

CHARTER TOWNSHIP OF UNION
Planning Commission
Regular - Electronic Meeting Minutes

A regular-electric meeting of the Charter Township of Union Planning Commission was held on December 15, 2020 as a virtual meeting through the Zoom meeting platform.

Meeting was called to order at 7:01 p.m.

Welcome Jessica Lapp, newest Planning Commission member.

Roll Call

Present:

Buckley (location: Union Township, Isabella County, Mt. Pleasant, MI)
Clerk Cody (location: Union Township, Isabella County, Mt. Pleasant, MI)
Darin (location: Union Township, Isabella County, Mt. Pleasant, MI)
Fuller (location: Union Township, Isabella County, Mt. Pleasant, MI)
LaBelle (location: Union Township, Isabella County, Mt. Pleasant, MI)
Lapp (location: Elkhart County, Goshen, Indiana)
Shingles (location: Union Township, Isabella County, Mt. Pleasant, MI)
Squatrito (location: Isabella County, Mt. Pleasant, MI)

Others Present

Rodney Nanney, Community and Economic Development Director; Zoning Administrator, Peter Gallinat, and Administrative Assistant, Jennifer Loveberry

Approval of Minutes

Fuller moved Shingles supported the approval of the November 17, 2020 regular meeting as presented. Vote: Ayes: 8 Nays: 0. Motion carried.

Correspondence / Reports/ Presentations

- A. Board of Trustees updates by Clerk Cody
- B. ZBA updates by Buckley
- C. Sidewalks and Pathway Prioritization updates by Darin

Approval of Agenda

Buckley moved Darin supported to approve the Agenda as presented. Vote: Ayes: 8 Nays: 0. Motion Carried.

Public Comment

Open 7:10 p.m.

No comments were offered.

Closed 7:11 p.m.

New Business

- A. **PSUP 20-02 (Malley Construction) Special Use Permit Application for a contractor's yard on the southeast corner of Packard St. and Airport Rd.**

- a. Introduction
- b. Public Hearing
- c. Updates from the Applicant and Staff
- d. Deliberation
- e. Action (recommendation to the Board of Trustees)

Applicant is proposing a Contractor's Yard located east of Packard St. This is an expansion of the business currently conducted at 1565 S. Park Place.

Public Hearing

Open: 7:14 p.m.

Chad Carstensen, 4585 E. Airport Rd – Safety issues

Mike Curtice, 4585 E. Airport Rd – Safety issues

Letter from Barry VanBuskirk commenting on contractor's yard

Closed: 7:24 p.m.

Brad Malley commented and answered questions by the commissioners. Mr. Malley stated that he didn't think that the road closure would be shown on the preliminary site plan or would be part of this SUP and confirmed that he wasn't planning on pursuing the road at this time. He will be working with his attorney to address concerns that he has regarding the road closure and may be back before the commission at a future date.

Cody moved **Buckley** supported to recommend to the Township Board of Trustees to approve the PSUP 20-02 special use permit application from Malley Construction for a Contractor's Yard on approximately 8.59 acres of land (parcel numbers 14-011-30-001-07 and 14-011-40-002-00) on the south side of East Airport Road and east of Packard St. in the southwest quarter of Section 11 and in the I-1 (Light Industrial) zoning district, finding that it can comply with Section 14.3.J. (Standards for Special Use Approval), subject to the following conditions:

1. The Planning Commission acknowledges that Mr. Malley will remove the proposed closure of Packard St. from the site plan for the Contractor Yard development.
2. A final site plan is approved for the proposed special use PSUP 20-02 development.

Roll Call Vote: Ayes: Buckley, Cody, Darin, Fuller, LaBelle II, Lapp, Shingles, and Squattrito Nays: 0. Motion carried.

B. PSPR 20-15 (Malley Construction, 1565 Park Place) Preliminary Site Plan Application for a contractor's yard on the southeast corner of Packard St. and Airport Rd.

- a. Introduction
- b. Updates from the Applicant and Staff
- c. Deliberation
- d. Action (approve, deny, approve with conditions)

Malley Construction is proposing to expand their business currently conducted at 1565 S. Park Place.

Buckley moved **Cody** supported to approve the PSPR 20-15 preliminary site plan from Malley Construction for a Contractor's Yard on approximately 8.59 acres of land (parcel numbers 14-

011-30-001-07 and 14-011-40-002-00) on the south side of East Airport Road and east of Packard St. in the southwest quarter of Section 11 and in the I-1 (Light Industrial) zoning district, finding that the site plan with a revision date of November 19, 2020 can comply with applicable Zoning Ordinance requirements for preliminary site plan approval, including Sections 14.2.P. (Required Site Plan information) and 14.2.S. (Standards for Site Plan Approval), subject to the following condition(s):

1. Remove the proposed closure of Packard St. from the final site plan for the project.
2. Provide all items of required information on the final site plan per Section 14.2.P.
3. Preliminary site plan approval is contingent upon Board of Trustees final approval of the PSUP2 20-02 Contractor's Yard special use permit for this project. **Roll Call Vote: Ayes: Buckley, Cody, Darin, Fuller, LaBelle II, Lapp, Shingles, and Squattrito Nays: 0. Motion carried.**

C. PSPR20-16 (Consumers Energy) Preliminary Site Plan Application for modernization of the "city gate" natural gas facility on the south side of E. Pickard Rd. west of S. Summerton Rd.

- a. Introduction
- b. Updates from the Applicant and Staff
- c. Deliberation
- d. Action (approve, deny, approve with conditions)

The applicant is proposing to reconstruct its existing "city gate" facility, which is an essential component of the utility company's regional natural gas distribution system and is regulated as an "essential service" land use allowed in all zoning districts subject to site plan approval.

Cody moved **LaBelle II** supported to approve the PSPR 20-16 preliminary site plan from Consumers Energy for the Pickard Road City Gate Reconstruction Project on parcel number 14-013-20-001-00 located on the south side of E. Pickard Rd. between S. Summerton Rd. and the Baymont Inn in the northeast quarter of Section 13 and in the B-7 (Retail and Service Highway Business) zoning district, finding that the "Nov 2020" site plan can comply with applicable Zoning Ordinance requirements for preliminary site plan approval, including Sections 14.2.P. (Required Site Plan information) and 14.2.S. (Standards for Site Plan Approval), subject to the following condition(s):

1. The access, fence height, and planting location modifications are accepted as presented on the site plan per Section 7.15 of the Zoning Ordinance.
2. Include a specific revision date on the final site plan cover sheet.
3. Add the required public sidewalk along the length of the S. Summerton Rd. frontage and associated details to the final site plan. **Roll Call Vote: Ayes: Buckley, Cody, Darin, Fuller, LaBelle II, Lapp, Shingles, and Squattrito Nays: 0. Motion carried.**

D. PSPR20-17 (Reals-Palmer LLC) Preliminary Site Plan Application for Biggby Coffee location on the north side of E. Pickard Rd. west of S. Summerton Rd.

- a. Introduction
- b. Updates from the Applicant and Staff
- c. Deliberation
- d. Action (approve, deny, approve with conditions)

The applicant is proposing a new Biggby Coffee modular building, drive-through lane, and outdoor seating area in the east parking lot of the former Mid Michigan Community College building at 5805 E. Pickard Rd.

Cody moved **Darin** supported to approve the PSPR 20-17 preliminary site plan from Reals-Palmer LLC for the construction of a new Biggby Coffee modular building, drive-through lane, and outdoor seating area on parcel number 14-012-04-007-07 located on the north side of E. Pickard Rd. between S. Summerton Rd. and the former Mid Michigan Community College building at 5805 E. Pickard Rd. in the southeast quarter of Section 12 and in the B-7 (Retail and Service Highway Business) zoning district, finding that the “November 2020” site plan can comply with applicable Zoning Ordinance requirements for preliminary site plan approval, including Sections 14.2.P. (Required Site Plan information) and 14.2.S. (Standards for Site Plan Approval), subject to the following condition(s):

1. Provide documentation of permission from the owner to utilize the adjacent land and driveway at 5805 E. Pickard Rd. for access to the facility with the final site plan submittal.
2. Add the sidewalk connection into the site from E. Pickard Rd. to the final site plan.
3. Update the parking, exterior lighting, and landscaping on the final site plan to conform to Zoning Ordinance requirements and add a specific revision date to the final site plan.
4. Add the new public sidewalk along the length of the S. Summerton Rd. frontage to the final site plan, but temporary relief is granted from construction of this new sidewalk because the applicant does not have leasehold rights to the entire parcel.
5. The future access from S. Summerton Rd. is not necessary and can be removed from the final site plan. **Roll Call Vote: Ayes: Buckley, Cody, Darin, Fuller, LaBelle II, Lapp, Shingles, and Squattrito Nays: 0. Motion carried.**

E. Request for restoration of temporary relief from sidewalk construction for two (2) properties on Remus Rd. (Merchandise Outlet and Woodland Investments).

- a. Introduction**
- b. Updates from Staff**
- c. Deliberation**
- d. Action (approve, deny, approve with conditions)**

The applicant has requested by letter that his property be given continued temporary relief, citing that the Michigan Department of Transportation (MDOT) is mandating that additional off-site sidewalk/intersection improvements be provided that have greatly increased the cost of the project. Township staff has also included Merchandise outlet in this request since the same issues will exist.

Cody moved **Lapp** supported to approve the request to re-establish the previously granted temporary relief from sidewalk construction for the parcels at 2467 E. Remus Rd. (Merchandise Outlet) and 2260 E. Remus Rd. (Woodland Investments) in the B-5 (Highway Business) zoning district because the MDOT requirements would unreasonably require the property owner to construct improvements on property not owned by the current property owner, and because the EDA Board has included funds for some additional sidewalks along Remus Rd. in their FY2021 recommended budget, subject to the following condition(s):

1. No new construction or modifications to either existing site requiring site plan approval is proposed, approved, and constructed. If so, sidewalk construction will be required at

that time. **Roll Call Vote: Ayes: Buckley, Cody, Darin, Fuller, LaBelle II, Lapp, Shingles, and Squattrito Nays: 0. Motion carried.**

Other Business

A. Master Plan implementation

a. Continue discussion of action items.

The commission agreed to continue discussion at the next planning commission meeting. No action taken.

Extended Public Comment

Open –9:52 p.m.

No comments were offered.

Closed – 9:52 p.m.

Final Board Comment

Buckley – commented that the Sidewalk and Pathway Prioritization address MDOT requirements

Adjournment – Chairman Squattrito adjourned the meeting at 9:56 p.m.

APPROVED BY:

Alex Fuller - Secretary
Mike Darin – Vice Secretary

(Recorded by Jennifer Loveberry)