

BLAIR TOWNSHIP PLANNING COMMISSION
APPROVED MINUTES

January 20, 2021

A. CALL TO ORDER

The Blair Township Planning Commission meeting of January 20, 2021 was called to order by Chairman Heim at 6:03 pm. The meeting was held via Zoom.

B. PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was recited.

C. ROLL CALL

Present at roll call: Wagner, Heim, Fitzpatrick, Lombard, Boeve, Clous, Nickerson;
Also present: Zoning Administrator Lisa Guerrieri, Recorder Susan Kase.

There were no attendees via Zoom from the public. The representatives for each Site Plan Review application were present, as identified below.

D. PUBLIC INPUT

There was no public input.

E. APPROVAL OF AGENDA

Motion by Fitzpatrick, seconded by Wagner to approve the agenda. **Yes:** Nickerson, Heim, Wagner, Lombard, Fitzpatrick, Clous. **No:** None. **Abstain:** Boeve. **Motion carried.**

F. DECLARATION OF CONFLICT OF INTEREST

None stated.

G. MINUTES

Motion by Wagner, seconded by Nickerson to approve the minutes for the October 21, 2020 meeting as presented. **Yes:** Heim, Lombard, Nickerson, Clous, Wagner, Fitzpatrick. **No:** None. **Abstain:** Boeve. **Motion carried.**

H. CORRESPONDENCE

Zoning Administrator, Lisa Guerrieri stated there was a letter was received from Haggard's Plumbing in support of tonight's applicants, Century Storage Condos, LLC and Spicy Apples, LLC.

I. PRESENTATIONS

There were no presentations.

J. NEW BUSINESS

1. **Special Use/Site Plan Review #21-01-01**: Applicant, Century Storage Condos LLC, is requesting a Special Use/Site Plan review to establish an eight-building storage facility on vacant property located at West Commerce Drive, Traverse City MI 49685, parcel #28-02-255-052-00.

Chairman Heim stated that the Site Plan review will be guided by the Ordinance under Section 10.04, Uses permitted by mini-storage warehouses. The Standards for Approval are under Section 22.04.

Chairman Heim opened the Public Hearing at 6:13 p.m.

The applicant was represented by Bill Crain, Crain Engineering. He summarized the application, stating that the land is Unit 52 of Chums Village. This is Phase One - Building A, on the southwest corner of the property. The number of trees was increased to meet the ordinance requirements. There will be no signage, no dumpster. Each building is leased to a tenant who is responsible for removing trash. Mr. Crain indicated that they are looking for permitting within a month, and construction to start in Spring 2021 with approval.

Chairman Heim reviewed the Staff Report, summarizing Section 10.04 of the Zoning Ordinance, Uses permitted by Special Use Permit, 2. Mini Warehouses (Self Storage Facility), and Section 18.29, Mini Storage Warehouses, listed below.

Section 18.29 Mini-Storage Warehouses

1. Minimum lot area shall be three (3) acres. **Site Plan shows 3.8 acres.**
2. The lot shall be accessed from a paved roadway. **Commerce Drive is paved.**
3. The minimum distance between self-storage buildings within the same lot shall be fifteen (15) feet, as measured from side to side, or front to rear, or equal to the building height, whichever is greater. **Site Plan shows 20 feet between buildings.**
4. A landscape buffer with a minimum width of ten (10) feet shall be provided between the property line and road right-of-ways, adjacent residential uses, or residential zoning districts. The landscaping shall comply with the requirements in Section 16.05. **Site Plan meets requirement per plans.**
5. No structure that houses individual storage units shall exceed five thousand (5,000) square feet in area. **Per Site plan, no building exceeds 5,000 SF.**

Per Section 16.05, Greenbelt buffers, the landscaping has been revised per the plans to meet the required landscaping buffer. There is no parking requirement in the Blair Township ordinance for mini warehouses/self-storage facility.

Chairman Heim opened up the meeting for questions from the Commissioners. There were no questions.

The Public Hearing was closed at 6:23 p.m.

Chairman Heim asked for discussion by the Commissioners on this Special Use Application.

Commissioner Boeve asked if the use is consistent with the zoning purpose. Mr. Crain responded that the plan was previously submitted to Chums Village District Planning for approval, and such approval was granted.

Chairman Heim reviewed the Standards to be considered for Special Use Approval:

Section 22.04 Standards for Approval

1. The Planning Commission shall review the particular circumstances and facts related to each proposed special use application in terms of the following standards and requirements and shall make a determination as to whether the use proposed to be developed on the subject parcel meets the following standards and requirements:

- a. Will be harmonious with and in accordance with the general objectives of the Master Plan.
- b. Will be designed, constructed, operated, and maintained in harmony with the existing and intended character of the general vicinity and the natural environment so that the use will not change the essential character of that area.
- c. Will not be hazardous or disturbing to existing or future neighboring uses.
- d. Will represent a substantial improvement to property in the immediate vicinity and to the community as a whole.
- e. Will be served adequately by essential public services and facilities, such as highways, roads, drainage structures, police and fire protection, and refuse disposal; or the persons or agencies responsible for the establishment of the proposed special use shall be able to provide adequately for such services.
- f. Will not create excessive additional requirements at public cost for public facilities and services and will not be detrimental to the economic welfare of the community.

g. Will not involve uses, activities, processes, materials, equipment and conditions of operation that will be detrimental to any persons, property, or the general welfare by reason of excessive smoke, fumes, glare, noise, vibration or odors.

No issues were raised by the Commissioners upon review of the Standards.

Chairman Heim asked for action by the Commissioners.

Motion by Fitzpatrick, seconded by Nickerson to recommend to the Blair Township Board of Trustees to **approve Case SU #21-01-01** as **presented** because it has met the Standards for Approval as required in Section 22.04 A through G of the Blair Township Zoning Ordinance. **Yes:** Heim, Lombard, Nickerson, Wager, Clous, Fitzpatrick. **No:** None. **Abstain:** Boeve.
Motion carried.

The Site Plan Review for Case **SPR# 21-01-01** was next. Chairman Heim asked for feedback from the Commissioners on any Standards not met for the Site Plan Review, per the following:

Section 21.03 Standards for Approval (Amendment 104-05-08-05, Effective January 29, 2009) A site plan shall be reviewed and approved by the Planning Commission upon finding that the following conditions are met:

1. That the proposed use will not be detrimental to the adjacent property or the surrounding neighborhood, including properties located in adjacent municipalities.
2. For all roads governed under this Ordinance, there shall be a proper relationship between existing roads and highways and proposed deceleration lanes, service drives, ingress and egress drives, and parking areas to assure the safety and convenience of pedestrian and vehicular traffic. Public roads are not governed by this Ordinance.
3. That buildings, structures, parking areas, utility areas, walls, and fences are so designed and located to minimize the adverse effects of such development on users of such development and occupants of adjacent properties.
4. That any adverse effects of the proposed development and activities which will impact adjoining occupants or owners shall be minimized by appropriate landscaping, fencing, or other screening.
5. That as many natural landscape features as possible are retained, particularly where they provide a barrier or buffer between the development and adjoining properties used for dissimilar purposes, and where they assist in preserving the general appearance of the neighborhood.

6. The proposed development provides for the proper development of public utilities and infrastructure.
7. All buildings or groups of buildings are arranged to permit emergency vehicle access.
8. Site plan approval may be conditioned upon the applicant providing evidence that the necessary permits have been applied for. A land use permit shall not be issued until the Zoning Administrator receives a copy of the required permit(s).
9. The Planning Commission may require additional landscaping, fences, and walls in pursuit of these objectives and same shall be provided and maintained as a condition of the use to which they are appurtenant.
10. The Planning Commission may recommend that escrow money be placed with the Township so as to provide for a marginal service drive equal in length to the frontage of the property involved. Zoning compliance permits shall not be issued until the improvement is physically provided or monies having been deposited with the Township Clerk.
11. Where the Township has adopted a specific area or neighborhood improvement or redevelopment plans and recommendations involving, but not limited to, public rights-of-way, utilities and storm drainage, parking facilities, building placement, access drives, floor space density allocations, building facade and architectural treatment, no site plan shall be approved unless there is general compliance with such Township Plan.

No issues were raised regarding the application's failure to meet all the Standards.

Motion by Fitzpatrick, seconded by Wagner to approve Case SPR #21-01-01 with the following condition: 1, that the Special Use Application is approved by the Blair Township Board of Trustees. The site plan with the condition will have met the Standards for Approval as required in Section 21.03 #1 through #11 and is a use permitted in the Commercial Zoning District of the Blair Township Zoning Ordinance. **Yes:** Heim, Lombard, Nickerson, Wager, Clous, Fitzpatrick. **No:** None. **Abstain:** Boeve. **Motion carried.**

2. Special Use/Site Plan Review #21-01-02: Applicant, Spicy Apples LLC, is requesting a Special Use/Site Plan review to establish a Biggby Coffee drive through only facility on vacant property located at 4041 US 31 S, Traverse City MI 49685, parcel #28-02-008-002-00, north of Menards.

The Public Hearing was opened at 6:34 p.m.

The applicants, John and MaryAnne MacIntosh, presented via Zoom their intentions to complete this, their third Biggby franchise, in the Grand Traverse region. Assisting them in the site

development was Tonia Olson, Director of Project Siting, BCubed Manufacturing LLC, Alpena, MI. BCubed is a drive through commerce developer.

Tonia M. Olson

Director of Project Siting
BCubed Manufacturing LLC
517-896-9729

Chairman Heim asked that the Standards for Approval, Section 22.04 be applied to this Special use request:

Section 22.04 Standards for Approval

1. The Planning Commission shall review the particular circumstances and facts related to each proposed special use application in terms of the following standards and requirements and shall make a determination as to whether the use proposed to be developed on the subject parcel meets the following standards and requirements:

- a. Will be harmonious with and in accordance with the general objectives of the Master Plan.
- b. Will be designed, constructed, operated, and maintained in harmony with the existing and intended character of the general vicinity and the natural environment so that the use will not change the essential character of that area.
- c. Will not be hazardous or disturbing to existing or future neighboring uses.
- d. Will represent a substantial improvement to property in the immediate vicinity and to the community as a whole.
- e. Will be served adequately by essential public services and facilities, such as highways, roads, drainage structures, police and fire protection, and refuse disposal; or the persons or agencies responsible for the establishment of the proposed special use shall be able to provide adequately for such services.
- f. Will not create excessive additional requirements at public cost for public facilities and services and will not be detrimental to the economic welfare of the community.
- g. Will not involve uses, activities, processes, materials, equipment and conditions of operation that will be detrimental to any persons, property, or the general welfare by reason of excessive smoke, fumes, glare, noise, vibration or odors.

Chairman Heim summarized the proposed plans, which include 175 feet of frontage, eight trees proposed (six required), four parking spaces shown (nine required), dumpster is screened and on a concrete pad as required, a walk-up window is shown with usage estimated to be infrequent, and the drive through lane is to be paved with concrete or asphalt as required.

Section 10.04 Uses Permitted by Special Use Permit The following uses of land and buildings are allowed by Special Use Permit in the CM, Commercial Manufacturing District, provided the Township Board finds that the proposed use complies with the special standards and satisfies all the requirements of the Zoning Ordinance:

8. Carry-out restaurants, fast-food establishments, or drive-in restaurants.

Ms. Olson indicated that JP Morgan Chase Bank, the business located just east of this proposed site plan, declined to share an access drive. The exit and entrance drive locations to this site plan were designed per MDOT guidelines. There was some discussion by the Commissioners as to the traffic patterns to enter the drive though lane.

Chairman Heim asked for public comment. There was none. He then asked the applicants for additional comment. MaryAnne MacIntosh stated that Spicy Apple LLC was looking forward to growing their business in Grand Traverse County and being good business owners for the community.

The Public Hearing was closed at 6:52 p.m.

Chairman Heim reviewed the Standards for Approval, Section 22.04. Chairman Heim asked for action regarding the Special Use application.

Motion by Fitzpatrick, seconded by Clous to recommend to the Blair Township Board of Trustees to **approve Case SU #21-01-02** as **presented** because it has met the Standards for Approval as required in Section 22.04 A through G of the Blair Township Zoning Ordinance. **Yes:** Heim, Lombard, Nickerson, Wager, Clous, Fitzpatrick. **No:** None. **Abstain:** Boeve.
Motion carried.

The Site Plan Review was then discussed. The Site Plan Review Procedures applicable here are Section 21.01 Required Data, which were met per the Staff Report, and Section 21.03 Standards for Approval as listed below:

Section 21.03 Standards for Approval (Amendment 104-05-08-05, Effective January 29, 2009) A site plan shall be reviewed and approved by the Planning Commission upon finding that the following conditions are met:

1. That the proposed use will not be detrimental to the adjacent property or the surrounding neighborhood, including properties located in adjacent municipalities.
2. For all roads governed under this Ordinance, there shall be a proper relationship between existing roads and highways and proposed deceleration lanes, service drives, ingress and egress drives, and parking areas to assure the safety and convenience of pedestrian and vehicular traffic. Public roads are not governed by this Ordinance.
3. That buildings, structures, parking areas, utility areas, walls, and fences are so designed and located to minimize the adverse effects of such development on users of such development and occupants of adjacent properties.
4. That any adverse effects of the proposed development and activities which will impact adjoining occupants or owners shall be minimized by appropriate landscaping, fencing, or other screening.
5. That as many natural landscape features as possible are retained, particularly where they provide a barrier or buffer between the development and adjoining properties used for dissimilar purposes, and where they assist in preserving the general appearance of the neighborhood.
6. The proposed development provides for the proper development of public utilities and infrastructure.
7. All buildings or groups of buildings are arranged to permit emergency vehicle access.
8. Site plan approval may be conditioned upon the applicant providing evidence that the necessary permits have been applied for. A land use permit shall not be issued until the Zoning Administrator receives a copy of the required permit(s).
9. The Planning Commission may require additional landscaping, fences, and walls in pursuit of these objectives and same shall be provided and maintained as a condition of the use to which they are appurtenant.
10. The Planning Commission may recommend that escrow money be placed with the Township so as to provide for a marginal service drive equal in length to the frontage of the property involved. Zoning compliance permits shall not be issued until the improvement is physically provided or monies having been deposited with the Township Clerk.
11. Where the Township has adopted a specific area or neighborhood improvement or redevelopment plans and recommendations involving, but not limited to, public rights-of-way, utilities and storm drainage, parking facilities, building placement, access drives, floor space density allocations, building facade and architectural treatment, no site plan shall be approved unless there is general compliance with such Township plan.

Commissioner Boeve questioned the issue of the shared drive between the proposed Biggby Coffee drive through and the Chase Bank branch next to the location. Commissioner Fitzpatrick asked why the shared drive was not approved. Ms. MacIntosh answered that Chase's Board did not approve it.

Commissioner Wagner asked if the drive through lane was required to be paved in concrete and/or asphalt. Lisa Guerrieri confirmed that a concrete or asphalt drive through lane is required. Lisa also stated that although the ordinance requires nine parking spaces for this site plan because it will be limited to a drive through business, that should not be an issue here.

Chairman Heim summed up the issues with the site plan as 1) the number of parking spaces required, 2) the need for the drive through lane and the four parking spaces to be paved, and 3) the ingress/egress issue onto US Highway 31.

Motion by Fitzpatrick, seconded by Wagner to approve Case SPR #21-01-02 with the following conditions: 1, that the Special Use Application is approved by the Blair Township Board of Trustees, and 2, that the entire drive through lane and parking spaces are paved. The site plan with the conditions will have met the Standards for Approval as required in Section 21.03 #1 through #11 and is a use permitted in the Commercial Zoning District of the Blair Township Zoning Ordinance. **Yes:** Heim, Lombard, Nickerson, Wager, Clous, Fitzpatrick. **No:** None. **Abstain:** Boeve. **Motion carried.**

2. **Site Plan Review #21-01-03:** Two Men and a Truck, applicant, is requesting a Site Plan Review to amend previously approved site plan for additional storage buildings. Located at 1348 W. Silver Lake Road, Traverse City MI 49685, parcel #28-02-007-018-00.

Bill Crain, Crain Engineering, representing the applicant summarized the site plan review request as the owner's intention to expand the use of the storage facility, adding four additional min storage units to the property. The owner, Jeff Crofoot, asked to address the Commissioners. He is questioning the need for water supply/fire hydrant to be added to the Site Plan. The original site plan review in 2016 did not require the water supply, however the ordinance now requires a fire hydrant on the site. Lisa Guerrieri also confirmed.

Chairman Heim reviewed the Ordinance.

Section 18.29 Mini-Storage Warehouses

1. Minimum lot area shall be three (3) acres. **Site Plan shows 3.2 acres.**
2. The lot shall be accessed from a paved roadway. **Silver Lake Road is paved.**

3. The minimum distance between self-storage buildings within the same lot shall be fifteen (15) feet, as measured from side to side, or front to rear, or equal to the building height, whichever is greater. **Site Plan shows 22 feet between buildings.**

4. A landscape buffer with a minimum width of ten (10) feet shall be provided between the property line and road right-of-ways, adjacent residential uses, or residential zoning districts. The landscaping shall comply with the requirements in Section 16.05. **Buffer per Plan is adequate.**

5. No structure that houses individual storage units shall exceed five thousand (5,000) square feet in area. **Per Site plan, no building exceeds 5,000 SF.**

Commissioner Lombard asked if there is a possibility to use a water tank to meet the water supply requirement. Lisa Guerrieri commented that this is not allowed anymore.

Commissioner Boeve asked where the closest fire hydrant is now. It is approximately 600 feet south near the Shell Station. Commissioner Clous asked if the Special Use/Site Plan review was approved in 2016, doesn't the approval stay with the land for the Special Use? If the applicant isn't changing anything, why can't he build the additional structures? Lisa Guerrieri stated that the Special Use application was approved with conditions, and the conditions were not met. The requirement for a fire hydrant is a fire code requirement.

Chairman Heim reiterated that the Commission evaluates the Site Plan based on the ordinances in effect today. He asked for other concerns. Aside from the fire hydrant issue, does the Site Plan meet the Standards? He suggested tabling the Site Plan review until next month to allow the applicant time to meet with the Fire Chief. Commissioner Clous suggested that the Commission move forward with the application with a condition that the plan meet the fire code. All agreed.

Motion by Clous, seconded by Fitzpatrick to approve Case SPR #21-01-03 with the following condition: 1, that the Site Plan Application satisfies the fire code. The site plan with the condition will have met the Standards for Approval as required in Section 21.03 #1 through #11 and is a use permitted in the Commercial Zoning District of the Blair Township Zoning Ordinance. **Yes:** Heim, Lombard, Nickerson, Wager, Clous, Fitzpatrick. **No:** None. **Abstain:** Boeve. **Motion carried.**

K. Unfinished Business

None

L. Reports

1) Zoning Administrator – Lisa Guerrieri said that she is very busy.

- 2) Town Board Representative – Dennis Fitzpatrick reported that the Board of Trustees approved the Audit, hired a part-time paramedic/fire fighter, signed the contract with MDOT for the roundabout at Vance Road and US 37, and issued a tavern license for Bergstroms.
- 3) Zoning Board or Appeals – meeting scheduled next month for a DTE variance request
- 4) Trails – no report

M. Any Other Business

Commissioner Boeve explained that he voted in abstention this meeting as he was not able to be sworn in at the Township offices before the meeting was held via Zoom.

N. Public Input

Lisa Guerrieri asked everyone in attendance to refer to **Article 22, Special Land Use Review Procedures, Section 22.06 of the Blair Township Zoning Ordinance:**

Section 22.06 Expiration of Special Use Permit A special use permit shall become null and void and all fees forfeited unless construction and/or use is commenced within twelve (12) months of the date of issuance of the special use permit, except that the Township Board may at its discretion, upon application by the owner and for cause shown, provide for up to two (2) successive twelve (12) month extensions. A violation of any requirement, condition, or safeguard imposed hereunder shall be considered a violation of this Ordinance and constitute grounds for termination of a previously granted special use permit.

O. Adjournment

Motion by Nickerson, seconded by Fitzpatrick to adjourn the meeting at 7:50 p.m. All Yeas.

Motion carried.

Respectfully submitted,

Susan Kase, Recorder