

VEVAY TOWNSHIP PLANNING COMMISSION
Regular Meeting/Public Hearing
Wednesday, March 9, 2016
Vevay Township Hall – 7:00 p.m.

MINUTES

Members present: Jack Cady, Richard Lacasse, John Lazet, Pattie McNeilly, Ilene Thayer, Wayne Uzzle, and Bruce Walker.

Members absent: None.

Other Persons present: Supervisor Jesse Ramey, and Legal Counsel David Revore.

I. Call to Order: The meeting was called to order at 7:00 p.m. by Chair Thayer.

II. Pledge of Allegiance

The audience joined the Commission in reciting the Pledge of Allegiance.

III. Set/Amend Agenda

The agenda was accepted as submitted.

IV. Approval of Minutes: Special Meeting, January 27, 2016, and Regular Meeting February 3, 2016

January 27, 2016 minutes – On page 2, under Appendix A, first point, after “adding” by deleting “Meridian and”.

February 3, 2016 minutes – Amend page six, second paragraph, the last sentence, after “order” by inserting “which”.

MOTION Cady, seconded by Walker, to approve the January 27, 2016 special meeting minutes as amended and the February 3, 2016 regular meeting minutes as amended. CARRIED 7-0.

V. Brief Public Comment

Comm. Cady – noted that Coe Emens, Jr., had passed away earlier this week. He was a man of good quality and his service on behalf of the Township is deeply appreciated.

VI. Recess to Public Hearings

- a. Rezoning Request from B-1 Business to B-2 Highway Service @ 781 Hull Road, Mason, by Neil Sheridan

Chair Thayer and Comm. Lazet – commented that this request had been made last summer, the Commission had discussed the possible re-zoning at length during the October, 2015, Commission meeting, and a public hearing was scheduled. That hearing was cancelled at the

request of the petitioner. Neil Sheridan, owner of the parcel, had written the Township on February 10, 2016, renewing the request to have the parcel re-zoned. The proposal tonight is the same proposal for re-zoning that was considered last year, though there will not be a new use of highway service business operations at this time.

There was no public comment.

VII. Adjournment of Public Hearing and Recommencement of Regular Meeting

There being no further public comment, the public hearing was adjourned at 7:12 pm and the regular meeting recommenced.

VIII. Reports

A. February 2016 AGS Building/Zoning Report

The written report indicated that there were three (3) building/zoning permit applications, involving construction of a pole barn, of a new home, and for an inspection. Six authorizations to enforce the Zoning Ordinance are pending: a response to a blight violation is potentially leading to a court filing though compliance may occur in the next few months; a dangerous building remains in violation though an agreement has been reached to demolish the building; AGS has sent letters to two property owners who did not have building permits for their projects, and to date one has applied for and received a permit; a blight violation involving vehicles that need to be removed; and a mobile home not properly tied down which requires a building permit, for which an initial inspection has been completed.

IX. Pending Business

A. Rezoning Request from B-1 Business to B-2 Highway Service @ 781 Hull Road, Mason, by Neil Sheridan

The acreage of the parcel is uncertain, either 9.86 or 10.86 acres, located on Hull Road and adjacent to US 127, and very close to the on and off ramps at the Kipp Road interchange. Current operations are primarily for a landscape supply and materials sales. The parcel is within an area designated by the Master Plan for future industrial uses.

COMMISSION – had discussion on, if and how B-2 operations would fit the character of the district; of how this would not be spot-zoning as B-2 fits the uses of surrounding parcels in the District; and of how the Master Plan was written before B-2 Districts were allowed and as such is silent on these specific uses though B-2 uses meet the general intent of having commercial and industrial development be close to the city of Mason.

Pursuant to Section 19.05(B) (2) of the Zoning Ordinance, the Commission made the following findings:

- a. Whether or not the proposed rezoning is consistent with the goals, policies and future land use map of the Vevay Township Master Plan; or, if conditions have changed significantly

since the Master Plan was adopted, the consistency with recent development trends in the area.

The Master Plan Future Land Use map envisions primarily industrial uses for this parcel. As the parcel has been used for wholesale and retail purposes for years, highway service uses are consistent with the history of the parcel and the uses noted in the Master Plan. The trend for development in the surrounding area has been major retail (Meijer), automotive parts manufacturing, and highway service. Additional highway service uses are compatible with this trend. Currently zoned as B-1, re-zoning to B-2 potentially brings the parcel closer to an industrial use as delineated by the Ordinance.

- b. Whether the proposed district and the uses allowed are compatible with the site's physical, geological, hydrological and other environmental features. The potential uses allowed in the proposed zoning district shall also be compatible with surrounding uses in terms of land suitability, impacts on the community, density, potential influence on property values and traffic impacts.

The parcel's existing structures will continue to be used. No new construction is proposed, and almost the entire parcel is already paved and drained. The proposed re-zoning would not affect the physical, geological, hydrological, or other environmental features of the parcel. Re-zoning to Highway Service is a reasonable request based on its close location to the US 127 Kipp Road interchange. As no new operations are proposed, there would be no additional traffic or other impacts on the community. Should the use change to highway service, the impacts would be minimal given the surrounding uses. As no residences are planned, density is unaffected. The potential influence on property values is likely quite small, though having sufficient local commercial capacity can add value to the desirability of an area.

- c. Whether, if rezoned, the site is capable of accommodating the uses allowed, considering existing or planned infrastructure including roads, sanitary sewers, storm sewer, water, sidewalks, and road lighting.

The existing use will be maintained. Based on testimony and discussion during the October, 2015 regular meeting on this request, any additional demand on service would be only from any additional employees and customers on site if highway service operations were to be conducted. The SLU permit application last year for a highway service operation proposed no new roads, no new sewer system, no storm sewer, no new water supply, no sidewalks, and no road lighting. Highway services could be offered utilizing the existing infrastructure. Further, last year the Ingham County Health Department deemed the existing septic field to be adequate for up to roughly 20 more people regularly on site, and any customer traffic generated was not expected to put any additional demand on any public services. Impacts of the re-zoning would likely be minimal.

- d. Other factors deemed appropriate by the Planning Commission.

During this meeting and the October 2015 meeting, the Commission discussed that this parcel was in that portion of the Township designated by the Master Plan for future uses to include primarily industrial operations. Given the close proximity of the parcel to the highway and to the commercial district of Mason, this would be a preferred location for highway services operations. Traffic, sound, and other impacts to the Township would be minimally affected by locating B-2 services within this industrial use area.

Pursuant to Section 19.05(C) (2) of the Zoning Ordinance, the Commission made the following findings:

The Zoning Ordinance has five requirements for submitted written materials. The report by AGS on the proposal and the review by the Commission both last October and this month indicate the following three requirements were met by the submitted materials:

- a) The petitioner's name, address and interest in the petition as well as the name, address and interest of every person, firm or corporation having a legal or equitable interest in the land.
- b) The nature and effect of the proposed amendment.
- c) If an individual property or several adjacent properties are proposed for rezoning, a location map, showing the location of the properties generally in the township, a legal description of the land(s) proposed for rezoning, the present zoning classification(s), the zoning classification of all abutting districts, and all public and private rights-of-way and easements bounding and intersecting the land under consideration.

The other two required factors could not be determined by AGS, but the Commission found that as there is no proposed change in uses on the parcel, these do not need to be addressed in the submitted materials:

- d) Any changed or changing conditions in the area or in the municipality which make the proposed amendment reasonable and necessary to the promotion of the public health, safety and general welfare.
- e) All other circumstances, factors and reasons which the applicant offers in support of the proposed amendment.

Legal counsel had drafted a Zoning Ordinance amendment to rezone parcel 33-10-10-16-300-010 from B-1 Local Business Zoning District to the B-2 Highway Service Zoning District.

A public hearing having been held, and following Commission review of the petition and submitted materials:

MOTION Lacasse, seconded by Walker, to recommend approval of the Zoning Ordinance amendment drafted by legal counsel to re-zone parcel 33-10-10-16-300-010, address 781 Hull Road, from B-1 Business to B-2 Highway Service, based on the Commission findings as noted in the minutes, and as the proposed uses meet the intent of the Master Plan as envisioned in its map of future intended land uses. It is further recommended that the Township verify the acreage of the parcel before approving the amendment. CARRIED 7-0.

B. Discussion Zoning Ordinance Text Amendment for Signs

Chair Thayer – had submitted thoughts on Zoning Ordinance amendments regarding the allowance of on-premises Class 2 signs. There was discussion on where best to address the issue in Chapter 20, for instance changing language in sections 20.05, 20.06, and Table 20-1; or adding a new section to allow for on-premises class 2 signs (current section 20.07 would be re-numbered to 20.08).

COMMISSION – discussed any on-premises Class 2 signs needing to be subject to all of the conditions that Class 2 off-premises signs are subject to in section 20.06; allowing signs only on parcels zoned A-1 or M-1, and only within the US 127 corridor; restricting such a sign to public utility or public use of the parcel; allowing a Class 2 sign to be in addition to any other allowable sign; the distance between signs and standards already in state law; how best to address changes to Table 20.1; considering the lighting standards of Sec. 20.03, footage, setbacks, total area of the sign, etc.; how a right to erect a sign on premises would affect the SLU permit that might be held by the land owner; how to ensure removal of a sign when the public utility or public use ends; and holding off on proposing an amendment until Consumers Energy has committed to locating on a particular parcel in the Township.

COMMISSION – for purposes of discussion decided to use, at this time, Sec. 20.06 (B) as a template for conditions for possible allowance of on-premise Class 2 signs.

Supervisor Ramey – offered to have Consumers Energy representatives attend the April 6 regular meeting to answer questions, including the on-premises Class 2 sign issue, and to better prepare the Commission for discussion during the special meeting scheduled to consider their request. If Commissioners have any questions, send them directly to Supervisor Ramey only, and he will forward them to Consumers Energy for their use in preparing their comments.

Update on Consumers Energy Solar Garden proposal – apparently the current plan is to have a billboard size sign along the highway, and to address the road frontage issue, rather than purchasing the parcel, to instead lease the land long-term. They have also talked of hosting an open house for Township residents to lay out the proposal about a week before the special Commission meeting.

C. Set Public Hearing/Special Meeting for Consumers Energy SLU request for April 20, 2016

MOTION Lacasse, seconded by McNeilly, that the Commission schedule a special meeting and public hearing to be held April 20, 2016, starting at 7:00 pm, for the primary purpose of consideration of the Consumers Energy application for a SLU permit to install and operate a large solar energy operation.

CARRIED 7-0.

D. Discussion of Proposed Master Plan Chapters 1 and 2

COMMISSION - the following edits were requested:

Chapter 1, page:

- 1-2: top of the right hand column, include “and maps (Appendix D)”.
- 1-3: shaded box, change the title to “Some Themes from the RESPONSES TO the Community-Wide Master Plan Survey”.
- 1-4: left column, second paragraph under “Overview of Planning Policies”, add a period after “City of Mason”.
- 1-4: Change the last sentence to – “This growth area is to provide opportunities for comparably higher density living arrangements than ~~provided~~ PERMITTED elsewhere in the

township, provided adequate ~~measures are available for~~ potable water and sewage disposal ARE AVAILABLE.”.

- 1-4: very bottom of the right column, add “Dexter Trail” to the road list.
- 1-5: right column, second paragraph, change the sentence to “The most visible signs of industrial activity are the gravel ~~extraction~~ PROCESSING operations south of Mason...”.
- 1-6: last paragraph, change the sentence to “Police ~~protection~~ services are provided by A NUMBER OF AREA LAW ENFORCEMENT AGENCIES ~~the Ingham County Sheriff’s Department~~.”.

Chapter 2, page:

- 2-4: right column, end of the second paragraph, delete the entire last sentence that starts with “In Vevay Township...”.
- 2-4: right column, third paragraph, change the first sentence to “STATE LAW ILLUSTRATES the importance and need for farmland preservation ~~is further illustrated by the considerable attention farmland preservation has received by the Michigan legislature~~.”.
- 2-5: left column, first paragraph, fourth line down, remove the shaded block after “greater”.
- 2-6: left column, second paragraph down, seventh line, correct the spelling of “patterns”.
- 2-8: left column, please simplify the wording of the Goal. At the very least, change to “Provide opportunities for the limited expansion of commercial development (ADD A COMMA) ~~and~~ ensure new commercial development and the redevelopment of existing commercial sites ~~employs~~ EMPLOY...”.
- 2-8: left column, Objective 8 duplicates Objective 2. Fold “buffering” and “related site features” into Objective 2 and start with “Encourage AND ENHANCE...”, delete current Objective 8, and re-number the remaining Objectives.
- 2-9: left column, the paragraph under “Circulation”, by inserting a period after “local traffic levels” and deleting the remainder of the sentence.

X. Any Other Business

Comm. Walker – the Board has been working with AGS to improve the review process of SLU permit applications. He is looking over their methodology of response to how a proposal meets the various requirements of the Ordinance. He also asked that a groundwater recharge map for the Master Plan be requested of Mr. Eidelson.

Comm. Uzzle – commented that the maps being proposed for the Master Plan are adequate; the Commission agreed that the maps incorporated by Mr. Eidelson are acceptable as submitted.

XI. Additional Public Comment

There was no additional public comment.

XII. Adjournment

There being no further business, the meeting was adjourned at 9:34 p.m.

John Lazet, Secretary