

ISABELLA COUNTY
PLANNING COMMISSION

June 14, 2018

A Regular Meeting of the Isabella County Planning Commission was held on June 14, 2018 in Room 225 of the Isabella County Building, 200 North Main Street, Mt. Pleasant, Michigan.

MEMBERS PRESENT: Tim O'Neil, Phillip Vogel, Jim Horton, Jeremy Murphy, Kelly Bean, Bob Campbell, Jerry Neyer

MEMBERS ABSENT: Nathan Rogers, Ann Silker

SUPPORT STAFF PRESENT: Timothy A. Nieporte, Community Development Director
Ray Johnson, Zoning Administrator
Kim Kennedy, Recording Secretary

The meeting was called to order by Mr. Murphy at 7:00 pm.

The Pledge of Allegiance was recited by the commission.

APPROVAL OF AGENDA

Mr. Murphy requested that the agenda be approved as presented.

A motion was made by Mr. Neyer supported by Mr. Horton to approve the agenda.

Yes: Tim O'Neil, Phillip Vogel, Jim Horton, Jeremy Murphy, Kelly Bean, Bob Campbell, Jerry Neyer

No: None

Motion carried

PREVIOUS MINUTES

Minutes of the May 2018 regular meeting were circulated to the commission prior to the meeting for their review.

A motion was made by Mr. Bean supported by Mr. Neyer to approve the minutes.

Yes: Tim O'Neil, Phillip Vogel, Jim Horton, Jeremy Murphy, Kelly Bean, Bob Campbell, Jerry Neyer

No: None

Motion carried

LIAISON REPORTS

Zoning Board of Appeals – Mr. Vogel reported that the Zoning Board heard 3 variance requests. Two were approved one was denied. He also reported that the board had a special meeting to hear a variance for a garage. This variance was approved.

Parks & Recreation – Mr. Murphy reported that the meetings have been onsite at different parks, and that the Parks Board celebrated the opening of the playscape in Coldwater Lake Family Park.

Board of Commissioners – Mr. Horton reported the Board was working on FY19 budgets. The board approved the millage collection. Mr. Horton informed the board that the county reapplied for the Michigan Defense budget to upgrade Public Defender's office security systems.

TOWNSHIP CONCERNS

Denver – Mrs. Curtis informed the board that the township will be starting a monthly outdoor movie located at the township pavilion.

Sherman – None

Isabella – None

PUBLIC COMMENT

Terry Meyer distributed a handout for the commission members. He read an excerpt from the hand out which stated that Senate bill 1031 was introduced which would make utility construction after December 31, 2017 no longer eligible for taxation. Mr. Meyer encouraged the Planning Commissioners to write the legislatures because it would be disastrous to Isabella County.

ZA#18-03 Map Amendment

Mr. Nieporte stated that Mark Hansen has applied to rezone the 2.36 acres immediately south of the existing roller skating rink in Section 27 of Isabella Township from General Commercial (C-1) to Recreational Commercial (C-2). Mr. Nieporte reminded the commission this is a public hearing and their action tonight is a recommendation to the County Board of Commissioners.

Mr. Nieporte reviewed the surrounding land uses and current zoning districts in the area with the commission. He also noted to the commission that staff included the descriptions from the ordinance for the general commercial and recreational commercial districts. Staff also noted goals from the master plan calling for commercial development and the designations of commercial nodes throughout the County. Mr. Nieporte pointed out there is a commercial node at the intersection near the proposed rezoning.

Mark Hansen presented a petition in favor of a go-kart track signed by neighbors, expressed his desire for a go-kart track and spoke about reasons why he wanted to open a go-kart track at this location. He indicated he is in the process of purchasing this property from Mr. Sponseller who owns the mini-warehouse units to the south.

Mr. Nieporte clarified this is a rezoning of the parcel from C-1 to C-2 not for a specific use such as a go-kart track. He stated that if the rezoning were approved by the Board of Commissioners, the applicant would have to come back to the planning commission with a special land use application for a specific use.

Mr. Horton asked who applied for this rezoning.

Mr. Nieporte stated the owner signed the application.

Public hearing opened 7:19 pm

Cornell LaLone a resident on the east side of Mission expressed concerns on hours of operation, lighting and asked what the size of the parcel being rezoned was.

Mr. Nieporte clarified the parcel is 2.36 acres.

Mr. LaLone asked about other uses if rezoned.

Mr. Nieporte reviewed the differences in uses from C-1 verses C-2 and noted that there were only two uses which would be allowed in the C-2 district that are currently not allowed in the C-1 district. Those uses are Race Tracks and Fairgrounds, flea markets and amusement parks. Mr. Nieporte informed the commission that staff is of the opinion, after consultation with the County's attorney, that a go-kart track would be an outdoor, pay to play type activity similar to an amusement park.

Mr. LaLone expressed concerns about a fairground on this parcel.

Mr. Nieporte informed Mr. LaLone that the size of the parcel would likely not allow for such activity, nor would it likely allow for a race track, therefore a flea market or an amusement park type use would be the only two new allowable uses in the C-2 district if the property were rezoned.

Curt LaLone the neighbor directly east of the parcel questioned if there was a noise ordinance or would the hours a go-kart track could operate be limited?

Mr. Nieporte clarified that the planning commission is only taking action on the rezoning request and not on a specific use, however hours of operation among other things are regulated in the ordinance and the Planning Commission can establish hours of operation.

Mr. Hansen asked why he couldn't rezone the skating rink to C-2.

Mr. Nieporte stated that while Mr. Hansen could apply for a rezoning, the skating rink as an indoor recreation facility is currently in compliance being zoned C-1.

Mr. Murphy reminded everyone that specifics about a use are for a different meeting.

Mr. Nieporte clarified to the planning commission that the signatures on the petition submitted by Mr. Hanson were not just from the neighboring property owners but from areas all over including from Mt. Pleasant, Clare, Beaverton and the Midland area.

Public hearing closed 7:29 pm

The commission reviewed section 15.08(c) criteria.

A motion was made by Mr. Neyer supported by Mr. Vogel to Move to Recommend Approval to the County Board of Commissioners Map Amendment 18-03 (ZA#18-03) to rezone a piece of property from the General Commercial (C-1) district to the Recreational Commercial (C-2) district based upon the fact that the request does meet the review criteria in Section 15.08(c).

Yes: Tim O'Neil, Jeremy Murphy, Phillip Vogel, Jim Horton, Kelly Bean, Bob Campbell, Jerry Neyer

No: None

Motion carries.

Union Township Map Amendment – DeShano Mini Storage

Mr. Johnson reported that the community development office received a map amendment for review from Union Township. The Union Township planning commission voted to recommend denial of this request. The request was submitted to rezone 2.29 acres from Agricultural (AG) to General Business (B-4). The Union Township Future Land Use Map designates the requested property as Rural Buffer. The property is located S. Mission between Deerfield and Wing roads.

Staff noted this request is an addition to the B-4 district along Mission Rd and would increase the depth of the B-4 district by 250 ft.

Mr. Johnson stated that if there were no issues or comments, staff will forward a letter back to Union Township indicating the planning commission had no comments. The planning commission had no issues or comments.

Union Township Map Amendment – Messenger Bellows

Mr. Johnson reported that the community development office received a map amendment for review from Union Township. The Union Township planning commission voted to recommend approval of this request. The Union Township board previously approved a rezoning request on this property for the same applicant in September of 2017. Staff reached out to Union Township for clarification on the request and was notified by Union Township that this request was to change the OS zoning district from 270 x 502 ft to 370 x 477ft.

Staff is unclear on the actual size of the rezoning or how the district is being modified. Mr. Johnson stated staff will forward a letter back to Union Township indicating the planning commission had no issues with the rezoning, but will request more clear information on the size and legal description of properties being rezoned.

PUBLIC COMMENT

Curt LaLone asked if the parcel near the skating rink was rezoned but not bought by Mr. Hansen what could the current owner do with it.

Mr. Murphy stated that he would only be allowed to establish uses allowed in C-2 district.

STAFF COMMENTS

Mr. Nieporte informed the Board of the upcoming Dump the Pump day and distributed a flyer. He also informed the board that Wise Township has a couple large medical marihuana facilities coming. This township has issued licenses for a few grow operations.

Mr. Horton asked if the facilities have received state license.

Mr. Nieporte stated the State doesn't issue the license until after construction and subsequent inspection by the state.

PLANNING COMMISSIONER'S COMMENTS

Mr. Horton spoke of the challenges with medical marihuana.

ADJOURNMENT

A motion was made by Mr. Horton to adjourn the meeting seconded by Mr. Neyer at 8:07 p.m.

Yes: Tim O'Neil, Jeremy Murphy, Phillip Vogel, Jim Horton, Kelly Bean, Bob Campbell,
Jerry Neyer

No: None

Motion carried


Tim O'Neil, Secretary