

# **Bear Creek Township Planning Commission Meeting**

## **November 20, 2019**

**I. Called to order:** 7:20 p.m.

**II. Roll Call:** Urman, Coveyou, Brown, Olliffe, Haven, Mays, Kendziorski

**III. Others in Attendance:** Tammy Doernenburg, Dennis Keiser, Joe Hoffman, Jeff Suffolk

**IV. Pledge of Allegiance**

**V. Approval of Minutes**

- a. Motion** by Mays to approve the minutes as presented from the Planning Commission Meeting of October 30, 2019. 2<sup>nd</sup> by Brown. **Passed**

**VI. Case PSUP 19-014 Sun Petoskey KOA LLC, SPECIAL USE PERMIT, 1800 N US 31 Hwy, Section 26, Bear Creek Township**

- a. Tammy Doernenburg gave a background to the case:**

i. Doernenburg noted that this is an expansion of the existing KOA campground on US 31, the small front parcel is zoned B-2, and the back parcel is zoned FF-1. Originally, parking was approved for up to 15 spaces in the front parcel as a special use. The current request is to asphalt the front parcel for 31 parking spaces. Additionally, they are requesting approval of the campground expansion of 10 new cabins and 2 new RV spaces. The special use permit request for a mini-golf course has been withdrawn. Commercial access off 31 would remain the same, along with the existing loop, and a new drive to the new campsites would be created. The proposed retaining wall meets the setbacks. They have added pedestrian access to get people from the campground to the proposed parking. Additionally, the drainage plan meets our requirements and indicates where drainage would go. The estimated cost is \$64,773.00. The system will require MDOT approval and EGLE permits for the sanitary system. The landscaping plan was included. It includes the correct number of trees and they are all deciduous trees. Doernenburg recommended that as many trees as possible be left for screening between the campsites and the highway in the setback. The parking detail is as follows: 31 spaces, 150 ft long, it meets the required setbacks, it meets the correct number of trees, the parking lot has a pedestrian access. The campground expansion includes parking spaces for each site, a split rail fence, and a fence along the top of the retaining wall. There is one 20ft light pole, but details will have to be provided to staff for a lighting permit. The overall site is almost 28 acres. The Fire Department Review was received. This site plan meets the standards of the ordinance.

1. Mays asked where the dumpster was located and if it would have to be screened.
- a. Doernenburg clarified that the dumpster is screened with trees from the road, but it is not screened to the people who are camping there.
- b. Urman asked if we can ask them to screen it. Doernenburg clarified that it is possible.
2. Urman asked if the additional parking is for overflow.
- a. Doernenburg clarified that it is for overflow and the proposed overflow parking lot would have a split rail fence around it.

- b. Brian Stick addressed the Planning Commission regarding this property:**

i. Stick is from Atwell, the civil engineering consultant for this project. He clarified that they would like to have paved overflow parking, rather than the mini-golf course proposed at last month's meeting. The 12 additional sites remain the same from the last meeting, but additional details have been provided.

1. Urman asked if the proposed cabins would be seasonally based or year round? Additionally, are these rentals, or rent-to-own?
- a. Stick clarified that the cabins would be rentals that are owned by Sun Communities for up to six-month stays.
2. Coveyou asked if the cabins are attached to the ground or if they are more like trailer units. Additionally, Coveyou asked if these cabins have sewer, water and electrical.

- a. Stick clarified that they are within the 400 sq. ft. cabin rules for the state. The cabins would sit on a 540 sq. ft. gravel pad. He stated that the cabins would have sewer, water and electrical.
3. Brown asked if the trees behind the cabins would remain as much as possible.
  - a. Stick confirmed yes, as many trees as reasonably possible will stay.
4. Coveyou questioned the retaining wall and split rail fence. At some points, this looks to be a 7ft vertical drop.
  - a. Stick clarified that the wall will stay fairly level at the top, but the ground would vary. Stick also mentioned that the reasoning for the wall is to maintain as many trees as possible.
5. Coveyou questioned what type of wall will be going in.
  - a. Stick clarified that this is a typical straight reinforced wall with a setback.
6. Coveyou questioned the split rail fence. This seems to be more of a decorative fence rather than a safety fence. If there is a 7ft drop, we need a safety fence, especially for the sake of children. Even on the portions that are not 7ft, kids could still climb the fence, or even a car could accidentally drive through it and land on campers below.
  - a. Strick mentioned that there is a dip before the wall for drainage purposed, but it is not enough to stop a car from accidentally going through the wall. They could possibly redesign to make the wall higher.
  - b. Brown suggested adding poles in the driveway.
  - c. Coveyou suggested aircraft cable wiring.
7. The question was raised if this safety fence would be in addition to the split rail fence, or if it would replace it.
  - a. Clarification that this would have to be instead of the split rail fence. It would be like other commercial fencing. Something that a child can't accidentally fall through, or even climb. Urman suggested a black cyclone fence.
8. Coveyou asked what would happen if a larger RV pulled into one of the new sites. Would they get stuck?
  - a. Stick clarified that there is a check in process in place when campers first pull into the campground and receive directions.
9. Coveyou asked how many employees there are in the height of the summer? Where do they park?
  - a. Stick is unsure how many employees there are, but clarified that the expansion will not change the number of employees. The employees currently park by the dumpster. That area can hold 9-10 cars.
10. Coveyou asked where people will park their boats? Sometimes people park their boats in the overflow parking spots.
  - a. Stick clarified that the intent for the 31 spaces is for overflow parking of cars, not boats. There is no where currently intended as boat parking.
    - i. Urman noted that at the State Park, people park their boat and drive to their campsite to take up less parking places.
    - ii. Doernenburg noted that typically a private campground is well monitored. If parking became an issue, it would be handled.

c. Audience Comments:

- i. Keiser asked how deep the drainage retention area is? What kind of maintenance is there for that? He is concerned about overflow on the highway.
  1. Doernenburg clarified it is 3 ½ ft.
  2. Urman stated that they would have to require a maintenance agreement possibly.
- ii. Hoffman suggested the use of microphones at meetings.

d. Board Discussion and Questions:

- i. Urman agreed that a safety fence is much needed. He suggested planting maples instead of oaks.

- ii. Coveyou asked if we would like to see an updated print with safety features.
  - 1. Urman suggested that could be approved at a staff level.
- e. **Motion** by Mays to approve case# PSUP 19-014- Sun Petoskey KOA LLC for a Special Use Permit/Site Plan amendment for a campground expansion on property located at 1800 N US 31 Hwy, Section 26, Bear Creek Township, tax parcel 24-01-16-26-300-071, as shown on the site plan dated Received November 13, 2019, based on the facts presented in this case and because the standards for a campground have been met and on condition exterior lighting be reviewed by zoning administrator and a performance guarantee in the amount of \$64,773.00 be submitted prior to issuance of a zoning permit and that a detailed safety fence drawing be given for the retaining walls, and that a maintenance agreement be given on the drainage going to the highway. Also consider using maple rather than oaks trees. Trees should be left in the setback behind sites 1-6. 2<sup>nd</sup> by Olliffe.
  - i. Roll Call: Haven, Urman, Brown, Olliffe, Coveyou, Kendziorski, Mays

1. Yes- Haven, Urman, Brown, Olliffe, Coveyou, Kendziorski, Mays **Passed**

**VII. Case PSUP 19-016 Jeff Suffolk, SPECIAL USE PERMIT- Fitness & Recreational Sports Center, 1040 Cedar Valley Rd, Section 9, Bear Creek Township**

- a. Tammy Doernenburg gave a background to the case:
  - i. Doernenburg clarified that this parcel sits on the corner of Cedar Valley and Atkins Rd. In 2005, this building was approved for a day care and gymnastics facility. Currently, the building is vacant and has a commercial access of Cedar Valley Rd. There would be no changes to the building itself. Currently, the parcel is zoned R-1, and it is 2.3 acres. They are requesting a Special Land Use Permit to use the building for indoor recreation and fitness. All the lighting is compliant. There is an outdoor propane tank that is not screened. There is no dumpster on site. The existing building is 140x85. No outdoor recreation would take place, it would all be indoor. They would have private septic.
    - 1. Mays asked if the building is subdivided on the inside.
      - a. Doernenburg clarified that there are rooms up front and the back is open. There are bathrooms as well.
    - 2. Urman asked if there was any plan for trees or screening. He would like to see screening on the south side. He suggested asking them for a landscaping plan.
      - a. Doernenburg clarified there are some existing trees.
    - 3. The question of the dumpster was raised. And it was clarified that if they wanted a dumpster, it would have to be screened per the ordinance.
  - b. Jeff Suffolk addressed the Planning Commission regarding the parcel in question:
    - i. Suffolk started by stating that he wants to make this look as nice as possible, and he agrees some landscaping could be done. His goal would be to make this a center for sports training and adult fitness classes. There would be a space for team training on half of the property. He has been in communication with PYSA soccer and some recreational sports teams and they are very interested in the facility. This would be a 7 days a week, morning and night gym. His goal would be to have fitness classes in the morning starting at 7am, with the evenings set aside for high school teams to train until 9pm or so.
      - 1. Brown asked if he considered reaching out to Concord.
        - a. Suffolk hasn't reached out to Concord yet, but he noted that there is a foot trail that is maintained (mowed) between the two, even though the foot trail is not being used right now. Perhaps they would like to come use the facility for gym class.
      - 2. Coveyou noted that 5-8 pm is the propose main use time.
        - a. Suffolk clarified that this is based on demand. There are lots of soccer kids that could train there. Just like the normal program out at Click Rd.
      - 3. Brown asked if this could be used as a regular gym with a membership.
        - a. Suffolk said that this could possibly happen by demand, but it seems like the demand here is more for group fitness.
      - 4. Mays asked if they would be using machines.

- a. Suffolk replied that there would be recreational equipment. Right now, the college is being used for many sports teams, but with this fitness center, this could be the place for after school programming.
  - 5. Urman asked about the fire water storage tank.
    - a. Keiser noted that he thought it may have been required for the day care, but that he would check with the fire chief.
  - 6. Brown asked if there would be a Knox Box?
    - a. Keiser clarified that there is not one there currently.
  - 7. Coveyou asked what the landscaping plans were. He would like screening so that when you drive by it is not just the parking lot that you see.
    - a. Suffolk noted that he will make a landscaping plan. He wants the building to be attractive.
  - 8. Urman suggested reaching out to Great Lakes Energy about their LED lights for the parking lot. They could use the pole light that is already in place and replace the current lights with LEDs.
- c. Audience Comments:
  - i. Keiser believes this is a good reuse for the property.
- d. Board Discussion and Questions:
  - i. Coveyou asked how we capture the landscaping plan. He noted that there is a difference between asking and requiring.
    - 1. Doernenburg suggested double rows staggered with evergreens on the south side. Additionally, she noted that they will be required by ordinance to have 1 tree per 10 parking spaces.
    - 2. Haven asked about the north side on Atkins and the wide open gas tank. He suggested “screening as required by the ordinance in the north and south property lines”. He also suggested that the landscape plan be provided to county and staff approved.
- e. **Motion** by Brown approve case# PSUP 19-016, Jeff Suffolk for a Special Use Permit for an indoor Fitness and Recreational Sports Center at 1040 Cedar Valley Rd, Section 9, Bear Creek Township, tax parcel 24-01-19-09-200-019, within the existing building as approved on the site plan dated Received November 11, 2019 based on the facts presented in this case and because the use is a Special Land Use in the zoning district, it meets the standards of Section 21.02 and that a landscape plan be provided that meets current zoning ordinance, also the propane tank be screened also according to the current zoning ordinance, and that a fire department review be submitted. 2<sup>nd</sup> by Haven.

i. Roll Call: Urman, Brown, Olliffe, Coveyou, Kendziorski, Mays, Haven

1. Yes- Urman, Brown, Olliffe, Coveyou, Kendziorski, Mays, Haven

**Passed**

**VIII. Case PPTXT 19-08 Emmet County Planning Commission, TEXT AMENDMENT- Schedule of Regulations: Minimum Floor Area/Lot Width Changes**

- a. Tammy Doernenburg gave a background to the case:
  - i. Doernenburg noted that there has been a lot of discussion at the county level about housing. As a result of the housing partnership presentation, in attempt to help with the housing crisis, they suggested changing the current minimum floor area from 720 sq. ft. to 500 sq. ft. This was determined to be too small, so 560 sq. ft. was settled on. 560 sq. ft. was chosen because manufactured housing in our area can be built to that size. This reduced square footage for housing would be allowed in R-1, RR, FF-1, FF-2, and FR. Additionally, as a footnote, the lot width in R-1 would be allowed to be 60ft wide instead of 100ft wide, but this would only apply if the parcel had sewer and water.
    - 1. Coveyou asked what would prevent someone from dividing a parcel into two 60ft lots and building two small homes.

- a. Doernenburg noted that in most subdivisions, the lots are 100ft anyways, but even if it was bigger, there are deed restrictions that would be more restrictive than zoning.
  2. Olliffe asked if there would be any change to the setbacks.
    - a. Doernenburg clarified that there would be no change.
  3. Coveyou asked if you could regulate it so that a small home would not be built next to a group of large homes.
- b. **Motion** by Mays to recommend approval of PPTXT 19-08, Emmet County Planning Commission, to amend the minimum floor area as propose for R-1, RR, FF-1, FF-2, and FR from 720 sq. ft. to 560 sq. ft. and to add a phrase at the end of Section 19.01.a, Notes to the Schedule of Regulation, as proposed based on the facts presented in this case and the facts presented during the Planning Commission meetings, because the text is supported by the Emmet County Master Plan and will allow the desired flexibility and additional housing options and because it is consistent with the Bear Creek Township Master Plan. 2<sup>nd</sup> by Haven.

**i. Passed Unanimously by Voice Vote**

**IX. Public Comments**

- a. Keiser asked about the Residential Overlay PUD
  - i. Doernenburg clarified that the commission is preparing their comments.
  - ii. Keiser asked if there could be other commercial uses?
    1. Doernenburg clarified that they would have to be clearly identified.
- b. Doernenburg noted that Monthei has increased the minimum floor size to 1000 sq. ft. Additionally, he is considering using his industrial- zoned property to build the walls for the homes in this development.

**X. Other Business:**

- a. Enforcement Report
  - i. Doernenburg noted that Skop Powder Coating is in the previous Maxwell Motorcycle property. They have 4-5 large shipping containers in the parking lot. Nancy went out to look at the site. They will need to do a site plan review, as these containers are considered a structure that is taking up a parking space.
  - ii. Doernenburg also noted that Forrest Friend never came in to get a zoning permit.
- b. Meeting Schedule for 2020- approved as presented.

**XI. Next Meeting:** December 18, 2019, 7:15 p.m.

**XII. Adjournment:** 9:07 p.m.

Respectfully Submitted,

*Emma Kendziorski*

Emma Kendziorski, Bear Creek Township Clerk

Jeff Haven, Recording Secretary