

VILLAGE OF LAKE ODESSA
PLANNING COMMISSION

DRAFT

MINUTES
JUNE 10, 2019 SPECIAL MEETING

Page Memorial Building
Lake Odessa, Michigan

Present: Karen Banks, Beth Barrone, Al Hamp, Patrick Reagan, Lisa Williams
Absent: Deb Fraccarolli, Daryl Hartzler
Staff: Zoning Administrator Jeanne Vandersloot
Visitors: Bill King of Lake Odessa Civic & Agricultural Association; Ken Michaud of 11519 Jordan Lake Road, Lake Odessa

Meeting called to order by Chair Williams at 6:34 p.m.

1. **PUBLIC COMMENT:** None.
2. **MINUTES:** Motion by Reagan, with support by Williams, to approve minutes of the 5/13/2019 special meeting. All ayes; motion carried (5-0) with Fraccarolli and Hartzler absent.
3. **ACTION ITEM:**
 - a) **Request from Lake Odessa Civic & Agricultural Association for Site Plan Review and Special Use Permit for campground facilities at 1640 Fourth Avenue, Parcel #34-101-050-000-050-00.**

Motion by Williams, support by Reagan to open public hearing. All ayes; motion carried (5-0) with Fraccarolli and Hartzler absent. Public hearing opened at 6:35 p.m. Reagan informed commissioners that no written comments had been received.

Vandersloot gave brief overview of applicant's site plan and special use permit application. Applicant Bill King explained project and answered questions from Ken Michaud.

Motion by Banks, support by Barrone to close public hearing. All ayes; motion carried (5-0) with Fraccarolli and Hartzler absent. Back into regular session at 7:16 p.m.

King answered questions from Commissioners regarding his plans to meet ordinance requirements for parking, lighting, screening, noise, and smoke from campfires, to minimize impacts upon abutting residents. Discussion followed.

Motion by Banks, with support by Reagan, to adopt by reference the 6/7/19 memo from zoning administrator VanderSloot as the basis for the commission's decision. (See attached Exhibit A). All ayes; motion carried (5-0) with Fraccarolli and Hartzler absent.

Discussion was held regarding possible conditions for the granting of the special use permit. Motion by Banks, with support by Barrone, to approve site plan and application from the Lake Odessa Civic & Agricultural Association for a special use permit for campground facilities at 1640 Fourth Avenue, Parcel #34-101-050-000-050-00, subject to applicant meeting the following conditions:

1. Lighting will be shielded and/or aimed away from residences;
2. If applicant chooses to allow campfires, said fires will only be permitted at campsites 8 through 14;
3. Consumer fireworks and firearms will be prohibited;
4. Campground rules will be approved by the Village Manager;
5. On or before September 1, 2020, applicant will construct a berm measuring 10 feet wide, 2 feet high along the west property line, with evergreen trees a minimum of 30 inches high planted every 8 feet.

All ayes; motion carried (5-0) with Fraccarolli and Hartzler absent.

Motion by Banks, with support by Barrone, to waive the requirements of Section 36-64(b)(2)b for a four- to six-foot masonry obscuring wall between the campground and residences. All ayes; motion carried (5-0) with Fraccarolli and Hartzler absent.

- 4. ADJOURNMENT:** Motion by Williams, support by Reagan to adjourn. All ayes; motion carried (5-0) with Fraccarolli and Hartzler absent. Meeting adjourned at 8:00 p.m.

Respectfully submitted,

Karen Banks, Recording Secretary

MEMO TO LAKE ODESSA PLANNING COMMISSION

FROM ZONING ADMINISTRATOR – Jeanne Vandersloot

REGARDING: Proposed Special Use Permit Application Fairground Campground

6-7-19

Bill King, on behalf of the Fair Board, has applied for a text amendment to the Public Recreational District and the Campground Regulations so that they can expand their campground area and update the amenities. The amendments have gone through the Planning Commission process and sent to the Council for approval.

They have also applied under the new amendments for a special use permit to create this new campground at the fairground property. Along with the application is a site plan, an aerial map, a zoning map and a parcel map of the area.

My review of the application package is noted in the site plan review section below.

The standards of Section 36-66 (Site Plan Review) and Section 36-67 (Special Use Section) are commented on by me in bold italics below the paragraphs:

Sec. 36-66. - Site plan review and approval.

- (a) *Site plan review by zoning administrator.* All applications for zoning permits, special use permits, rezoning's and variances, as governed in this chapter, shall first require site plan review by the zoning administrator (or any other body or official designated by the village control to review site plans). Refer to subsection (f) of this section regarding revisions to an approved site plan.
- (b) *Site plan approval.* Unless otherwise noted, all requests for zoning permits must have a site plan approval by the zoning administrator. All requests for special use permits must have a site plan reviewed by the zoning administrator and approved by the village planning commission.
- (c) *Standards for the review of site plans.* The site plan is to be reviewed to determine that:
 - (1) The proposed use conforms to the uses permitted in the respective zoning districts;
The use of "campground" has been added to the Public Recreational District as a special land use.
 - (2) The dimensional arrangement of buildings and structures conforms to the required yards, setbacks and height restrictions of the ordinance, unless waived by variance granted by the zoning board of appeals;
The layout of the camp sites and phased building and amenities conforms to the setbacks.
 - (3) The proposed use conforms to all use and design provisions and requirements (if any) as found in this chapter for certain specific uses, unless waived by variance granted by the zoning board appeals;
The use conforms to the new amendments to the campground section.
 - (4) There is a proper relationship between the existing and proposed streets and highways within the vicinity to assure the safety and convenience of pedestrian and vehicular traffic;

Street access is existing. They will be creating new extensions off the internal road system with a one way design for access to the campsites.

- (5) The proposed on-site buildings, structures, and entryways are situated and designed to minimize adverse effects (upon owners and occupants of adjacent and surrounding properties) by providing for adequate design of access/egress, interior/exterior circulation, storm drainage, erosion, grading, lighting and parking, as specified by this chapter or any county or state law;

The fairgrounds are an existing property and use and this application is an added use to a grass area. Stormwater will still sink into the ground as the campsites are grass and the internal road is planned for crushed asphalt. The public hearing will gauge input from the few neighbors on the west side of the campground area to find out if they want or need screening between them and the campsites with fencing or pine plantings. The camping circulation is planned with a one way road with makes the movement of campers and people safer.

- (6) As many natural features of the landscape shall be retained as possible where they can be useful to the development of the site, or where they furnish a barrier or buffer between the project and adjoining properties (used for dissimilar proposes) or where they assist in preserving the general safety, health, and appearance of the neighborhood, i.e., controlling erosion or the discharge of storm waters, etc.;

The grass area is existing and they hope to keep as many of the existing trees as possible. Some trees may need to be moved and new trees will be planted for the campsites.

- (7) Any adverse effects of the proposed developments and activities emanating therefrom upon adjoining residents or owners shall be minimized by appropriate screening, fencing, or landscaping (as provided or required in this chapter);

The Planning Commission may decide to require some screening to the west neighbors such as fencing or evergreens with a condition of approval.

- (8) All buildings and structures are accessible to emergency vehicles; and

The current access roads are existing and emergency vehicles should not have any problems with access. All sides are accessible to emergency vehicles.

- (9) The site plan as approved is consistent with the intent and purpose of zoning which is to promote the public health, safety, and general welfare, to encourage the use of lands in accordance with their character and adaptability; to avoid the overcrowding of population; to lessen congestion on the public roads and streets; to reduce hazards of life and property; and to facilitate the village land use plan.

The addition of a campground use in the PRD is in the approval process. There will be 20 campsites. There should not be any congestion on public roads as camping is seasonal and will depend on events in the area on the amount of use.

- (d) *Conditional approval.* As a condition of granting site plan approval, the designated site plan approval body or official for zoning permits and special use permits may require that certain site development measures be taken by the applicant to satisfy the review standards set forth in subsections (c)(1) through (c)(9) of this section; and which essentially are designed to protect the general health, safety and welfare, as well as to promote environmental preservation and nuisance abatement. Site development guidelines are provided in this chapter. Site development guidelines include but are not limited to drainage, soil erosion, planning and design to site, fencing, screening strips, landscaping, on-site lighting, signing and off-street parking. Said measures must be incorporated by the applicant onto the site plan and maintained at all times.
- (e) *Compliance with performance standards.* Compliance with performance standards for certain uses enumerated in this chapter is required.

(i) *Site plan specifications.* The information to be submitted as part of the site plan document must include the following:

- (1) A vicinity area map at a convenient scale, showing proximity to any railroads, streams, streets, and street intersections; the location of the nearest public roads on all sides; and all such schools, firehouses, houses of worship, recreational areas, etc.

An aerial of the area has been added that shows the streets, homes and the fairground property.

- (2) A map of applicant's entire subject property and all surrounding properties at a designated scale; and which shall display:
 - a. The name of all owners of record of adjacent property;
 - b. Existing fire, school and other special district boundaries within 500 feet of the tract, if any;
 - c. Boundaries of property and existing lot lines as shown on the existing plat or tax map;
 - d. Existing public streets, easements, or other reservations of lands;
 - e. Location of all existing structures on the site, as well as those of adjacent properties within 100 feet of subject lot line;
 - f. The proposed location and use of any building or structure;
 - g. The proposed location of any use not requiring a structure, including walkways, benches, fences, and recreational facilities;
 - h. Location and design of all driveways, parking and loading areas, if any;
 - i. Location of all existing and proposed water lines, valves, and hydrants, and all sewer lines, if any;
 - j. Proposed fencing, screening and landscaping; and
 - k. Location of existing watercourses, wooded areas, and rock outcrops, if any.

The above requirements of (a) through (k) are mostly shown on the aerial. The site plan shows water and sewer lines, new roads, parking, trees, the future building, future playground, dump station and walkways. The neighbors are notified of the public hearing using the Ionia County GIS program for names and addresses.

- (3) A copy of any covenants or deed restrictions that are intended to cover all or any part of the tract.

There should not be any covenants with this type of application.

- (4) Where the applicant wishes to develop the project in stages, a site plan indicating total development shall be presented for approval of the entire parcel.

The site plan shows the phased parts such as the future building and playground.

- (5) The zoning administrator (for zoning permits) and the planning commission (for special use permits) may require additional data where it is warranted due to special conditions of the site or complexity of the proposed development.

Additional information can be requested.

Sec. 36-67. - Special use permits.

In order that this chapter be flexible and reasonable, special uses are provided for in this chapter and require special use permits by the planning commission. Conformance to special use

standards is required, in addition to all other requirements of this chapter. All such uses are hereby declared to possess characteristics of such unique and distinct form that each specific use shall be considered on an individual case. The granting of a special use permit does not negate the requirement for any other required permit.

(1) *Standards for the consideration of special uses.* The review for a special use shall consider the following:

- a. The general safety, health, and welfare of the community-at-large. This shall include:
 1. Accessibility of the property in question to fire and police protection;
 2. Traffic conditions, creating or adding to a hazardous situation;
 3. Transportation design requirements, if any, which will be needed to accommodate any traffic impact for the use intended; and
 4. Appropriateness of the location, nature and height of the proposed use to the size, type, and kind of buildings, uses and structures in the vicinity and adjacent properties, including the safety and convenience of people therefrom.

The roads in and out of the fairgrounds area existing. Some camping has occurred in the past and the new sites and amenities lays out the exact spaces with new access roads so impact should be less than before as campers will know where to go. The public hearing will indicate if the west neighbors have issues with regular campers and may want some screening but there has been some camping there before.

- b. Any potential decrease in the market value of adjacent buildings, uses and structures which are permitted by right under current zoning, if the proposed use is granted;

It is doubtful any value of the nearby homes will be affected.

- c. Harmony with the village land use plan. This considers whether the location and size of the proposed use, the nature and intensity of the activities involved, the size of the site with respect to existing and future streets (giving access to it), parks and drainage systems will be in harmony with the village land use plan and the character of land use which is intended by said village plan for the area or district in question;

This district is for public recreational use so adding a more defined campground with amenities is in conformance with the Master Plan.

- d. Impact from the applicant's proposed use, its location and intensity and the height of its buildings, walls, fences and other structures upon the appropriate character of development intended for the area as deemed desirable by the village land use plan;

There should not be much, if any, new impact as there has been some camping in this area before.

- e. Any hazards arising from storage and use of dangerous toxic substances, combustible, inflammable, or caustic fluids or chemicals.

There are not any plans or need for any hazardous materials. The dump station is designed for safety and cleanliness.

- f. That the operations in connection with any special use shall not be environmentally objectionable to nearby properties by reason of noise, fumes, pollution, vibration, or lights to an extent which is more than would be the operations of any use permitted by right for that district wherein the special use is proposed.

There will be lights on poles for the campers and some noise from the camping units and people associated with them, but it should be minimal. There should not be fumes or pollution. If there is excessive noise such as a party at a

campsite, the local police can be called but campers are usually polite to one another. It is likely any noise or lighting from the campground will not be any different than what homes next to each other typically have.

- (2) *Conditional approval.* As a condition of granting a special use permit, the planning commission may require that certain development precautions and remedies be taken by the applicant in order to satisfy the special use review standards and the site plan review standards set forth in this chapter; and which essentially are designed to protect the general health, safety and welfare, as well as to promote environmental preservation and nuisance abatement. Site development guidelines are provided in this chapter. Site development guidelines include but are not limited to drainage, soil erosion, planning and design of site, fencing, screening, buffer strips, landscaping, on-site lighting, signing and off-street parking. Said measures must be incorporated by the applicant onto the site plan and maintained at all times.
- (3) *Compliance with performance standards.* Compliance with performance standards for certain uses enumerated in this chapter is required.
- (4) *Site plan approval required.* Site plan approval by the planning commission is required for all special use permits. Site plans are initially reviewed by the zoning administrator.

In the Campground section, the application site plan shows the dump station, the camping sites, the electric and water hookups, the future building with new showers, adequate parking, adding a new roadway for access to the sites and showing a future playground plus other related details such as trees, and water/sewer lines. A condition of approval should include that the applicant obtain the State Campground license, meet the Health Department regulations and have the Village Engineer review the new roadway and any stormwater plans sent to the Village stormwater person or the Drain Commission.

In conclusion, the application meets the new standards of the special use of a campground in section 36-95 (11) and the standards for approval of a special land use of Section 36-67 and a site plan of Section 36-66. Conditions of a reasonable nature can be included in an approval.

A public hearing is required by the Planning Commission due to the special use. See application package for specific details.