

**Charter Township of Elmwood
Planning Commission Regular Meeting
Elmwood Township Hall (10090 E Lincoln Road)
June 20, 2023 at 7:00 PM**

A. Call to Order: Chairman Bechtold called the meeting to order at 7:00 PM.

B. Pledge of Allegiance: The Chair led the Pledge of Allegiance.

C.Roll Call: Present: Doug Roberts, Chris Mikowski, Kendra Luta, Rick Bechtold, Jeff Aprill, Jonah Kuzma, Nate McDonald

D. Limited Public Comment: None

E. Agenda Modifications/Approval: MOTION BY COMMISSIONER MCDONALD, SECONDED BY COMMISSIONER ROBERTS TO APPROVE THE AGENDA AS PRESENTED. MOTION PASSED 7-0.

F. Minutes- May 23, 2023: MOTION BY COMMISSIONER LUTA, SECONDED BY COMMISSIONER KUZMA TO APPROVE THE MINUTES OF MAY 23, 2023 AS PRINTED. MOTION APPROVED UNANIMOUSLY.

Minutes: May 24, 2023: MOTION BY COMMISSIONER KUZMA, SECONDED BY COMMISSIONER MIKOWSKI TO APPROVE THE MINUTES OF MAY 24, 2023 AS PRINTED. MOTION PASSED 6-0 WITH ABSTENTION BY COMMISSIONER ROBERTS.

G. Consent Calendar: MOTION BY COMMISSIONER ROBERTS, SECONDED BY COMMISSIONER APRILL TO APPROVE THE CONSENT CALENDAR FOR FILING. MOTION PASSED UNANIMOUSLY.

H. Declaration of Conflict of Interest: Commissioner McDonald stated he does work with the Randy Graeber's son. No conflict found.
Commissioner Aprill stated he plows for Faith Missionary Baptist Church. He was recused from item J(a).

I. Old Business: None

J. New Business: a. Site Plan Review SPR 2023-06 (no public hearing required). Request by JML Design Group LLC regarding property at 8075 E. Hoxie Rd., parcel 030-011-10 for an addition to Faith Missionary Baptist Church (Use: Place of Worship).

Commissioner Aprill was recused.

Staff noted the Commissioners had 2 new documents before them, one was the Fire Chief's review of the project, and the other was draft findings.

Fred Campbell 225 E. 16th St. was there to present a SPR for the Faith Missionary Baptist Church for a small addition to the north, an extension of their existing building. They want to add Sunday school rooms, but the occupancy will not increase. One of the issues that Staff identified was the required parking lot screening not being present on the submitted plans. Campbell said that they did the original building in 2005, and he believes when they presented it, the power lines came through and there was an issue with being able to put a screen there, but the next-door neighbor has put a buffer along that area. He also presented a new plan showing that buffer as well as some trees (invasive) in the parking lot area.

The Commissioners reviewed the plans and asked questions then went through Findings of Fact and Conditions for Approval.

MOTION BY COMMISSIONER MCDONALD, SECONDED BY COMMISSIONER MIKOWSKI BASED ON FINDINGS OF FACT PREVIOUSLY ADOPTED BY THE APPLICANT'S SITE PLAN FOR THE ADDITION OF FAITH MISSIONARY BAPTIST CHURCH IS HEREBY APPROVED.WITH CONDITIONS. MOTION APPROVED UNANIMOUSLY.

***Conditions as presented and discussed:**

1. Recommendations proposed by the Fire Chief in his June 14, 2023 letter will be made a condition of approval. These recommendations include:
 - a. Fire apparatus access must extend to within 150 feet (45 750 mm) of all portions of the facility and all portions of the exterior walls of the first story of all buildings. This can be met by maintaining a FAAL parallel to the length of the building with no more than one row of parking between the FAAL and the structure.
 - b. Radii appear acceptable and should not impede access. Parking should be controlled or structured to prevent narrowing access on the north and south ends. These areas are included in the FAAL.
2. The property owner is responsible for obtaining all other applicable permits. This shall be done prior to obtaining a Land Use Permit.
3. The Planning Commission is not approving any signage under this Site Plan Review. Any proposed signage will need to comply with the Zoning Ordinance and the property owner shall obtain a sign permit from the Zoning Administrator.
4. Landscaping shall be maintained in a healthy, growing condition. Diseased or dead materials shall be replaced within the current or next planting season.
5. Once the project has been completed, the property owner or their representative shall submit As-Built plans in accordance with Section 8.6 of the Zoning Ordinance.
6. The project shall comply with all requirements of the Zoning Ordinance in effect at the time of approval (June 20, 2023).

Commissioner Aprill rejoined the meeting.

b. Site Plan Review SPR 2023-04 (no public hearing required). Request by Thompson Surgical Properties, LLC regarding property at 10341, 10361, and 10369 E. Cherry Bend Rd., parcels 028-079-05, 028-078-00, and 028-077-00 for an expansion of Thompson Surgical (Use: Light Fabrication).

Dusty Christensen with Mansfield Land Use Consultants on behalf of Thompson Surgical Properties, applicant for the project. The proposed project is a Site Plan Review revolving around the expansion of the existing fabrication facility. Thompson Surgical Instruments has been a company in the Township for over 30 years. The existing fabrication building on site is about 14,000 sq. ft. Dusty showed on a map the current site and noted the existing gravel curb cuts on site. The project site is made up of 3 properties and the hope is to combine those into one property for the use. The proposed expansion of the site calls for a 10,000 sq. ft. addition for the fabrication building. Thompson Surgical has been expanding and are busier creating surgical equipment and they're running out of space. With the expanded building, they'll maintain the small house on the property, a portion of one of the existing pole buildings on the south end will be removed. They're eliminating 3 of the existing drives and consolidating those into 1 compliant driveway, but they are asking for 2 driveways on a commercial property and also for flexibility on the spacing. The site is served by public sewer and a private well which they will replace because the existing well isn't compliant with Health Department standards. They would also like to increase the number of parking spaces to 6 over what is allowed. Dusty stated they've complied with all the standards of the Ordinance and intend to comply with all the standards of other local and county permitting agencies.

Chairman Bechtold questioned the wetland setbacks and thought it would be an appropriate condition for EGLE to look at it again due to an updated Ordinance requiring setbacks from wetlands.

Dusty Christensen said they would understand putting a condition on approval. Because EGLE is backed up, he offered a third-party verification, an independent wetland consultant could do a delineation.

The Commissioners discussed the project and went through Findings of Fact and Conditions for Approval.

MOTION BY COMMISSIONER LUTA, SECONDED BY COMMISSIONER ROBERTS TO ADOPT THE FINDINGS OF FACT AS MODIFIED. MOTION APPROVED UNANIMOUSLY.

MOTION BY COMMISSIONER APRILL, SECONDED BY COMMISSIONER LUTA TO APPROVE THE SITE PLAN WITH THE CONDITIONS PROVIDED. MOTION CARRIED BY A UNANIMOUS VOTE.

***Conditions as presented and discussed:**

1. The Recommendations proposed by the Fire Chief in his 06/14/2023 (received 6/20/2023) letter will be made a condition of approval. These include, but may not be limited to:
 - a. The drive along the west side of the existing structure was part of a previous review and no changes are indicated on these plans. The drive, however, does not meet FAAL minimum width standards. Since the drive is an existing and previously approved condition, it is accepted here but must be maintained clear of all non-structural (building) obstructions (*503.2.1 & 503.4 IFC*). This assists in maximizing access for fire apparatus to the west and northwest sides of the building.
 - b. Fire apparatus access must extend to within 150 feet (45 750 mm) of all portions of the facility and all portions of the exterior walls of the first story of all buildings. This can be met by maintaining the parking lots and drives, including the easement, as FAALs (*503.1.1 IFC*). The parking area north of the pole building on the east side is not needed to meet the FAAL standard.
 - c. Radii appear acceptable and should not impede access. Parking should not be allowed along the easement, west side drive, or within the widened part of the Loading Area (*503.4 IFC*).
2. Prior to applying for a land use permit, the parcels shall be combined.
3. The property owner is responsible for obtaining all other applicable permits. This shall be done prior to obtaining a Land Use Permit.
4. Given the proximity to undelineated wetlands and discrepancy between wetlands onsite in 2015 and 2023, prior to issuance of a Land Use Permit, the plans shall be submitted to EGLE to ensure that no permitting from their agency is required and that they are in agreement with the line as shown on the plan.
5. The Planning Commission recognizes that the Zoning Ordinance prohibits 1) more than one driveway in a commercial and business district (Section 6.2.A.3) and driveways measured less than 125' apart (Section 6.2.A.1). However, the Ordinance further indicates that "Where it can be demonstrated that preexisting conditions and the natural features prevent adherence to the minimum commercial driveway spacing requirements, the Planning Commission may modify those requirements. Requirements shall be modified by the minimum amount necessary to achieve safe access." The Commission finds that preexisting conditions and safety requirements allow for both referenced requirements to be modified and allowed.
6. The narrative and plans indicate the property owner sought 6 additional parking spaces above the minimum amount required by the Zoning Ordinance. In accordance with Section 6.1.2.H of the Ordinance, in granting any additional spaces beyond the required amount, the Planning Commission shall determine that the parking is necessary based on documented evidence of actual use or anticipated

demand as provided by the applicant. The Planning Commission shall also consider impacts on the property and surrounding properties, including any natural features thereon. The Commission determines that the parking is necessary based on documented evidence of actual use or anticipated demand as provided by the applicant.

7. A performance guarantee shall be required in conformance with Section 11.8 of the Zoning Ordinance. This performance guarantee shall be reviewed by the Township Attorney and shall be required to be executed prior to issuance of a Land Use Permit.
8. The Planning Commission is not approving any signage under this Site Plan Review. Any proposed signage will need to comply with the Zoning Ordinance and the property owner shall obtain a sign permit from the Zoning Administrator.
9. Snow storage is proposed within the front setback. Snow storage areas shall be located so they do not interfere with clear visibility of traffic on internal roads or drives, adjacent streets, and highways. Snow storage areas shall not interfere with emergency vehicle access.
10. Landscaping shall be maintained in a healthy, growing condition. Diseased or dead materials shall be replaced within the current or next planting season. This includes, but is not limited to the vegetation proposed to meet the required buffering in the area designated as 'snow storage.'
11. Once the project has been completed, the property owner or their representative shall submit As-Built plans in accordance with Section 8.6 of the Zoning Ordinance.
12. The project shall comply with all requirements of the Zoning Ordinance in effect at the time of approval (June 20, 2023).

c. Introduction SPR/SUP 2023-05 Request by Inhabitect LLC, regarding property at 8850 E. Lincoln Rd., parcel 030-014-01 for Taproot Farmstead (Uses: Winery, Wine Tasting Room, Agricultural Commercial Enterprise (Farm Market)).

Staff noted this was an introduction, no public hearing has been scheduled so as they review the applicant's presentation as well as the application, the Planning Commission's job is not to discuss the Standards and whether they have or have not been met, just if the application is complete. If so, schedule a public hearing. Also, she did not hand out Findings of Fact, but she did hand out a letter from the Fire Chief indicating there need to be some modifications to accessing the site. They don't necessarily need those modifications to move forward with the public hearing as that is a standard of approval. If the Planning Commission believes all the requirements of the Ordinance have been provided, it is a complete application, and a hearing can be scheduled. Discussion on standards are met would be better served at the next meeting.

Nate Griswald with Inhabitect 6276 E. Lincoln Rd. gave a power point presentation on behalf of the Viren's, owners of Taproot, noting it is within the Right to Farm Act, there is a change of use, and they've had communication with MDOT, EGLE, ETRD, Leelanau/Benzie Health Department, Leelanau Drain Commissioner, and the Leelanau Road Commission. Griswald indicated that they would be meeting onsite with EGLE regarding the project.

The Commissioners discussed the project and asked questions about the distribution of the pumice, run off, music, parking, distance from septic, and brokering apples. Staff also flagged potential concern over the standard of no adverse environmental impacts being met and suggested that additional information on that standard be provided.

MOTION BY COMMISSIONER ROBERTS, SECONDED BY COMMISSIONER LUTA TO PROCEED TO A PUBLIC HEARING AT THE NEXT REGULARLY SCHEDULED MEETING. MOTION APPROVED UNANIMOUSLY.

MOTION BY COMMISSIONER KUZMA, SECONDED BY COMMISSIONER APRILL TO PROCEED WITH THE MEETING PAST 9:00 PM. MOTION CARRIED BY A UNANIMOUS VOTE.

K. Discussion on Zoning Ordinance: None

L. Comments from the Chair: Chairman Bechtold thanked the Commissioners for their thorough review of the documents and their good questions.

M. Comments from Planning Commissioners: Commissioner McDonald noted he will be absent Thursday and thanked Staff for her work on the documents. Commissioner Kuzma stated they all appreciate Staff's work.

N. Comments from Staff: Staff thanked the Commissioners and stated they have a lot on their plates. She's working on other applications.

O. Public Comment: None

P. Adjourn: MOTION BY COMMISSIONER MCDONALD, SECONDED BY COMMISSIONER ROBERTS TO ADJOURN MEETING AT 9:13 PM. MOTION PASSED UNANIMOUSLY.