

**KASSON TOWNSHIP
SPECIAL USE PERMIT FINDINGS OF FACT
DRAFT**

Applicant Name: James Schettek – Enduro Race

Owner Name: Bill Kasben

Tax Parcel Number: **007-024-001-10, 007-024-005-00, 007-024-004-30, 007-024-004-20, 007-024-004-00**

Date of Meetings: 3/20/2023 Regular meeting, 4//17/2023 Public Hearing, 5/8/2023 Special Meeting

GENERAL FINDINGS OF FACT

The property covered by this Special Use Permit Application is also know as the northeast corner of E. Kasson Road and S. Bright Road

The Commission finds that the site is located in Kasson Township, Leelanau County.

The Commission finds that the site is approximately 304 acres in size.

The Commission finds that the site is located in the Forested Zoning District.

The Commission finds that the proposed type of use of the property will be Commercial in nature, specifically for the operation of proposed Enduro Motorcycle races with temporary staging areas and primitive overnight camping for up to a three (3) day period. The attendance would be approximately 100-200 riders and up to 150 extra family and guests. No other uses are being considered at this time.

The Commission finds that the use **MAY BE CONSIDERED AND PERMITTED** with a Special Use Permit in this District (Forested), and that the applicant has requested a Special Use Permit under Section 7.15 of the Kasson Township Zoning Ordinance because many of the proposed uses are not identified as either permitted uses or special land uses in the Forested zoning district.

The Commission finds that Section 7.3 of the Zoning Ordinance delegates the Commission the authority to review and approve, approve with conditions, or deny the request for a Special Use Permit.

The Commission finds that Section 7.5.B of the Zoning Ordinance requires a Special Use Permit Application contain a Development Site Plan prepared in accordance with Chapter 8 of the Zoning Ordinance.

The Commission finds that Section 8.4 of the Zoning Ordinance delegates the Commission the authority to review and approve, approve with conditions, or deny a Development Site Plan.

The Commission finds that a Notice of Public hearing was published on March 30, 2023 in the *Leelanau Enterprise* as required by Sections 7.6.A.1 and 7.6.A.2 of the Zoning Ordinance and with Public Act 110 of 2006, as amended (MCL 125.3103).

The Commission finds that notice was mailed to all required parties on March 31, 2023 as required by Sections 7.6.A.1 and 7.6.A.3 of the Zoning Ordinance and with Public Act 110 of 2006, as amended (MCL 125.3103). The Public Hearing was held on April 17, 2023 @ the Kasson Township Hall. There were over the 100 people attending the meeting offering up their support and objections to the project.

The Planning Commission makes the following findings of facts which cover all of the relevant sections of the zoning ordinance relating to the proposed project.

ITEM	STD MET?	FINDING(S):
<p>SECTION 7.5.A REQUIRED APPLICATION DATA.</p> <p>1. The name, address, telephone number and signature of the property owner and applicant;</p>	Met	Provided in original application. Exhibit # 1.
<p>2. A full legal description of the property on which the proposed special use is to exist of be conducted, including the property tax parcel numbers(s), together with proof of property ownership and applicable options on the property, if any;</p>	Met	Provided with application.
<p>3. A detailed description of the proposed special use for which the permit is requested</p>	PC	<p>The Commission finds that the proposed type of use of the property will be Commercial in nature, specifically for the operation of proposed Enduro Motorcycle races with temporary staging areas and primitive overnight camping for up to a three (3) day period. The attendance would be approximately 100-200 riders and up to 150 extra family and guests. No other uses are being considered at this time. Potentially a few per year. The applicant has indicated that a request may be made for more than one such event in a calendar year. (seasonal summer months). This aspect of the application needs to be clarified. PC to confirm the meaning of a “few”.</p>
<p>4. Project schedule and development plans</p>	Met	Presented as a three day weekend with racing on Sunday, May 28 th , 2023. Other events are also requested.
<p>5. Vicinity map with north point indicated</p>	Met	Provided with application.
<p>6. Land uses and existing structures on the subject parcel and adjoining parcels within 300 feet</p>	Met	Provided on aerial photograph.
<p>7. Written statements relative to project impacts on existing infrastructure, including but not limited to, traffic, capacity of roads, schools and existing utilities, and upon the natural environment</p> <p>8. Applicants must clearly demonstrate that all standards of this ordinance, including those in Section 7.7 - Basis for Determination, have been met. It is solely the responsibility of the applicant to procure and present adequate professional expert testimony and/or other information, as may be required by the Planning Commission during the review of the application, describing the methods,</p>	<p>PC</p> <p>PC</p>	<p>PC to discuss if enough information has been presented.</p> <p>Provided with application but PC to verify if complete.</p> <p>If approved the Applicant to follow all conditions presented herein and once this document is accepted by the Planning Commission, the document will be recorded at the county register of deeds to run with the land.</p>

<p>proposed conditions, and safeguards that are to be put into place to satisfy all applicable standards</p> <p>B. A site plan in accordance with Chapter 8 - Development Site Plan Review</p>	<p>PC</p>	<p>PC to discuss and create a finding.</p>
ITEM	STD MET?	FINDING(S):
<p>SECTION 7.7 BASIS FOR DETERMINATION: The Commission shall establish that the standards specified in this Section, as well as applicable standards outlined elsewhere in this Ordinance, shall be satisfied. Each of the proposed special land uses on the proposed location shall:</p> <p>A. Be designed, constructed, operated and maintained Before approval of a Special Use Permit, so as to be harmonious and appropriate in appearance with the existing or intended character of the general vicinity, as indicated in the Township Master Plan or other policies of the Township.</p> <p>B. Not be hazardous or disturbing to existing uses in the same general vicinity, and will not have adverse effects on the market value of surrounding property and to the community as a whole.</p> <p>C. Be served adequately by essential facilities and services, such as, but not limited to, highways, streets, police, fire protection, drainage structures, refuse disposal, water and sewage facilities, and schools.</p> <p>D. Not create excessive additional requirements at public costs for public facilities and services</p> <p>E. Not involve uses, activities, processes, materials, and equipment or conditions of operation that will be detrimental to any persons, property or the general welfare by fumes, glare, noise or odors.</p> <p>F. Will be in general compliance with the land use policies outlined in the Township Master Plan, the principles of sound planning, and will not jeopardize the economic welfare of the Township.</p>	<p>PC</p> <p>PC</p> <p>PC</p> <p>PC</p> <p>PC</p> <p>PC</p>	<p>PC to discuss and create a finding.</p> <p>Note: This type of event is not considered in the current 2014 Master Plan or in the proposed draft of 2023. Additionally, Section 5.13 of the existing zoning ordinance contemplates “outdoor uses” which are similar in nature to those uses that are allow by right in the Forested district. However, this type of event is not similar in nature to those uses.</p> <p>PC to discuss and create a finding. **With noise levels provided by the applicant to be between 94 to 96db, and the number of riders to be up to 200, the PC should mandate a sound study as a condition to this standard.**</p> <p>PC to discuss and create a finding. See Fire Chief’s email dated Wednesday 4/19/2023 and the applicants response dated Friday, April 21, 2023. Also, have applicant provide a Fire Management Plan and if the Fire Chief’s restriction/conditions are more restrictive, those will prevail.</p> <p>PC to discuss and create a finding. PC to confirm with fire chief and Sheriff’s Sept.</p> <p>PC to discuss and create a finding. Applicant also should understand that if nuisance complaints are received and substantiated for any use onsite, Enforcement action will take place. Property owner shall make every reasonable attempt to minimize and mitigate the impact. **See note above on letter B.**</p> <p>PC to discuss and create a finding. Property owner will adhere to all conditions provided herein placed by the Planning Commission if approved.</p>

ITEM	STD MET?	FINDING(S):
<p>G. Will not directly or indirectly have a substantial adverse effect upon the natural resources of the Township. Including, but not limited to, prime or unique agricultural lands, water recharge areas, lakes, rivers, streams, forest, wetlands, wildlife areas and major sand, gravel or mineral deposits.</p>	<p>PC</p>	<p>PC to discuss and create a finding.</p>
<p>H. Structures, landscaping, or other land uses, will not disrupt water drainage systems necessary for agricultural uses and will be in compliance with Leelanau County Drainage Commission requirements</p>	<p>PC</p>	<p>PC to discuss and create a finding.</p>
<p>I. Phases of development are in a logical sequence, so that any one phase will not depend upon a subsequent phase for adequate access, public utility services, drainage or erosion control.</p>	<p>Met</p>	<p>There are no proposed phases in this finding of fact.</p>
<p>J. Phases of development must also be in compliance with the requirements of the district in which it is proposed and all other standards in this Ordinance, as well as with the requirements of the County Road Commission, County Building Inspector, County Drain Commissioner, District Health Department, Soil Erosion Officer, Agricultural Soil Conservation Service, area fire departments, the DNR and other applicable township, county, state and federal statutes.</p>	<p>PC</p>	<p>PC to discuss and create a finding.</p> <p>Road Commission provided a letter dated April 27th, 2023 which outlined their position and conditions.</p> <p>Fire Chief has not updated his position since response from applicant.</p> <p>Emergency Management has provided a statement dated 4/17/23.</p> <p>PC to condition that all appropriate and applicable permits and approvals will be secured from all listed sources prior to township ZA approval.</p>
<p>Note: the approved minutes of the following meetings are incorporated into documents as exhibits.</p> <p>Planning Commission: 3/20/2023, 4/17/2023, 5/8/2023 (when completed)</p> <p>Township Board: 4/11/2023</p>		

ITEM	STD MET?	FINDING(S):
<p>SECTION 7.8 CONDITIONS AND SAFEGUARDS</p> <p>Additional conditions and safeguards may be imposed by the Commission if reasonable and necessary to protect the natural environment or to conserve natural resources or energy, to ensure compatibility with adjacent uses of land, to promote the use of land in a socially and economically desirable manner, and to ensure that public services and facilities affected by the proposed use or activity will be capable of accommodating the increased activity. Any condition so imposed shall meet the following requirements:</p> <p>A. To insure that public services and facilities affected by a proposed use or activity will be capable of accommodating increased services and facility loads caused by the land use or activity;</p> <p>B. To protect the natural environment and conserve natural resources and energy;</p> <p>C. To insure compatibility with adjacent uses of land;</p> <p>D. To promote the use land in a socially and economically desirable manner;</p> <p>E. To protect the health, safety, welfare, social and economic well-being of those who will be using the proposed Special Land Use or activity under consideration;</p>	<p>PC</p> <p>PC</p> <p>PC</p> <p>PC</p> <p>PC</p>	<p>PC to discuss and create a finding.</p> <p>There are residences within a half mile of the site. Pursuant to Section 7.8 of the Zoning Ordinance for Special Use Permits, if approved, the following conditions would be applied to the approval of the Enduro Race event as part of the Special Use Permit:</p> <ol style="list-style-type: none"> 1. Campground fire management plan w/Fire Chief 2. Fencing and perimeter management plan 3. Final design numbers for parking plan; 4. On-site campground management – full time 5. Owner shall provide rules/regulations for primitive camper behavior. 6. Quiet hours shall be established for the event days: 9p.m. to 8 a.m., Friday through Sunday. Racing only takes place from 8am- 5pm on Sunday. PC to confirm when motors are allowed to operate when not racing. 7. No campfires shall occur when burn bans issued by local or state authorities are in effect. 8. Noise/sound levels within the projects’s boundaries, at all times, shall be controlled so that persons do not disturb the public peace and quiet by shouting, whistling, loud, boisterous, or vulgar conduct, the playing of musical instruments, (unless acoustic),phonographs, radios, televisions, tape players or any other means of amplification at any time or place so as to unreasonably annoy or disturb the quiet, comfort and repose of persons in the vicinity. **See finding in Section 7.7.B related to Sound Study recommendation. ** 9. The primitive campsites shall otherwise not create “nuisance” defined by as an offensive, annoying, unpleasant, or obnoxious thing or practice or a cause or source of annoyance, especially a continuing or repeated invasion of any physical characteristics of activity or use across a property line which can be perceived by or affects a human being, or the generation of an excessive or concentrated movement of people or things including but not limited to: noise; dust; smoke; odor; glare; fumes; flashes; vibration;

		<p>objectionable effluent; noise of a congregation of people, particularly at night</p> <p>10. Outdoor amplified music is prohibited within the individual primitive campsites as well as within all common areas and other areas of the project's site.</p> <p>11. Other conditions can be placed on the event by regulatory agencies or the Planning Commission as deemed appropriate to meet the standards of the zoning ordinance.</p>
ITEM	STD MET?	FINDING(S):
<p>F. To protect the health, safety, welfare, social and economic well-being of Township residents, and lot owners adjoining the proposed Special Land Use or activity, including, but not limited to, requirements such as screening, or the erection of natural or artificial barriers, or limitations on the time of day during which the event may occur or during which Special Land Use activities may be carried on;</p> <p>G. Be necessary to meet the intent and purposes of this Ordinance, and be related to the standards established for the land use activity under consideration, and be necessary to ensure compliance with those standards;</p>	<p>PC</p>	<p>PC to discuss and create a finding.</p> <p>PC to determine if temporary fencing or signage for perimeter security may be required to minimize trespassing on neighboring properties.</p> <p>Pursuant to ZO Section 7.1.4.A, a performance guarantee could be required by the PC to ensure that all the conditions are met if the project is approved.</p>
<p>H. Be necessary to ensure compliance with any part of the application received and approved by the Commission; and</p> <p>I. Be recorded as part of the Special Use Permit.</p> <p>J. When so doing, the following finding shall be made and documented as part of the Special Land Use reviewed:</p> <p>1. That such fencing, screening, buffering or landscaping or limitations on the time of day would mitigate negative effects of noise, dust, lighting, vehicular or pedestrian traffic, loading</p>	<p>PC</p>	<p>PC to discuss and create a finding.</p>

<p>or unloading, parking, or other similar impact on adjoining parcels; 2. That absent such conditions, the development would adversely affect the reasonable use, enjoyment and value of adjoining lands in light of similar benefits enjoyed by other properties in the area.</p>		
ITEM	STD MET?	FINDING(S):
<p>SECTION 7.10 GRANT OR DENIAL OF THE SPECIAL USE PERMIT The Commission may approve, deny, or approve with conditions, a request for Special Use Permit approval. The decision on a Special Use Permit under consideration shall be incorporated in a statement containing the conclusions which form the basis for the decision and any conditions and safeguards imposed. One copy shall be distributed to each of the following: Zoning Administrator, Township Clerk, and to the Commission. Only upon approval of the Commission may a Special Use Permit be issued by the Zoning Administrator.</p>	<p>N/A</p>	<p>No PC action has been taken yet.</p>
<p>SECTION 7.11 PERMIT EXPIRATION OR RENEWAL A Special Use Permit issued pursuant to the requirements of this Ordinance shall expire after one (1) year if construction or use has not commenced and proceeded meaningfully toward completion by the end of this period. Special Use Permits with an active "Performance Guarantee" must be brought before the Planning Commission every two (2) years for review and renewal. Application for renewal must be received by the Zoning Administrator at least sixty (60) days prior to expiration.</p>	<p>N/A</p>	<p>No PC action has been taken yet.</p>

ITEM	STD MET?	FINDING(S):
<p>SECTION 7.14 FINANCIAL GUARANTEES</p> <p>In the interest of insuring compliance with the provisions of this Ordinance, protecting the natural resources and the health, safety and welfare of the residents of the Township and future users or inhabitants of an area for which a proposed Special Use Permit has been submitted, the Commission may require the applicant to:</p> <p>A. Deposit a "Performance Guarantee" as set forth herein. The purpose of the "Performance Guarantee" is to insure completion of improvements connected with the proposed use as required by this Ordinance, including, but not limited to: roadways, lighting, utilities, sidewalks, drainage, fences, berms, screens, walls, landscaping, reclamation, and widening strips.</p> <p>1. "Performance Guarantee" as used herein shall mean a cash deposit, certified check, or irrevocable bank letter of credit in the amount of the estimated cost of any improvements to be made as determined by the applicant and verified by the Township Board.</p> <p>2. The "Performance Guarantee" shall be deposited with the Township Board at the time of the issuance of the permit authorizing the activity of project. No Special Use Permit may be issued before the receipt of all required "Performance Guarantees" by the Township Board.</p>	<p>N/A yet</p>	<p>The PC may request a Performance Guarantee be set in the amount of \$ xxxxx The performance guarantee will be approved the Township Treasurer and Township legal counsel.</p>

<p>3. An approved Special Use Permit shall also prescribe the period of time within which the improvements for which the "Performance Guarantee" has been required are to be completed. The period will begin from the date of the issuance of the permit.</p>		
<p>ITEM</p>	<p>STD MET?</p>	<p>FINDING(S):</p>
<p>4. In the event the "Performance Guarantee" deposited is a cash deposit or certified check, the Kasson Township Board shall rebate to the applicant fifty (50%) percent of the deposited funds when sixty (60%) percent of the required improvements are completed as confirmed by the Township Board, and the remaining fifty (50%) percent of the deposited funds when one hundred (100%) percent of the required improvements are completed as confirmed by the Kasson Township Board. If a request is made by the applicant for a temporary certificate of occupancy without completion of required exterior improvements, the "Performance Guarantee" herein required may be applied by said applicant to assure compliance with the standards of this Ordinance and the specifications of the approved site plan.</p> <p>5. Upon the satisfactory completion of the improvements for which the "Performance Guarantee" was required, the Kasson Township Board shall return to the applicant the "Performance Guarantee" deposited and any interest earned thereon.</p>		

ITEM	STD MET?	FINDING(S):
<p>6. In the event the applicant defaults in making the improvements for which The "Performance Guarantee" was required within the time period as agreed to in the site plan, Kasson Township shall have the right to use the "Performance Guarantee" deposited and any interest earned thereon to complete the improvements through contract or otherwise, including specifically the right to enter upon the subject property to make the improvements. Should Kasson Township use the "Performance Guarantee" or a portion thereof to complete the required improvements, and amounts remaining after said completion shall be applied first to Kasson Township administrative costs in completing the improvements for which it was posted, the applicant shall be required to pay Kasson Township the amount by which the cost of completing the improvements exceeds the amount of the "Performance Guarantee" deposited. The cost shall be billed to the permit holder and a lien placed against the subject property. If unpaid, the costs shall be collected in the same manner as delinquent taxes or as allowed by law.</p>		

<p>SECTION 7.15 OTHER SPECIAL LAND USES</p> <p>Land and structural uses that are not specified in any other section of this Ordinance, but, upon being applied for under the provisions of Chapter 7, may be considered by the Planning Commission as long as they meet all the conditions and requirements of this Chapter and the spirit and intent of the Ordinance.</p>		<p>No PC action has been taken yet.</p> <p>Note: This type of event is not similar to either the permitted uses of the special land uses within Section 4.7.1 of Section 4.7.2. respectively, of the Forested zoning district. Nor is the type of event considered in the current 2014 Master Plan or in the proposed draft of 2023. Additionally, Section 5.13 of the existing zoning ordinance contemplates “outdoor uses” which are similar in nature to those uses that are allow by right in the Forested district. However, this type of event is not similar in nature to those uses. In addition, the applicant has proposed more than one event in a season. So this may not be a temporary event.</p>
ITEM	STD MET?	FINDING(S):
<p>SECTION 7.16 RECORDING OF NOTICE OF SPECIAL USE PERMIT APPROVAL IN THE CHAIN OF TITLE</p> <p>Any property for which a Special Use Permit is approved under the criteria of this chapter of the Zoning Ordinance, shall record a notice of such permit approval at the Leelanau County Register of Deeds. The notice shall be prepared in a recordable form under any applicable requirements of Michigan law and/or of the Leelanau County Register of Deeds. The notice shall identify the legal description, street address and parcel number of the property subject to the permit. The notice shall further identify the type of Special Use Permit granted, when the Permit was granted, and where a copy of the complete Special Use Permit document may be reviewed at the Township office. The notice shall be recorded within 30 days of the date that the Special Use Permit was approved for the property, and a draft of the notice shall be submitted to the Township Zoning Administrator for review prior to its recording.</p>	N/A	<p>If approved, PC to require recording final document which includes the Order of Approval and findings of facts with conditions placed on said approval.</p>
ITEM	STD MET?	FINDING(S):

<p>SECTION 8.4 REVIEWING AUTHORITY The Planning Commission, or its qualified designee, shall review development site applications in accordance with the standards presented in this Chapter and Ordinance. The Planning Commission shall review the site plan application and its designee's report, and shall thereafter approve, approve with conditions, or deny the request for development site plan approval. The Planning Commission decision shall be final.</p>	<p>PC</p>	<p>No PC action has been taken yet.</p>
<p>SECTION 8.9 DEVELOPMENT SITE PLAN REVIEW STANDARDS The following standards shall be utilized in reviewing all development site plans. The standards are intended to provide guidance for the applicant in the production of plans as well as a method for the review of the site plans by Township Officials.</p>	<p>PC</p>	<p>The PC will review the entirety of Section 8.9 (Development Site Plan Review Standards) and any findings will be incorporated within the site plan as listed below.</p>
<p>A. Elements of Development Site Plan Review</p>		
<p>1. Neighborhood and Community Elements: a. Historical Preservation. Owners of existing structures of historical significance are encouraged to preserve these structures and to renovate them in a manner which preserves that significance and places them appropriately among other like structures. Variances may be granted by the Zoning Board of Appeals when necessary to accomplish this purpose.</p>	<p>N/A</p>	<p>“There are no historical structures on this site.”</p>
<p>b. Relation of proposed buildings to environment. Proposed structures shall be related harmoniously to the terrain, the size and shape of a lot, the character of adjoining properties and the existing buildings in the vicinity that have a visual functional</p>	<p>N/A</p>	

<p>relationship to the proposed buildings. Such a relationship may include the enclosure of space in conjunction with other existing buildings or other proposed buildings and the creation of focal points with respect to avenues of approach and terrain of other buildings. In all cases, open spaces should be created that are usable.</p>		
ITEM	STD MET?	FINDING(S):
<p>c. Other concerns which shall be addressed include microclimate effects created by structure placement, solar exposure and shadow effects, including snow build-up and drifting, and effects upon wetlands, drainage and habitat systems.</p> <p>d. Views and privacy, while dealing with the siting of buildings on individual parcels, shall be provided for on a larger scale by buffering and screening to preserve or create un-intrusive site lines wherever possible.</p> <p>e. Landscape Preservation. The landscape shall be preserved in as natural a state as possible by minimizing tree and soil removal. Areas such as steep slopes, wetlands, and littoral areas, as well as resource areas such as forests, wooded lots and farmlands shall be preserved wherever possible. Any grading changes shall be in keeping with the lay of neighboring lands. Golf courses in particular shall be designed to retain as much of the native terrain and herbage as possible and shall provide wide screening buffers between fairways and the public roadways and other non-compatible uses.</p>	<p>PC</p> <p>PC</p> <p>PC</p>	<p>PC to discuss and create a finding.</p> <p>PC to discuss and create a finding.</p> <p>PC to discuss and create a finding.</p>

<p>f. Business Districts. Design standards may be developed by particular business districts, and if promulgated, will be used to design the elements of structures and site improvements proposed within these districts.</p>	<p>N/A</p>	
<p>ITEM</p>	<p>STD MET?</p>	<p>FINDING(S):</p>
<p>g. Traffic-ways and Gateways. Site plans shall address the effects of new structures or uses upon traffic at or near their sites. A major use may require a traffic study to determine potential effects and possible necessary mitigating actions. Proposed uses at entryways to the community shall provide appropriate design features to welcome travelers to the community.</p>	<p>PC</p>	<p>PC to discuss and create a finding.</p>
<p>h. Security, Fire and Emergency Access. Setbacks, access paths with adequate lane width and sufficient areas for fire and emergency vehicle turn around, and fire hydrant locations (where applicable) shall be provided per existing statues and ordinances and in accordance with requirements of the appropriate reviewing authorities. All buildings or groups of buildings shall be arranged to permit emergency vehicles access by some practical means to all sides. Where applicable, security shall also be considered integral to the design. Sufficient illumination and ease of surveillance shall be addressed where appropriate.</p>	<p>PC</p>	<p>PC to discuss and create a finding.</p>

<p>canopies and paved areas, and carried away in such a manner that it will not obstruct the flow of vehicular or pedestrian traffic, and will not puddle or freeze in paved areas. Run-off waters shall be detained or retained to cleanse it and to prevent erosion.</p>		
ITEM	STD MET?	FINDING(S):
<p>c. Utility Service. In relation to neighboring properties and the site. New utility service distribution lines shall be underground wherever feasible. Any existing utility installations remaining above ground shall be placed out of sight as much as possible and situated harmoniously in relation to neighboring properties and the site. The proposed method of sanitary sewage disposal from all buildings shall be indicated. All utility installations shall be carried out in accordance with the current standards, rules and regulations of those entities having jurisdiction. No project shall be approved without permits or authorization for all appropriate governing agencies.</p>	N/A	
<p>3. Architectural Elements: a. Scale. Scale is the measure of the relationship of the mass and height of one structure or parts of a structure, to other adjacent form, including man. New structures shall complement or improve upon existing structures or the native rural environment, and be of human scale.</p>	N/A	
<p>b. Form. Form deals with height-to-width ratios, projections from structures, rhythms created by void-to-solid ratios, fenestration and roof</p>	N/A	

<p>configurations. Structures shall conform with, or be complementary to, neighboring sites and structures.</p>		
<p>ITEM</p>	<p>STD MET?</p>	<p>FINDING(S):</p>
<p>c. Details. Details are additions to structures for ornamentation or decoration and functional appurtenances such as lighting and signage. Exterior lighting shall be arranged so that it is deflected away from adjacent properties and does not impair the vision of traffic along adjacent streets. No night lighting shall be permitted toward other properties or into the sky, either directly or by reflection. The fixtures themselves shall complement both site and neighboring design elements. If specific decorative details are to be required by the Township, they will be delineated by specific districts, i.e., an historic area or particular business district. Standards for these districts shall be elicited from members of the affected areas and shall not be imposed by the Planning Commission or any other authority until those districts are defined, bounded and the particular architectural details agreed upon within those districts.</p>	<p>PC</p>	<p>No signage or lighting has been shown on any plans to date. Any new signage or lighting must comply with zoning ordinance requirements.</p>

ITEM	STD MET?	FINDING(S):
<p>d. Siting. Siting deals with solar and wind exposure, privacy, views, access, drainage and noise. The location of not only buildings but of mechanical equipment, storage facilities and activity areas are important parts of this element. Siting shall consider geographic conditions that include; topography, climate, privacy and views. The development plan shall provide reasonable visual and sound privacy for all dwelling units located therein and on adjacent properties. Fences, walks, barriers and landscaping shall be provided for the protection and enhancement of property and for the privacy of occupants and neighbors. Exposed storage areas, exposed heating, air conditioning and ventilating equipment or other machinery installations, service areas, truck loading areas, utility buildings and structures shall be set back and screened by plantings sufficiently large to sustain growth and attractiveness, or by other screening methods high and solid enough to assure that they will hide the above, yet shall be harmonious with the existing or proposed environment and surrounding properties.</p>	<p>PC</p>	<p>PC to discuss and create a finding.</p> <p>The site plan should demonstrate a plan for customer traffic flow through the project's site. Parking, any fencing, and driveways should be located to best serve the amenities needed by the racers and patrons, while ensuring that delivery and emergency vehicles have full access to all areas of the site if needed</p> <p>PC to discuss the need for a sound study if approved prior to the race date or on the race date to confirm reasonable visual and sound privacy compliance.</p>
<p>B. General and Necessary Conditions</p>	<p>PC</p>	<p>PC to discuss and create a finding.</p>

<p>required conditions. The applicant may be required to furnish security in the form of a certified check or an irrevocable bank letter of credit, acceptable to the Township, in the amount fixed by the Planning Commission. If security is required, the Zoning Administrator shall not issue a Land Use Permit until the required "Performance Guarantee" is received and verified by the Township Clerk within 30 days of approved site plan.</p>	<p>PC</p>	<p>PC to discuss and create a finding.</p>
<p>ITEM</p>	<p>STD MET?</p>	<p>FINDING(S):</p>
<p>2. Provision of Required improvements Whenever a development site plan approval is granted or modified subject to the conditions that specified improvements be provided by the applicant, such improvements shall be installed by the applicant and approved and accepted by the Zoning Administrator.</p> <p>3. Non-performance of Required Conditions In the event the applicant defaults in making the improvements for which the "Performance Guarantee" was required, the Kasson Township Board shall have the right to enforce a letter of credit or to use the monies being held as security to complete the improvements through contract or otherwise, including specifically the right to enter upon the subject property to make the improvements. If the "Performance Guarantee" is not sufficient to cover the costs incurred by the Township to complete the improvements, including attorney's fees and court cost, if any, the applicant shall be required to pay Kasson Township the amounts by</p>	<p>PC</p>	<p>If approved, the owner understands all conditions of the zoning ordinance and those conditions incorporated within this document.</p>

<p>which the costs of completing the improvements exceeded the amount of the "Performance Guarantee". These costs shall be billed and a lien placed against the subject property. If unpaid, the cost shall be collected in the same manner as delinquent taxes or as allowed by law.</p>		
ITEM	STD MET?	FINDING(S):
<p>4. Condition Declared Void Whenever any judgment of a court of competent jurisdiction becomes final, declaring one or more conditions of a development review approval to be void or ineffective, or enjoining or otherwise prohibiting the enforcement or operation of one or more of such conditions, said development site plan approval shall cease to be valid and all rights and privileges granted shall lapse.</p> <p>5. Violation of Required Condition or Conditions Whenever a development site plan is approved or modified by the Planning Commission subject to a condition or conditions, the use of enjoyment of the development site plan in violation of, or without observance of, any such condition shall constitute a violation of the Zoning Ordinance, and development site plan approval may be revoked.</p>		

Notes:

How many racers are already signed up or pre-registered ?

Members of the public have requested an environmental impact study. Does the PC want to pursue this ?