

**KASSON TOWNSHIP
SITE PLAN REVIEW FINDINGS OF FACT
APRIL 15, 2024**

Applicant Name(s) **The Red Barn**

Owner Name(s) **Mark & Jennifer Patterson**

Tax Parcel Numbers: **45-007-019-008-11** Date of Meeting: **Monday, April 15, 2024**

GENERAL FINDINGS OF FACT
The property covered by this Site Plan Review Permit Application is described as: PT SW 1/4 SEC 19 COM SW COR SD SEC TH S 87 DEG 30'05" E 267.41 FT TO POB TH N 00 DEG 57'05" E 660 FT TH S 87 DEG 30'05" E 200 FT TH S 00 DEG 57'05" W 660 FT TH N 87 DEG 30'05" W 200 FT TO POB (A/K/A PARCEL A) SEC 19 T28N R13W 3.02 A M/L 2023 SPLIT FROM 007-019-008-00
The Commission finds that the site is located in Kasson Township, Leelanau County.
The Commission finds that the site is 3.02 +/- acres in size.
The Commission finds that the site is located in the Commercial Zoning District (Section 4.9)
The Commission finds that the proposed type of use for the property will be Commercial in nature, specifically for the mixed use of an existing commercial building for 2 rentals & a residence.
The Commission finds that the use is permitted with a Site Plan Review approval in the Commercial Zoning District.
The Commission finds that Section 8.1 of the Zoning Ordinance delegates the Commission the authority to review and approve, approve with conditions, or deny the request for a Site Plan Review approval.
The Commission finds that Section 8.2 of the Zoning Ordinance requires 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 Planning Commission makes the following findings of fact as required by Chapter Eight of the Zoning Ordinance for each of the standards and requirements listed.

ITEM	STD MET?	FINDING(S):
SECTION 8.9.A ELEMENTS OF DEVELOPMENT SITE PLAN REVIEW STANDARDS – NEIGHBORHOOD & COMMUNITY ELEMENTS		
<i>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.</i>	N/A	N/A
<i>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 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.</i>	Yes	Condition appears to be met however, PC to discuss as needed.
<i>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.</i>	Yes.	The commission finds that the information in the applicant's submittal packet satisfies this condition.
<i>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.</i>	PC	PC to discuss to determine that this is adequate.
<i>e. Landscape Preservation. The landscape shall be preserved in a natural state as much 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.</i>	Yes	The commission finds that the existing landscape is being preserved in its natural state as much as possible. Therefore, it is found that this requirement is met.
<i>g. Traffic-ways and Gateways. Site plans shall address the effects of new structures or uses upon traffic at or near their sites.</i>	Yes	MDOT has signed off on the project

<p><i>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.</i></p>	<p>PC</p>	<p>The applicant has received correspondences from the Cedar Area Fire and Rescue, Leelanau County Department of Building Safety The Leelanau County Health Therefore, a condition should be placed on this approval that all of the above regulatory agencies grant permits, prior to any township Land Use Permit issuance.</p>
--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------	------------------	-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------

ITEM	STD MET?	FINDING(S):
------	----------	-------------

**SECTION 8.9.A ELEMENTS OF DEVELOPMENT
SITE PLAN REVIEW STANDARDS –
ENGINEERING ELEMENTS**

<p><i>2. Engineering Elements: a. Drives, Parking and Circulation. Parking spaces sufficient only for the intended use shall be allowed. Calculations and justification for spaces provided shall be noted on the plans. With respect to vehicular and pedestrian circulation, including walkways, interior drives and parking, attention shall be given to the location and number of access points to public streets, width of interior drives and access points to the public streets, width of interior drives and access points, general interior circulation, separation of pedestrian and vehicular traffic and arrangement of parking areas that are safe and convenient and do not detract from the design of proposed buildings and structures and neighboring properties. Parking areas shall be screened from roadways and from their adjacent uses by landscaped areas or by walls. Sufficient distance between drives and property lines shall be provided. b. Surface Water Drainage. Attention shall be given to proper site surface drainage so that removal of surface waters will not adversely affect neighboring properties of the public storm drainage system. Storm water shall be removed from all roofs, 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. c. Utility Service. In relation to neighboring properties and the site. New utility service (if any) distribution lines shall be underground</i></p>	<p>PC</p>	<p>PC to discuss highlighted areas</p> <p>Before approval of a project under Site Plan Review, the Commission shall establish that the standards specified in this Section, as well as applicable standards outlined elsewhere in this Ordinance, shall be satisfied.</p>
-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------	------------------	---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------

<p><i>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.</i></p>		
ITEM	STD MET?	FINDING(S):
SECTION 8.9.A ELEMENTS OF DEVELOPMENT SITE PLAN REVIEW STANDARDS – ARCHITECTURAL ELEMENTS		
<p><i>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.</i></p>	Yes	The commission finds that the proposed project has been designed, and will be constructed, and maintained to be harmonious and appropriate to the existing character of the general vicinity Therefore, it is found that this requirement is met.
<p><i>b. Form. Form deals with height-to width ratios, projections from structures, rhythms created by void-to-solid ratios, fenestration and roof configurations. Structures shall conform with, or be complementary to, neighboring sites and structures.</i></p>	Yes	The commission finds that the proposed project will meet the “form” requirements. Therefore, it is found that this requirement is met.
<p><i>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.</i></p>	PC	PC to condition that all exterior lighting will meet the zoning ordinance requirements.

<p><i>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.</i></p>	<p>TBD</p>	<p>PC to discuss</p>
<p><i>B. General and Necessary Conditions All other standards and requirements of this Ordinance and other applicable ordinances, regulations and statues must be met by development plans presented for review under provisions of this Chapter. The Planning Commission may confer or consult with a qualified expert in a particular field, e.g., architect or landscape architect, at the applicant's expense, to aid it in evaluating a difficult or complex project.</i></p>	<p>TBD</p>	<p>PC to discuss</p>

The Planning Commission makes the following findings of fact as required by Chapter Eight, Section Seven that the following required items are included on the detailed site plan review for major projects

ITEM	STD MET?	FINDING(S):
SECTION 8.7		
<p><i>1 The site plans should be accurately drawn at the scale of at least 1" EQUAL 100' showing the site and all land and structures within five hundred feet (500') of the site. The Planning Commission may require details to be provided in a scale as great as 1" EQUAL 20'. If multiple sheets are used each must be labeled, dated and the preparer identified.</i></p>	Yes.	The commission finds the site plan meets this requirement.
<p><i>2 The location of proposed or existing property lines, dimensions legal descriptions, tax parcel numbers, setback lines, utility easements and monument locations:</i></p>	Yes	The commission finds the required items on the site plan.
<p><i>3 A vicinity map drawn at a scale of a minimum of 1" equal 2000' with north-point indicated.</i></p>	PC	Waiver Requested
<p><i>4 Existing topographic elevations at two-foot intervals, proposed grades and direction of drainage flows.</i></p>	Yes	The commission finds elevations are shown as required.
<p><i>5 The location and type of existing soils on the site and any certification of borings. (Site Investigation Report).</i></p>	Yes	The commission finds that this requirement is present on the Site Plan.

<p><i>6 Boundaries and elevations of existing and proposed water courses and water bodies, including county drains and man-made surface drainage ways, flood plains and wetlands within one thousand five hundred (1500') feet of the project site and proposed erosion control measures.</i></p>	<p>N/A</p>	<p>The commission finds that no water features, as detailed in the requirement, exist within 1500 feet of the site. Therefore the commission finds that this requirement is not applicable to this application.</p>
<p><i>7 Location of existing and proposed buildings and intended uses thereof.</i></p>	<p>Yes</p>	<p>The commission finds that the proposed locations and uses of the building are specifically indicated on the site plan. Therefore, it is found that this requirement is met.</p>
<p><i>8 Proposed location of accessory structures, buildings and other appurtenances, including, but not limited to, all flag poles, light poles, bulkheads, docks, storage, sheds, transformers, air conditioners, generators, and similar equipment and the method and details of screening, where applicable. (Commercial)</i></p>	<p>Yes</p>	<p>Applicant states that no other structures, buildings and appurtenances are anticipated in the future. Location of proposed buildings and appurtenances are shown on the site plan. Therefore, it is found that this requirement is met.</p>
<p><i>9 Location of existing public roads and streets that abut or cross the site, plus, rights-of-way and private easements of record.</i></p>	<p>Yes</p>	<p>The commission finds that the location of existing public roads and streets are shown. Location of underground utilities are shown. There are no private rights-of-way. Therefore, it is found that this requirement is met.</p>
<p><i>10 Location of and dimensions of proposed streets, drives, curb cuts, ad access easements, as well as acceleration, deceleration and passing lanes or tapers (if any) serving the development. Details of entryway and entryway sign should be separately depicted with elevations views.</i></p>	<p>Yes</p>	<p>The commission finds that the location of the features required by this section are shown on the site plan. Therefore, it is found that this requirement is met.</p>

<p><i>11 Location, design and dimensions of existing and proposed curbing, barrier-free access, carports, parking areas (including indication of all spaces, method of surfacing and striping), fire lanes and all lighting and signing thereof. (Especially applicable to commercial).</i></p>	<p>Yes</p>	<p>The commission finds that the location of the features required by this section are shown on the site plan. Therefore, it is found that this requirement is met.</p>
<p><i>12 Location, size and characteristics of all loading and unloading areas. (Commercial)</i></p>	<p>Yes</p>	<p>The commission finds that the site does contain formal loading and unloading areas. Therefore the commission finds that this requirement is met.</p>
<p><i>13 Location and design of all trails, walkways, bicycle paths, and other areas for public use.</i></p>	<p>N/A</p>	<p>The commission finds that there are no trails, walkways, bicycle paths, or other public use areas on the site. Therefore, the commission finds that this requirement is not applicable to this application.</p>
<p><i>14 Location of water supply lines and/or wells, including fire hydrants and shut-off valves, and the location and design of storm sewers, retention or detention ponds, waste water lines, clean-out locations, connection points and treatment systems including septic systems, if applicable.</i></p>	<p>TBD</p>	<p>PC to confirm with applicant</p>
<p><i>15 Location and routing of all other utilities on the site including, but not limited to, natural gas, electric, cable TV, telephone and steam.</i></p>	<p>Met</p>	<p>The commission finds that the any new electric will be underground and therefore, it is found that this requirement is met.</p>
<p><i>16 Proposed location, dimensions and details of common open spaces and common facilities, such as community buildings or swimming pools, if applicable.</i></p>	<p>N/A</p>	<p>The commission finds that this requirement is not applicable to this application.</p>
<p><i>17 Exterior lighting locations with areas of illumination illustrated, as well as the type of fixtures and shielding to be used. (Especially applicable to commercial).</i></p>	<p>Met</p>	<p>The commission finds that there is exterior lighting proposed and must meet the township zoning ordinance requirements. Therefore, the commission finds that this requirement is met.</p>

<p>18 Location and specifications for all fences, walls and screening features with cross sections.</p>	<p>TBD</p>	<p>PC to discuss.</p>
<p>19 General location and type of significant existing vegetation, including the location and size of all existing trees with a trunk of six (6") inches or more in diameter, four and one-half (4 ½') feet above the ground if not located in a forest. Forest and larger vegetation areas to be preserved shall be de-marked and designated so.</p>	<p>Yes</p>	<p>The commission finds these features are noted on the site plan. Therefore, it is found that this requirement is met.</p>
<p>20 Location and specifications for all proposed perimeter and internal landscaping and other buffering features.</p>	<p>TBD</p>	<p>The commission finds that additional landscaping or other buffering features may be required. Applicant to provide additional information.</p>
<p>21 Location, size and specifications for screening of all trash receptacles and other solid waste disposal facilities. (Especially applicable to commercial).</p>	<p>TBD</p>	<p>The commission finds that trash receptacles for the operation are necessary. PC to discuss.</p>
<p>22 Location and specifications for any existing, proposed or required above, or below ground storage facilities for any chemicals, salts, flammable or hazardous materials as well as any containment structures or clear zones required by government regulations and a Pollution Incident Prevention Plan as required by government regulations as required by Act 245 program.</p>	<p>TBD</p>	<p>The commission finds that there are no existing, proposed or required above, or below ground storage facilities for any chemicals, salts, flammable or hazardous materials as well as any containment structures or clear zones required by government regulations.</p>
<p>23 Identification of any significant or unique site features.</p>	<p>N/A</p>	<p>The commission finds that there are no significant or unique site features.</p>
<p>24 Indication of any significant views onto or from the site.</p>	<p>N/A</p>	<p>The commission finds that there are no significant views onto or from the site.</p>
<p>25 The zoning classification of the site and adjacent properties.</p>	<p>Yes</p>	<p>The commission finds that the zoning classification of the subject property and adjacent properties are shown on the site plan. Therefore, it is found that this requirement is met.</p>

<p><i>26 North arrow, scale and date of original submittal and all revisions.</i></p>	<p>Yes</p>	<p>The commission finds that all items are shown on the plan. Therefore, it is found that this requirement is met.</p>
<p>Section 5.17 Landscaping, screening, greenbelts, buffers, and fencing</p> <p>A. The intent of this section is to promote the public health, safety, and general welfare. Generally, landscaping shall at least equal surrounding landscaping in newer areas and tend toward upgrading older areas. Landscaping needs will be determined by using the standards set forth in this Section, and other applicable sections of this Ordinance.</p> <p>B. The following standards shall be followed:</p> <p>1. Additional landscaping shall be added to the retained natural landscaping features, to reduce the apparent mass and height of buildings, to visually break expanses of paving, to reduce the visibility of paved areas from adjacent roadways and properties, and to provide an attractive appearance from both within and without the site.</p> <p>2. Ground cover shall be permeable to prevent erosion.</p> <p>3. Areas that are intended to be landscaped shall be provided with a minimum depth of topsoil of four (4) inches and mulched appropriately.</p> <p>4. All plantings shall be maintained in a vigorous, healthy, and weed-free state. Any dead or diseased plants shall be removed and replaced.</p>	<p>TBD</p> <p>TBD</p> <p>TBD</p> <p>TBD</p> <p>TBD</p> <p>TBD</p>	<p>PC to discuss</p> <p>PC to discuss</p> <p>PC to discuss</p> <p>PC to discuss</p> <p>PC to discuss</p>

--	--	--

NOTE: The Planning Commission may require such other data as may be required to ensure that the purposes of Chapter 8 are satisfied. The Commission shall state for the record its reasons for taking such action. Further, the Planning Commission may waive a requirement or requirements in Section 8.7 if not deemed necessary for a thorough review. The Commission shall state for the record its reasons for taking such action.

ATTACHMENTS TO FINDINGS OF FACT: **ADD AS NEEDED**