.1/Accessory Buildings, Article 14/Schedule of Dimensions/AR & FR setbacks

Otsego County Planning Commission

Approved Minutes for June 17, 2013

Mr. Schlaud stated the Board of Commissioners approved the recommendations for Section 9.2.4/18.20 and Section 8.3.1. They disapproved the setback changes for the AR/Agricultural & FR/Forest Recreational Districts. Chairperson Stults and Mr Schlaud stated they had answered the questions asked of them and the Commissioners had decided against the recommendation. There was some displeasure from Planning Commission members.

Adjournment: 8:21 pm by Chairperson Stults

Christine Boyak-Wohlfeil, Recording Secretary

Ken Borton, Planning Commission Secretary

Otsego County Planning Commission

Approved Minutes for June 17, 2013

ARTICLE ZZ HIGHWAY INTERCHANGE COMMERCIAL DISTRICT

INTENT:

The Highway Interchange Commercial land use category includes areas designated for commercial development, which are primarily Interstate access dependent. This district primarily serves thru traffic and tourist needs. Uses that are consistent with these areas include, but are not limited to, gasoline stations, lodging facilities, entertainment facilities, restaurant facilities, and similar tourist related developments, as well as warehouses, storage buildings, wholesale facilities and other similar uses. ~~The automobile dependent uses should ideally be located along roadways, with the other larger Interstate dependent uses located behind and accessed by service drives.~~ **This district is intended to serve traffic entering or leaving the Interstate.** These areas may require municipal water and sewer services and/or other comparable forms of water and sewer services with approval by the municipality and District Health Department.

ZZ.1 PRINCIPAL USES PERMITTED anywhere in the zoning district.

No building or land shall be used and no building shall be erected except for one or more of the following specified uses:

- ZZ.1.1 Existing residences
- ZZ.1.2 Banks and financial institutions, **except those with drive-through service**
- ZZ.1.3 Office buildings for administrative, professional, governmental and sales offices
- ZZ.1.4 Medical and dental offices, including clinics
- ZZ.1.5 Public Schools under the jurisdiction of the Michigan superintendent of public instruction
- ZZ.1.6 Indoor theaters, halls, and similar places of assembly
- ZZ.1.7 Bowling alleys, pool parlors or billiard parlors
- ZZ.1.8 Indoor archery range
- ZZ.1.9 Tavern/night clubs
- ZZ.1.10 Restaurants ~~without~~ **except those with** drive-through service
- ZZ.1.11 Bus stations and passenger terminals

PRINCIPAL USES PERMITTED in the zoning district only when access is from a service road. Access shall not be off ~~of~~ Marlette Road in Otsego Lake Township and Mills Street in Corwith Township.

- ZZ.1.12 Any generally recognized retail business within an enclosed building under one hundred thousand (100,000) square feet.
- ZZ.1.13 Offices and showrooms of plumbers, electricians, decorators or similar trades, without outdoor storage
- ZZ.1.14 Rental shops without outdoor storage
- ZZ.1.15 Athletic or sports facilities and health clubs, indoor only
- ZZ.1.16 Places of worship
- ZZ.1.17 Lumber yards and building material suppliers within enclosed building(s)
- ZZ.1.18 Businesses ~~and restaurants~~ **including those** with drive-through service
- ZZ.1.19 Wireless Telecommunications Towers and Facilities one hundred ninety (190) feet or less in height without lights Permit criteria include Article 18.46.2
- ZZ.1.20 Wholesale sales, storage and distribution facilities including accessory retail sales, but excluding storage of flammable or hazardous materials Outside storage shall be fenced and screened.
- ZZ.1.21 Truck and rail freight terminals, including warehousing
- ZZ.1.22 Vehicle service and storage centers for trucks, watercraft, truck trailers, and miscellaneous motorized vehicles Outside storage shall be fenced and screened.

Otsego County Planning Commission

Approved Minutes for June 17, 2013

- ZZ.1.23 Lumber yards, building, construction material suppliers and home improvement centers without outside storage
- ZZ.1.24 Bottling works, food packaging and freezer plants
- ZZ.1.25 Equipment reconditioning indoors on an impervious surface
- ZZ.1.26 Nursery sales and garden supply centers within enclosed building and without outside clay area(s)
- ZZ.1.27 Construction and utility service contractors storing heavy equipment with inside storage only
- ZZ.1.28 Storage buildings consisting of building(s) with the purpose of commercial and/or private storage. A storage building shall not be used in any form as a residence.
- ZZ.1.29 Mini-storage buildings consisting of separate storage rooms rented or leased by the month
- ZZ.1.30 Utilities - All utilities and service structures when their operating requirements necessitate locating the facilities within the district in order to serve the immediate vicinity (storage yards excluded) shall be located underground except where above ground equipment such as transformers, control panels, services connections and meters are required. All above ground equipment shall be located at the rear of the building. Permitted criteria includes Article 18.10 regarding screening and fences

ZZ.2 PERMITTED USES SUBJECT TO SPECIAL CONDITIONS anywhere in the zoning district. The following uses may be permitted, subject to the conditions herein imposed for each use, the review standards of Article 16 and only after the review and approval of the site plan by the Planning Commission. (See Article 18 for applicable specific Requirements for Certain Uses, if any and Article 20 for site plan requirements.)

- ZZ.2.1 Motels, hotels, motor inns, cabin courts, bed and breakfast facilities, tourist lodging facilities and museums
- ZZ.2.2 Gasoline service stations for sale of motor fuels, oil and minor accessories
- ZZ.2.3 Car wash subject to waste water treatment conditions
- ZZ.2.4 Sales, rental, and service centers for vehicles, watercraft, and/or motor homes and travel trailers, including new or used automobiles, motor bikes, bicycles, watercraft, ATV's, campers, snowmobiles, utility trailers provided:
 - ZZ.2.4.1 Ingress and egress to the use shall be at least sixty (60) feet from the intersection of any two streets.
 - ZZ.2.4.2 The arrangement of vehicles stored in the open shall be uniform, following the patterns established for off-street parking lots.
 - ZZ.2.4.3 No sales or display shall occupy any public street or road right-of-way and further, must be set back at least twenty (20) feet from the front property line.
 - ZZ.2.4.4 The use of a display model for a business office is permissible provided it is connected to sanitary and water facilities and approved by the County Health Department.
 - ZZ.2.4.5 Emergency access routes must be maintained in the display area.

PERMITTED USES SUBJECT TO SPECIAL CONDITIONS in the zoning district only when access is from a service road. Access shall not be off ~~of~~ Marlette Road in Otsego Lake Township and Mills Street in Corwith Township.

- ZZ.2.5 Retail uses over one hundred thousand (100,000) square feet
- ZZ.2.6 Offices and showrooms of plumbers, electricians, decorators or similar trades, with

Otsego County Planning Commission

Approved Minutes for June 17, 2013

outdoor storage

ZZ.2.7 Rental shops with outdoor storage

ZZ.2.8 Nursery sales and garden supply centers with outdoor display areas

ZZ.2.9 Lumber yards, building material suppliers, and home improvement centers, with outdoor storage

ZZ.2.10 Rifle or pistol ranges when within a completely enclosed building as an accessory use

ZZ.2.11 Auto repair garages or auto body shop, including wrecker service, provided that outdoor storage of vehicles under repair be confined to the rear yard and screened from view

ZZ.2.12 Sales, rental, and service centers for mobile home, modular home, manufactured homes, or farm equipment provided:

ZZ.2.12.1 Ingress and egress to the use shall be at least sixty (60) feet from the intersection of any two streets.

ZZ.2.12.2 The arrangement of vehicles stored in the open shall be uniform, following the patterns established for off street parking lots.

ZZ.2.12.3 No sales or display shall occupy any public street or road right-of-way; and, further, must be set back at least twenty (20) feet from the front property

ZZ.3 DEVELOPMENT REQUIREMENTS

ZZ.3.1 Mechanical Equipment. All units and appliances for air conditioning, HVAC systems, high voltage electrical systems, exhaust pipes or stacks, elevator housing and satellite dishes or telecommunications receiving devices shall be thoroughly screened from view from the public right-of-way and from adjacent properties, by using walls, fences, roofline elements, penthouse-type screening devices or landscaping. Outdoor wood burning equipment (stoves/furnaces) is prohibited.

ZZ.3.2 Services Access. A designated loading space shall be reserved at the rear of the building. The Planning Commission ~~upon demonstration by the applicant that through traffic flow and access to neighboring uses will not be disrupted~~ may permit loading from secondary streets **if applicant demonstrates that traffic flow and access to neighboring uses will not be disrupted.**

ZZ.3.3 Landscaping. Landscaping is an integral part of this district and shall ~~compliment~~ **complement** the district and surrounding uses. Landscaping shall comply with the provisions elsewhere in this ordinance.

ZZ.3.4 Sidewalks. The property owners shall provide sidewalks. Sidewalks shall conform to placement and level of adjacent neighborhood sidewalks or be located one (1) foot inside the street right-of-way along all streets abutting the property. Sidewalks shall be a minimum of sixty (60) inches wide, or the width of adjoining sidewalks as approved during site plan review. Greater width may be required during site plan review.