

MEMO TO LAKE ODESSA PLANNING COMMISSION

FROM ZONING ADMINISTRATOR – Jeanne Vandersloot

REGARDING: Fairgrounds Bathrooms and Pavilion Application

10-19-23

This application is from the owners of the fairgrounds. They applied for a zoning permit to construct a building that will have a pavilion in one part and bathrooms in the other part. The property is in the PR district. In reading the ordinance to process the zoning permit,, it came to my attention that a pavilion is a permitted use but all permanent buildings are a special use. Contractors and concrete were planned out on specific dates. We came up with doing the zoning permit for the pavilion part and they then applied for a special use permit for the bathrooms part. This application for the special use part for the bathrooms and is noticed for a public hearing on the October 23 Planning Commission meeting date.

Possibly some rewriting of the PR ordinance may be in order to more spell out what accessory buildings can be permitted uses and which ones should be special uses. This split in the uses had contractors scrambling to be able to do part of the work with the permit and the rest later with scheduling the two parts of the work.

There should be no detriments to adding a pavilion and bathroom near the pickle ball courts and play ground and it should be a needed asset to the people using these sporting areas.

This scanned group includes this memo, the application, site plans, aerials and the related checklists.



Lake Odessa
Page Memorial Building
839 Fourth Avenue
Lake Odessa, MI 48849

Phone: (616) 374-7110 Fax: (616) 374-0040 website: www.lakeodessa.org

Site Plan Review Application

This application must be completed in full and approved by the Lake Odessa Planning Commission before beginning any construction, excavation or use regulated by the Lake Odessa Zoning Ordinance.

Proposed Request: Special Use Permit Commercial Industrial Residential

Building 2 bathrooms and a pavillion.

Property Information

Address *Fairgrounds*

Parcel Tax ID Number *101-050-000-056-00* Number of Acres or Square Feet _____

Legal Description (use attachments if needed)

Applicant Information

Name *Brian Huskin*

Address *13112 Round Lake Rd*

City *Sunfield* State *MI* Zip *48890*

Phone Numbers *(577) 204-1033* () ()

Property Owner Information (if different from applicant)

Name *Lake Odessa Agricultural and Civic Society*

Address *D*

City *Lake Odessa* State _____ Zip _____

Phone Numbers () () ()

Site Plan Review Application (page 2)

Present Zoning District

PR

Present Use of the Property

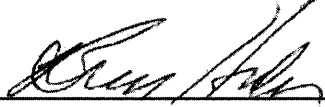
Greenspace & Parking

Site Plan (see zoning ordinance section 36.66 for details)

Include a site plan showing the location of the proposed use, any existing structures or the proposed location of any new construction or additions. Site plans must contain all of the information required in the Lake Odessa Zoning Ordinance.

Affidavit

I certify and affirm that I am the property or building owner or the owner's authorized agent and that I agree to conform to applicable zoning laws of the Village of Lake Odessa. I also certify and affirm that this application is accurate and complete to the best of my knowledge. I hereby give permission for Village representatives to visit this location.

Signature Agent  Date 9/27/23
Signature Owner _____ Date _____

Office / Zoning Administrator Use

Fee paid _____ Date _____

Application Approved _____ Date _____

Conditions of Approval _____

Application Denied _____ Date _____

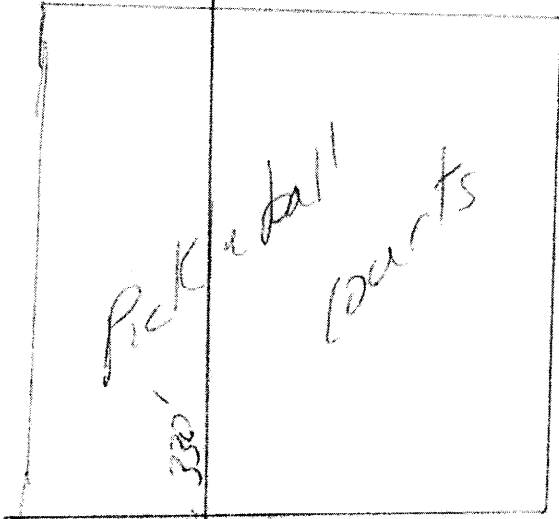
Reason for Denial _____

Zoning Administrator Signature

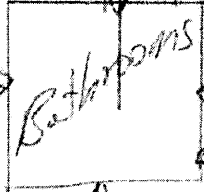
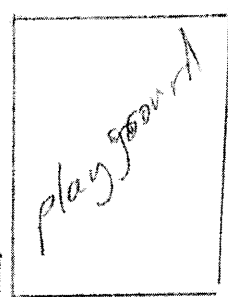
_____ Date _____

N

Fairgrounds Rd



House lots



110'

870' to house
lots on 4th Ave.

300'

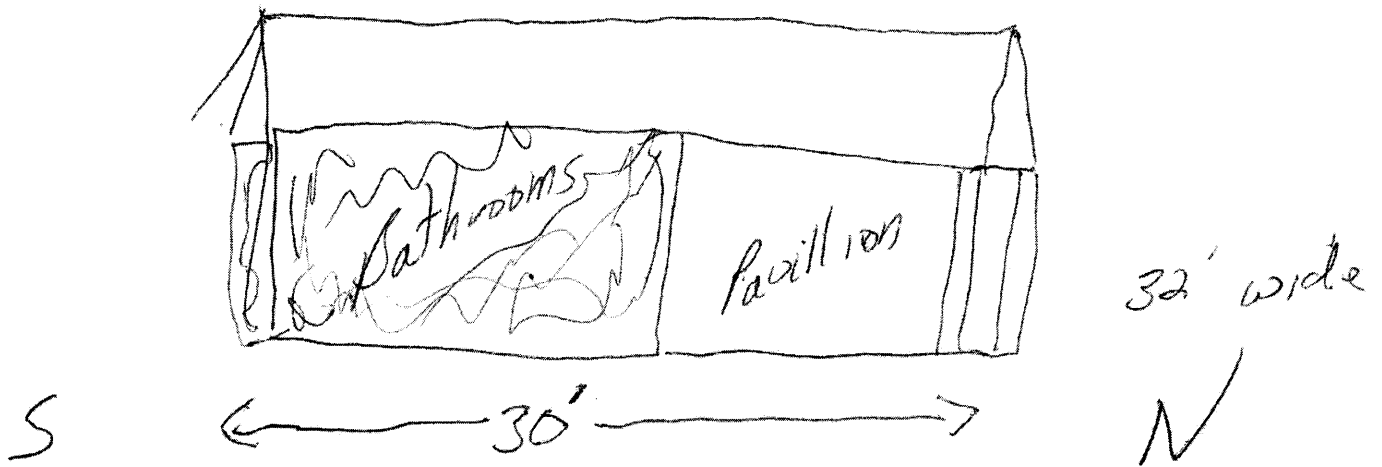
Fairgrounds Entrance

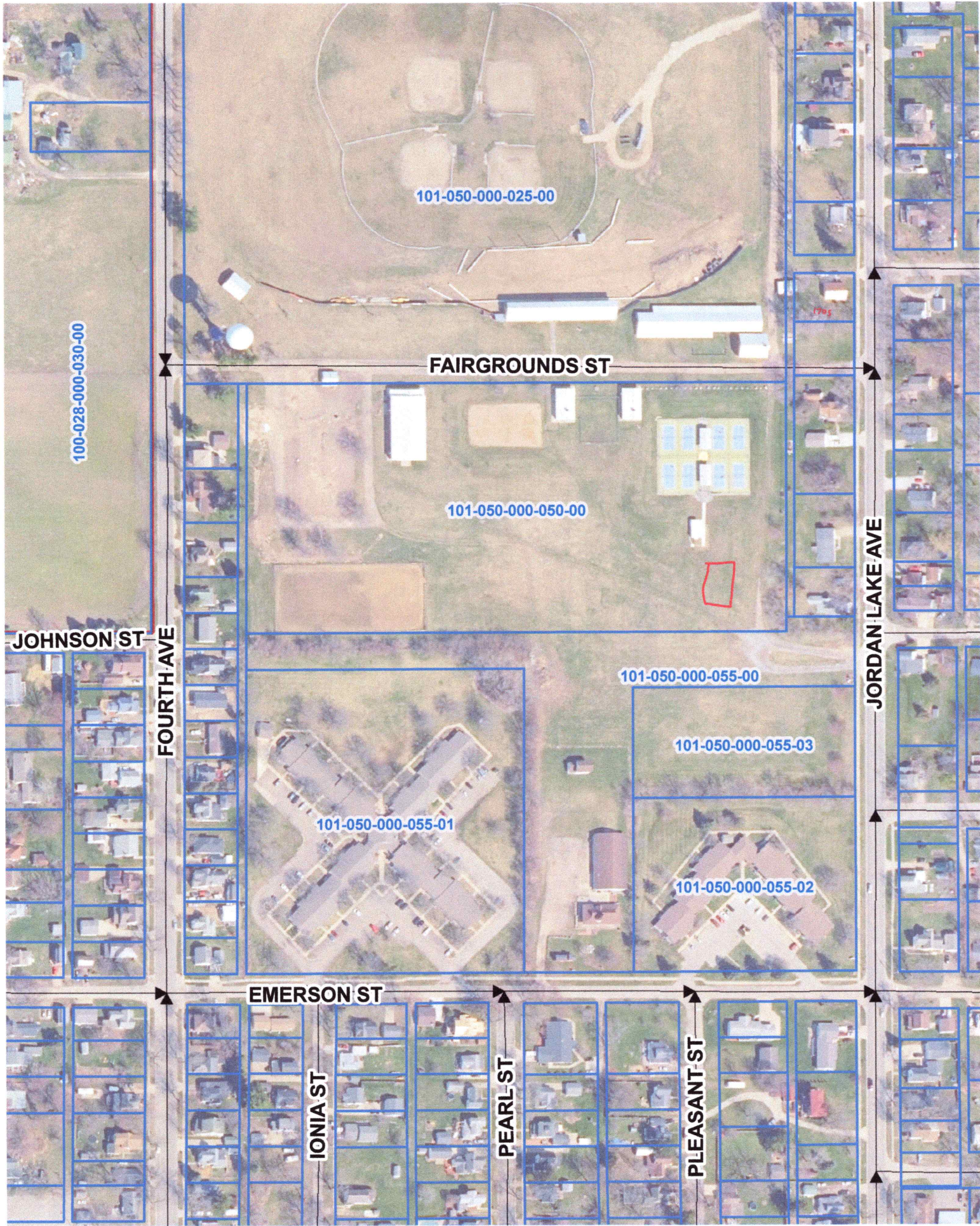
500' to
Emerson
Mansion
Property

Jordan Lake St

Site Plan

Use the space below to draw a site plan showing the proposed location of the new construction or additions to any existing structures. Include the location of existing structures and dwellings. Indicate the distances of the proposed construction to your lot lines, road right of way or road centerline, easements, and shorelines. For new accessory structures also include the distance to the dwelling.





101-050-000-025-00

100-028-000-030-00

FAIRGROUNDS ST

101-050-000-050-00

JOHNSON ST

FOURTH AVE

101-050-000-055-00

JORDAN LAKE AVE

101-050-000-055-03

101-050-000-055-01

101-050-000-055-02

EMERSON ST

IONIA ST

PEARL ST

PLEASANT ST



100-028-000-020-00

100-028-000-045-00

100-027-000-085-00

BONANZA RD

101-050-000-025-00

100-028-000-030-00

CLARK ST

FAIRGROUNDS ST

101-050-000-050-00

JORDAN LAKE AVE

ROCHESTER ST

101-050-000-055-00

JOHNSON ST

FOURTH AVE

101-050-000-055-03

HARRISON ST

101-050-000-055-01

101-050-000-055-02

EMERSON ST

101-150-000-455-00

LINCOLN AVE

IONIA ST

PEARL ST

PLEASANT ST

MORTON ST

FIFTH AVE

TUPPER LAKE ST

FIRST AVE

Public Recreation Special Use Permit Checklist

| Item | Conditions Met | Comments |
|---|----------------|--|
| <p><i>Fairgrounds - Bathrooms + Pavilion</i></p> <p><i>Intent and purpose.</i> The purpose of the PR district is to provide for the public health, safety and welfare, by insuring the compatibility of recreation uses with adjacent lands; by protecting natural amenities; and by preserving recreation areas from the encroachment of certain other uses.</p> | <p>Y</p> | <p><i>Existing fairgrounds</i></p> |
| <p>Uses permitted by special use permit. Uses permitted by special use permit in the PR district shall be as follows: <u>Permanent buildings and structures accessory and incidental to permitted uses.</u></p> | <p>Y</p> | <p><i>There are other uses, Pavilion is a permitted use Permanent buildings are special uses - Bathrooms</i></p> |
| <p><i>Bulk regulations and general requirements.</i> Bulk regulations and general requirements in the PR district shall be as follows:</p> | | |
| <p>The minimum side and rear yard setbacks for all development on the site shall be 25 feet.</p> | <p>Y</p> | |
| <p>The minimum front yard setback for all development on the site shall equal that of the minimum front yard setback for the most restrictive proximate zoning district.</p> | <p>Y</p> | |
| <p>Development features shall be so located and arranged as to encourage pedestrian, vehicular, user and neighborhood safety, as determined by the planning commission.</p> | <p>Y</p> | |
| <p><i>Maximum building height and floor area.</i></p> | | |
| <p>Buildings and structures shall not exceed a height of 35 feet or two and one-half stories; provided, a greater height may be permitted for temporary buildings or structures of a definite and limited time period.</p> | <p>Y</p> | |
| <p>Building or structure floor area shall not exceed 20 percent of the lot area.</p> | <p>Y</p> | |
| <p>Off-street parking spaces. The location, arrangement and number of parking spaces shall be approved by the planning commission. The</p> | <p>Y</p> | <p><i>Plenty of parking areas</i></p> |

Public Recreation Special Use Permit Checklist

| | | |
|--|-------------------------|---|
| <p>applicant may be required to demonstrate that proposed parking is sufficient to serve the intended use(s).</p> | <p>↑ Y</p> | |
| <p>Landscaping. During site plan review, the planning commission may require a combination of trees, shrubs, fences and/or berms to buffer recreational facilities from adjacent properties.</p> | <p>Y PC can</p> | <p>The pavilion & bathrooms are near the pickle ball courts</p> |
| <p>The planning commission may establish requirements for and/or limits on lighting, limits on hours of operation, time limits on validity of a special use permit, or any other measures deemed necessary to minimize negative impacts on nearby uses and traffic operations.</p> | <p>*</p> | <p>Planning Commission may add conditions</p> |

The addition of a covered pavilion and bathrooms near the pickle ball courts and playground will be an asset to the area.

PLANNING COMMISSION CHECKLIST

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

| Fairgrounds Pavilion & Bathrooms | Condition Met? | Comments |
|--|----------------|----------------------------------|
| (a) Site plan review by zoning administrator. All applications for zoning permits, special use permits, rezonings 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) <i>Standards for the review of site plans.</i> The site plan is to be reviewed in order to determine that: | | |
| (1) The proposed use conforms to the uses permitted in the respective zoning districts; | Y | |
| (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; | Y | |
| (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; | Y | |
| (4) There is a proper relationship between the existing and proposed streets and highways within the vicinity in order to assure the safety and convenience of pedestrian and vehicular traffic; | Y | existing |
| (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; | Y | existing |
| (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; | Y | existing will be on lawn area |
| (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); | Y | Existing screening |
| (8) All buildings and structures are accessible to emergency vehicles | Y | |
| (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 | Y | |

| | Condition Met? | Comments |
|--|----------------|---|
| 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. | | |
| (d) <i>Conditional approval.</i> 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 in order 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. | * | Conditions are permitted by the Planning Commission for approval if reasonable. |
| (e) <i>Compliance with performance standards.</i> Compliance with performance standards for certain uses enumerated in this chapter is required. | * | |
| (f) <i>Final approved site plan on file.</i> A copy of the final approved site plan (and all revised, final approved site plans) shall be so marked and placed on file as the officially approved document of the applicant along with copies of any and all permits requested for the property in question. Approval of revised, final site plans can be made only by the designated body or official who first gave initial approval. | * | |
| (g) <i>Conformity to approved site plan.</i> Property which is the subject of the site plan approval must be developed in strict compliance with the approved site plan, and with any revisions, amendments or modifications made thereto. If construction and development does not conform with such approved plan, the approval there of shall be revoked by the zoning administrator by written notice of such revocation posted upon the premises involved and mailed to the developer at his last known address. Upon revocation of such approval, all further construction activities shall cease upon the site, other than for the purpose of correcting the violation. | * | |
| (h) <i>Performance bond required.</i> Wherever any physical improvements to the property in question are to be provided by the applicant as a requirement or condition of site plan approval, the applicant or his agent shall post a performance bond. See article V of this chapter for posting of bonds. | * | Planning Commission <u>may</u> require a cash bond. Amount to be determined. |
| (i) <i>Site plan specifications.</i> 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. | Y | See aerial |

| | Condition Met? | Comments |
|--|----------------|-----------------|
| (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; | NA | Not needed |
| b. Existing fire, school and other special district boundaries within 500 feet of the tract, if any; | Y | None |
| c. Boundaries of property and existing lot lines as shown on the existing plat or tax map; | Y | See aerial |
| d. Existing public streets, easements, or other reservations of lands; | Y | aerial |
| e. Location of all existing structures on the site, as well as those of adjacent properties within 100 feet of subject lot line; | Y | See aerial map. |
| f. The proposed location and use of any building or structure; | Y | site plan |
| g. The proposed location of any use not requiring a structure, including walkways, benches, fences, and recreational facilities; | Y | See aerial |
| h. Location and design of all driveways, parking and loading areas, if any; | Y | existing |
| i. Location of all existing and proposed water lines, valves, and hydrants, and all sewer lines, if any; | NA | existing |
| j. Proposed fencing, screening and landscaping; and | Y | no new proposed |
| k. Location of existing watercourses, wooded areas, and rock outcrops, if any. | NA | none |
| (3) A copy of any covenants or deed restrictions that are intended to cover all or any part of the tract. | NA | |
| (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. | NA | |
| (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. | Y | |

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.

| | Condition Met? | Comments |
|---|----------------|---|
| (1) <i>Standards for the consideration of special uses.</i> 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; | Y | |
| 2. Traffic conditions, creating or adding to a hazardous situation; | Y | existing |
| 3. Transportation design requirements, if any, which will be needed to accommodate any traffic impact for the use intended | NA | . |
| 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. | Y | goes with existing uses |
| 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; | Y | None |
| 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; | Y | |
| 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; | Y | It will be an asset to that part of the fairgrounds |
| e. Any hazards arising from storage and use of dangerous toxic substances, combustible, inflammable, or caustic fluids or chemicals. | Y | None |
| 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. | Y | None |

| | Condition Met? | Comments |
|---|----------------|--|
| (2) <i>Conditional approval.</i> 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. | * | Conditions can be applied if reasonable. |
| (3) <i>Compliance with performance standards.</i> Compliance with performance standards for certain uses enumerated in this chapter is required. | * | |
| (4) <i>Site plan approval required.</i> Site plan approval by the planning commission is required for all special use permits. Site plans are initially reviewed by the zoning administrator. | * | |
| (5) <i>Time constraints.</i> A special use permit shall be deemed to authorize only one particular special use and shall expire if the special use shall cease for more than 12 months for any reasons. Initial development must begin within one year from the date of issuance. | * | |
| (6) <i>Existing violations.</i> No permit shall be issued for a special use for a property where there is an existing violation of this chapter, with respect to a new use or structure. | * | |
| (7) <i>Decisions in writing.</i> It is further provided that in granting or denying a special use permit, the planning commission shall specify in the written decision the particular reason relied upon and its relation to the proposed use. | | |
| (8) <i>Appeals.</i> Any and all appeals regarding a decision or condition imposed upon a special use application shall be made to the zoning board of appeals within 15 days from the date of decision or imposed condition. | | |