

Bear Creek Township Planning Commission Meeting

August 25, 2021

I. Called to order: 6:30 p.m.

II. Roll Call: Mays, Brown, Cyphert, Kargol, Olliffe, Radatovich, Haven

Haven entered at 6:42pm

- a. Others in Attendance: Tammy Doernenburg, Denny Keiser, David Meyer, Johnathan Meyer, Brian Coveyou, Duane Coveyou

III. Pledge of Allegiance

IV. Approval of Minutes

- a. **Motion** by Cyphert to approve the minutes of the July 28, 2021 meeting. 2nd by Mays.

Passed

V. Case PSPR21-006 David Meyer for Meyer Ace Hardware, SITE PLAN REVIEW- AMENDMENT, Outdoor Storage/Display, 1371 US 31 N Hwy

Tammy Doernenburg gave a background to this case:

Doernenburg noted that this case is for Meyer Ace Hardware and is coming before the Planning Commission as a result of enforcement (otherwise this case could have been handled administratively). This site is located on US-31 and is zoned B-2. It is 6.34 acres and is a retail establishment, which was previously approved for outdoor storage and display. The original site plan had some outdoor display in the front parking area and a bit of outdoor display along the north property line. This proposal has requests for 6 outdoor display/storage areas. Location #1 would be where the previous sign was located (they had a new, permitted sign installed). Location #2 would expand the outdoor display area along the north property line, and #3 is for a recycling area. The proposal is to have a dumpster in the side setback area and then to have a recycling dumpster for cardboard. There are no proposed building changes. Doernenburg shared photos of the site. This proposal is to amend the site plan to allow for additional outdoor storage and display.

- a. Cyphert asked if the dumpster will be located in the back and enclosed. Doernenburg clarified that it will be in the rear and it is not shown to be enclosed, however, that is what the ordinance requires. Mays asked if the recycling station would have to be screened. Doernenburg noted that when this site was originally approved, the zoning ordinance did not require screening of a dumpster, which is why this site is grandfathered in, however, it will now have to be brought to current standards. Brown noted that he likes to have screening when it is visible to the public, however, is screening required when it is behind a building and out of the public eye? Doernenburg clarified that the ordinance allows the wall of a building to be used as part of the screening. Mays asked if the trees shown on the site plan are existing. David Meyer noted that these trees are all grown. Olliffe asked if the cardboard dumpster needs to have masonry screening. Johnathan Meyer noted that Little Traverse Waste picks it up twice a week. The cardboard dumpster is approximately three times the size of the trash dumpster. David Meyer clarified that these dumpsters get moved around during trash pickup.

The applicant addressed the Planning Commission regarding the parcel in question:

David Meyer explained that this site plan was originally set 15 years ago, and the business has really grown. They bring in truck loads worth of pallets, full of products that Bear Creek constituents want to buy. These are low dollar ticket items that take up a lot of space. This outdoor storage and display would be seasonal, because the product is seasonal. In regards to the pallets, lots of individuals from the community pick up these pallets to use for projects. The pallets are free during business hours, but storing them takes space as well. Meyer noted that often, consumers come in with a truck and trailer. They have structured the lot to try to avoid U-turns (so there is not a safety issue).

- a. Brown asked if there are enough parking and accessible parking spots, per the ordinance. He asked if any of the new storage is in the power line right of way and if they were planning to move the storage along the side of the building. Brown also noted that he would like to see definition of the display, and wants to make sure there is no racking.
 - i. Doernenburg clarified that parking standards are met. Johnathan Meyer noted that currently there are 50 parking spaces available (42 in the front and 8 in the back) and the requirement is for 31 parking spaces. Most of the time, the rear parking is only used by staff and occasionally a freight truck. Johnathan Meyer noted that the only storage potentially in the right of way is the stack of pallets. The storage currently along the building is ice melt that was leftover from the mild winter last year. That will be brought back out this year to be sold. The over storage is in the bottom of the parking area; it is a seasonal use and is used for snow storage in the winter. In regard to definition of the display, Meyer noted that closer to the highway, they can stack three pallets, so it is closer to 12ft deep and 8ft high (at most). The closer you get to the building, the further below the road grade you are. From the roadside view, this outdoor storage is hard to see. Meyer noted that they do not use racking, as it can cause products to be destroyed (plus these displays are not permanent).
- b. Cyphert asked if they are storing materials for the other stores at this location. Is there going to be a warehouse in the future?
 - i. David Meyer noted that all the product brought in stays at this store. They are not going to build a warehouse at this time, because there is no justification of the cost.
- c. Brown asked if the display area #1 would be 6-8ft high. He recommended laying gravel underneath the display and trimming the weeds back by about 2-3ft behind the pallets, to make it more presentable.
 - i. David Meyer explained that it is 3-4ft and seasonal. Because of the staffing situation, they have not had the staff to trim the weeds. Most of the weeds are from the neighboring property. Johnathan Meyer noted that there is a layer of gravel there for the pallets. If the pallets were pushed back about 6in you would be able to see it. If they were to trim the weeds behind the pallets, there would still be some weeds from the neighbors. Mays suggested spraying the weeds with round up.

- d. Brown asked if there is a reason the dumpster and recycle are on different sides of the driveway.
- i. Johnathan Meyer noted that there is not enough depth for the long dumpster, which is why they have it on the opposite side. David Meyer explained that the dumpster locations are based on where there is enough room to back into. Cyphert suggested putting the dumpsters together at an angle to save screening costs. Haven noted that this is not a new case, this site is grandfathered in. The dumpsters are in the back of the store and cannot be seen from the highway. He feels we should allow the dumpsters to remain as is, in the rear. Mays and Brown agree.

Audience Comments:

Denny Keiser noted that this case came about as a result of enforcement. There were no complaints about this particular business, they were simply addressing the outdoor display/storage businesses in Bear Creek. Additionally, he suggested that we approve some more storage for repairs, so that there is not another issue in 2-5 years. They could increase storage to the rear, as long as it would still meet parking requirements. Doernenburg noted that the dumpster was acceptable when this was first approved. Additionally, the applicant applied to try to bring this site into compliance. Johnathan Meyer noted that they do not paint the lines in the area used for repairs. If they were to pursue this, they would ask for five parking spaces worth of space for repairs.

Applicant Rebuttal:

David Meyer noted that the dumpster gets moved around in the winter season. An attempt to contain it to one box is a challenge. Kargol asked what will happen to the dumpsters if the neighboring parcel sells. Doernenburg clarified that once a plan is approved, someone moving next door will not change it.

Additional Board Discussion and Questions: None

Motion by Kargol to approve case# PSPR21-006, David Meyer for Meyer Ace Hardware for Site Plan Review- amendment, on property located at 1371 N US 31 Hwy, Section 34, Bear Creek Township, tax parcel 01-16-34-100-048, as shown on the site plan dated Received Jul 26, 2021 because the standards of Articles 11, 20, and 22 have been met based on the facts presented in this case, and that pallets be stacked three deep and 8ft high at maximum, that there be no racking, that five parking spots in the back be allowed to be used for storage or repair items, that storage area #1 be 3ft high at maximum, that gravel be added along the length of the outdoor display and to cut the weeds back 3ft behind the last pallet. 2nd by Mays.

1. Roll Call: Mays, Kargol, Haven, Olliffe, Radatovich, Cyphert, Brown
- a. Yes: Mays, Kargol, Haven, Olliffe, Radatovich, Cyphert, Brown

Passed

Let it be noted that the Planning Commission found the dumpster location adequate without screening, due to the fact that it is located behind the building out of the public eye and based on the previous site plan.

VI. Public Comments: None

VII. Other Business:

- a. Housing Ready Checklist- Housing Development Discussion

Doernenburg noted that there will be text amendments coming in the following months based on the housing checklist that the Planning Commission filled out. She gave commissioners a zoning map and noted that if we have any parcels that we feel would be fitting for rezoning for housing, to let her know. We have a master plan which helps indicate which areas are ready for rezoning for a housing development. This helps her to guide developers as they come in. Kargol asked about utilities; Bear Creek does not have water. Doernenburg noted that most developers want to have sewer and water. Maybe water is an investment that Bear Creek would want to consider. Mays feels it would be very costly to bring water into the township. Doernenburg noted that it also may be worth working together with the city. The city has a large industrial area that could be used for housing, if they township would take on the industrial. Kargol feels that employers need to contribute to the housing situation. Doernenburg noted that there are things we can do to help with the housing crisis, such as increasing density and allowing duplexes to not be owner-occupied. Brown feels we have shown a willingness to work with developers. He also noticed that commodity costs have been coming down. Cyphert noted that we need housing across the board, but it is the lower cost housing that is the biggest problem. Developers do not want to come in unless they can get subsidized. There is a point method for the federally funded housing developments and there are some points that come from local government approval and readiness. Kargol noted that we have some low income housing in our community that was federally subsidized. Perhaps some of the new stimulus money can be used for housing. Doernenburg noted that in the last round of funding, there were two local projects that applied for federal funding. The tribal project was funded and the project in the city was not. Radatovich explained that in the point system for federal funding, the money is allocated among several groups, such as rural, urban, tribal, etc. The tribal project may have been the only one that applied, so they would have received the funding. Doernenburg shared that Emmet County is hoping to hire a grant writer to help with projects such as this.

Doernenburg also shared the enforcement report.

VIII. Next Meeting: September 29, 2021 at 6:30pm

IX. Adjournment: 7:43p.m.

Respectfully Submitted,

Emma Radatovich

Emma Radatovich, Bear Creek Township Clerk

Jim Kargol, Recording Secretary