

# Roscommon Township Planning Commission

Regular Meeting

June 11, 2018

**Meeting called to order by Chairperson Akin at 6:00 pm**

**Roll Call Vote of Members:** Brotebeck *present*, Milburn *present*, Akin *present*, Terrian *present*, Porath *present*

Zoning Administrator: DuPuis *present*.


Also in attendance: Joel Neorr, Christina Rubino, Andrew Komperda, Tim Johnson, Craig Fiederlein, Brenda Geiling, Shantel Estevez, Mark Vick, Jim Mikolaizik

- **Agenda:** Motion: by Brotebeck, second by Terrian to approve the Agenda as presented. Roll call vote. All yes, Motion carried.
- **Minutes:** Akin asked the commissioners if they all had a chance to look over the previous meeting minutes. Motion: by Brotebeck, second by Porath to approve the April 9, 2018 minutes as changed. All yes, Motion carried.
- Chairman Akin opened the meeting by stating that the first item on the agenda is a public hearing for parcel #72-011-203-013-0345 at the corner of Byron and M55. This would be a site plan review for a Dollar General retail store. Akin asked who is present to represent the applicant. Craig Fiederlein introduced himself as representing Overland Engineering, the engineering firm for the Dollar General store. He stated that the site plan shows the plan meets all required setbacks and they have applied for all permits. Chairman Akin then opened the meeting for public comment. None were voiced. Chairman Akin then closed the public comment portion and moved to Commission deliberation. Akin asked Terrian to begin first with his comments/questions. Terrian asked if there were any plans for a barrier or berm on the West side of the property. Mr. Fiederlein responded that yes he believed a barrier of some type would be there to screen the residential zone, however he will get that clarified. He stated that he will have Overland submit a landscaping plan incorporating resolving any concerns/suggestions that the board has expressed. Brotebeck asked about the grade from the building to Byron and the water runoff. Fiederlein went over the elevation plan and the use of the retention pond to capture excessive runoff. Brotebeck then asked about the lighting plan and not being excessive for the neighbors. Fiederlein explained that they are very aware of residential light contamination and will provide an illumination plan of the project to show intensity of lighting of the site. Milburn asked about sewer connection. Fiederlein responded that a septic system was designed for the project. DuPuis stated that the sewer authority had been contacted and that they recommended a septic system as a hook up would require adding a pumping station. Milburn addressed the parking space requirement in our Ordinance would require 71 spaces and the plan shows 45 which would make Dollar General non-compliant. Chairman Akin then read the standards of site plan approval for the meeting. Akin then advised that the applicant would need to go to the ZBA and request a variance for the parking. Akin then asked for a motion from the board, **Milburn made the motion to approve the site plan for a retail store on property 72-011-203-013-0345 with the conditions that the landscaping plan is amended to add landscaping on Byron side and adequate screening for the dumpster. The applicant must also go to the ZBA to request a variance for the parking requirement. Brotebeck supported. Roll call vote was all yes. Motion approved.**
- Chairman Akin introduced the next hearing requesting rezoning from Residential to Commercial for the property at 1499 S. Loxley Rd., property #72-011-211-007-0180. The applicant, Brenda Geiling,

representing NMPB Consulting, stated that they would like to use the building for retail which would be allowed by right in a commercial zone and a boat storage with small engine repair which would be allowed by approval of a special use permit. Geiling then explained that the building was only practical for use as a commercial building and explained the improvements that have been made to improve the site. Chairman Akin the asked for comments from the floor as no correspondence had been received. Mr. Tim Johnson of 1570 Loxley that it had also been previously used as a commercial chicken operation. Mark Vick of 119 Compton spoke in support of the commercial rezoning as the beauty shop would be an added benefit to their wedding venue on Stone School Rd. Chairman Akin then read the Standards and Burden for the rezoning per Ordinance #67 page 123 for granting a rezoning. Akin the closed the floor for the board to deliberate on the request. Akin then asked Milburn to begin with her thoughts. Milburn stated she believed the request to be spot zoning and she was not in favor. Akin then asked Porath to comment. Porath stated she struggles with why the parcel was zoned residential in the first place as it is obviously only suited to commercial. Brotebeck also has issues with the blanket spot zoning for commercial. Terrian agreed that the building is only suited to commercial use. Akin stated she is in favor of new business but not completely to zoning this open to all commercial uses. Also this would be considered spot zoning. We would also be held to this being used for any commercial forever. Akin asked for a motion. **Milburn made a motion to deny the rezoning of parcel #72-011-211-007-0180 from residential to commercial. Porath supported. Brotebeck voted no, all other board members voted yes. Motion to deny rezoning approved.** Akin then stated she struggled with moving forward with the conditional rezoning until the Township board votes on rezoning recommendation. Chairman Akin then said were going to address the conditional rezoning as the township was advised by our attorney's that we could address at the same meeting and the applicant was advised as such. Chairman Akin then proceeded to read Section 14.37 of Roscommon Township Zoning Ordinance #67, Conditional Rezoning. Applicant then proceeded to list and explain the conditions that they would propose for the conditional rezoning to be approved. Akin then stated that she felt the conditions offered were too broad to actually define the use for conditional rezoning. **Commissioner Porath concurred. Porath then made a motion to deny the conditional rezoning of parcel #72-011-211-007-0180 from residential to commercial with conditions. Milburn second, all board members voted yes, motion to deny rezoning from residential to commercial with conditions approved.** Milburn stated that she would want to see conditions stated more clearly and defined so as not broad in nature. Terrian and Porath concurred and added that the applicant should be very clear and concise on the site plan as to parking, fences, retail space, space for outside storage and other improvements made.

- Chairman Akin opened the meeting to floor for public comments. None made.
- Adjourning Meeting: Brotebeck made motion to adjourn, second by Porath at 7:36 p.m. All yes, motion carried.

• Next Scheduled Meeting Date: June 11, 2018.

  
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Kim Akin, Chairperson

  
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Bob Brotebeck, Secretary

Prepared and submitted by Terry A. DuPuis