VILLAGE OF LAKE ODESSA PLANNING COMMISSION

PROPOSED AGENDA

TUESDAY, MAY 21, 2024 - 7:00 P.M. PAGE MEMORIAL BUILDING 839 FOURTH AVENUE LAKE ODESSA, MI 48849

- 1. <u>Call to Order / Roll Call</u>
- 2. <u>Approval of Agenda</u>
- 3. Public Comment

Under the Open Meetings Act, any citizen may come forward at this time and make comment on items that appear on the agenda. Comments will be limited to three minutes per person. Anyone who would like to speak shall state his/her name and address for the record. Remarks should be confined to the question at hand and addressed to the chair in a courteous tone. No person shall have the right to speak more than once on any particular subject until all other persons wishing to be heard on that subject have had the opportunity to speak.

- 4. Minutes: To approve the meeting minutes from the following Planning Commission meetings:
 - a. Minutes from the regular Planning Commission meeting of March 25, 2024
 - b. Minutes from the special Planning Commission meeting of April 16, 2024
- 5. Action and Discussion items:
 - a. Stuart Ventures, LLC Project Phase 2
 - b. Discuss samples of zoning language provided
- 6. <u>Board Member Comments</u>
- 7. <u>Adjournment</u>

VILLAGE OF LAKE ODESSA PLANNING COMMISSION

MINUTES

REGULAR MEETING MONDAY, MARCH 25, 2024 - 7:00 p.m.

Page Memorial Building Lake Odessa, Michigan

Present: Karen Banks, Beth Barrone, Ben DeJong, Meg Wheeler, Martha Yoder

Absent: Al Hamp

Staff: Kathy Forman, Jeanne Vandersloot

- 1. CALL TO ORDER: Meeting called to order by Chair Wheeler at 7:00 p.m.
- **2.** AGENDA: Motion by Barrone, with support by DeJong, to approve agenda as presented. All ayes; motion carried 5-0.
- 3. **PUBLIC COMMENT:** None
- **4.** MINUTES: Motion by Yoder, with support by Barrone, to approve minutes of 1/22/24 meeting. All ayes; motion carried 5-0.

5. ACTION ITEMS:

a. Master Bid Plans:

A discussion was held about the important areas to focus on. Suggestions were housing, central business district and recreation facilities. An agenda should be set with guidelines to follow to achieve each goal in the plan. Grant possibilities should be investigated. The village should look at ways to lower the cost of the bids. Using local sources for the visioning session was suggested, possibly Village Manager Guetschow would be able to facilitate this.

It was decided to invite McKenna and Beckett & Raeder, Inc. to a meeting for an in-person interview and presentation of their plan.

Motion by Barrone, with support of DeJong to set a special meeting on April 16, 2024 with an alternate date of April 11, 2024 for presentations by McKenna and Becket & Rader. All ayes; motion carried 5-0.

6. **BOARD MEMBER COMMENTS:**

Jeanne asked for guidance from the planning commission regarding a Zoning Permit Application from Mike Mouch for an addition at Conrad's Oil Change which she has received. There is a special use already granted for the address. Jeanne needs help understanding if the Planning Commission will require a new site plan or not. After discussion it was decided Jeanne could issue the Zoning Permit and a new site plan wouldn't be needed. Jeanne also asked it the Special Use Ordinance should have language allowing for changes up to a certain percent of size increase.

Al Hamp turned in a letter of resignation to Village President Karen Banks. This will be presented at the Village Council Meeting on Monday, April 15, 2024.

7. **ADJOURNMENT:** Motion by DeJong, with support by Banks, to adjourn. All ayes; motion carried 5-0. Meeting adjourned at 7:35 p.m.

Respectfully submitted,

Kathy Forman Village Clerk / Treasurer

VILLAGE OF LAKE ODESSA PLANNING COMMISSION

MINUTES

SPECIAL MEETING TUESDAY, APRIL 16, 2024 - 5:00 p.m.

Page Memorial Building Lake Odessa, Michigan

Present: Karen Banks, Ben DeJong, Gregg Guetschow, Meg Wheeler, Martha Yoder

Absent: Beth Barrone Staff: Kathy Forman

1. CALL TO ORDER: Meeting called to order by Chair Wheeler at 5:02 p.m.

2. **PUBLIC COMMENT**: None

3. ACTION ITEMS:

a. Master Bid Plans: Village Manager Guetschow provided a memo to commission members. The proposal from McKenna is the only viable proposal at this time. Guetschow asked if the commission would entertain a proposal from Giffels-Webster or if they were comfortable accepting the proposal from McKenna. Either company would probably offer savings if the village facilitated our own meetings. If the commission decides on McKenna they could recommend the proposal to the village council for approval at their next meeting.

Motion by Banks, with support by DeJong to recommend to village council we engage the services of Makenna for completing the master plan. All ayes; motion carried 5-0.

- 6. **BOARD MEMBER COMMENTS:** None
- 7. **ADJOURNMENT:** Without objection, the meeting adjourned at 5:16 p.m.

Respectfully submitted,

Kathy Forman Village Clerk / Treasurer

MEMO TO LAKE ODESSA PLANNING COMMISSION

FROM ZONING ADMINISTRATOR – Jeanne Vandersloot

REGARDING: Phase 2 Stuart Condos

5-16-24

The Stuarts have submitted plans for phase 2 of their condo project on Third Ave. This is a site plan review for the Planning Commission. I completed a checklist review like in Phase 1 for Phase 2 of the condo project on Third Ave. See those pages in a separate document with checks and comments.

In addition, they are asking to replace the previously approved Phase 1 front yard trees from crimson king maples to dogwoods. The previously approved types will be too large in these spaces and dogwoods will fit better for size and type.

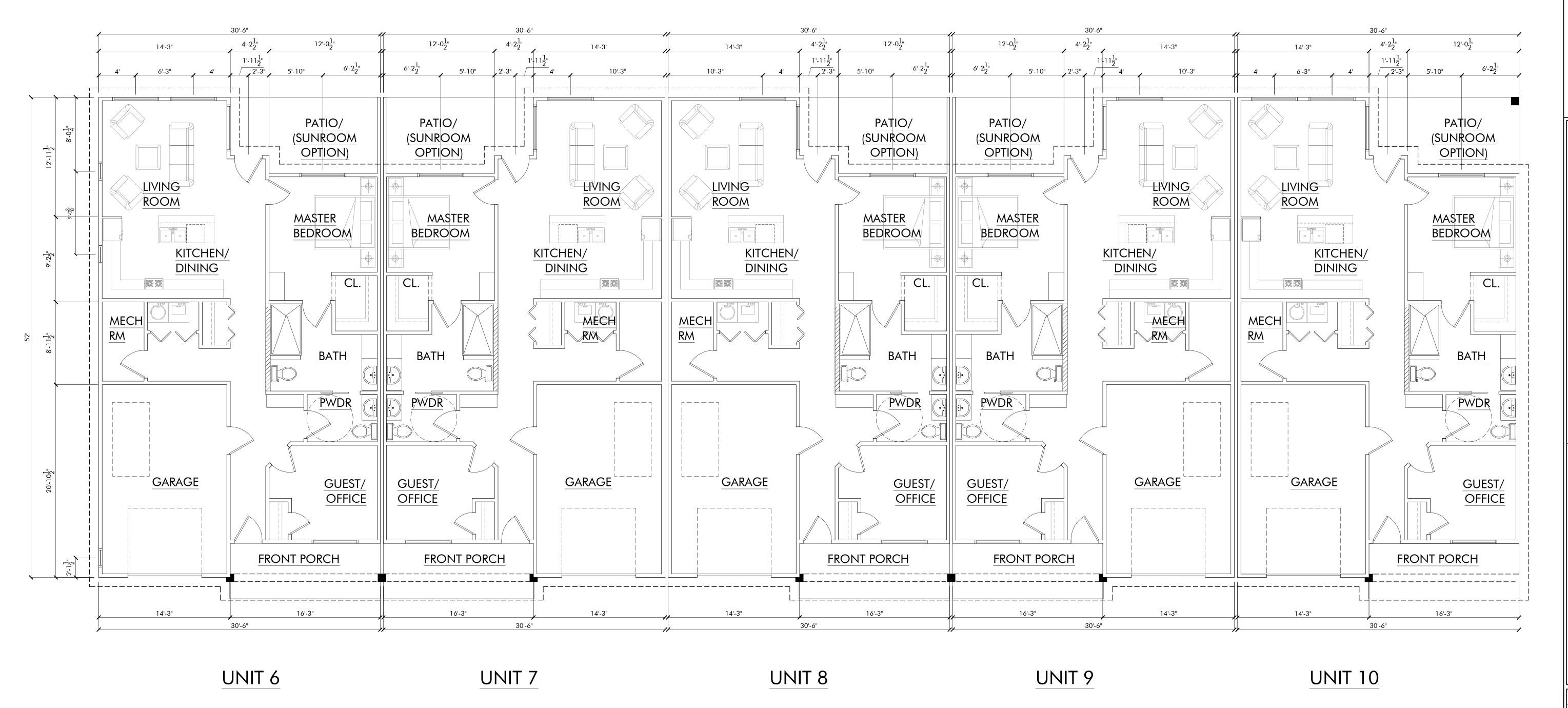
For Phase 2 there are a few types of information that will be needed yet and they can be done as "approval conditions". See below.

They need to meet with DPW on the proposed driveway widths/specifications/permit requirements where this driveway will provide access to building 2 and 3 and will intersect with Third Ave and Second Ave.

The unit floor plans need to show the square footage of each unit to check if they meet the minimum size requirements.

Plans have been sent to the Ionia County Drain Commission for stormwater details but nothing has come back yet. A condition can be added that a future letter is to be filed and requirements met during construction.

They are asking for a waiver of the perimeter landscaping buffer. You already gave them a waiver (in phase 1) on the south border to erect a fence instead of trees due to the lack of space. That fence is shown on the plans. For the perimeter landscaping, they are proposing 3 dogwoods along Third Ave and 3 in front of building 2 and 2 in front of building 3. The ordinance requires 2 evergreen and 2 deciduous trees every 50 linear feet but this would not be practical and would take up the front yards too much. That would add up to 22 trees (both types total). This waiver can be an approval condition.



BUILDING 2 - FLOOR PLAN_

SCALE: $\frac{3}{16}$ " = 1'-0"

PREPARED FOR:
Stuart Ventures and
Tall Tree Realty and Property Management.
PROJECT ADDRESS:

Intown Condos of Lake Odessa (phase 1)

ISSUE DATES:

DRAWN BY: AVE

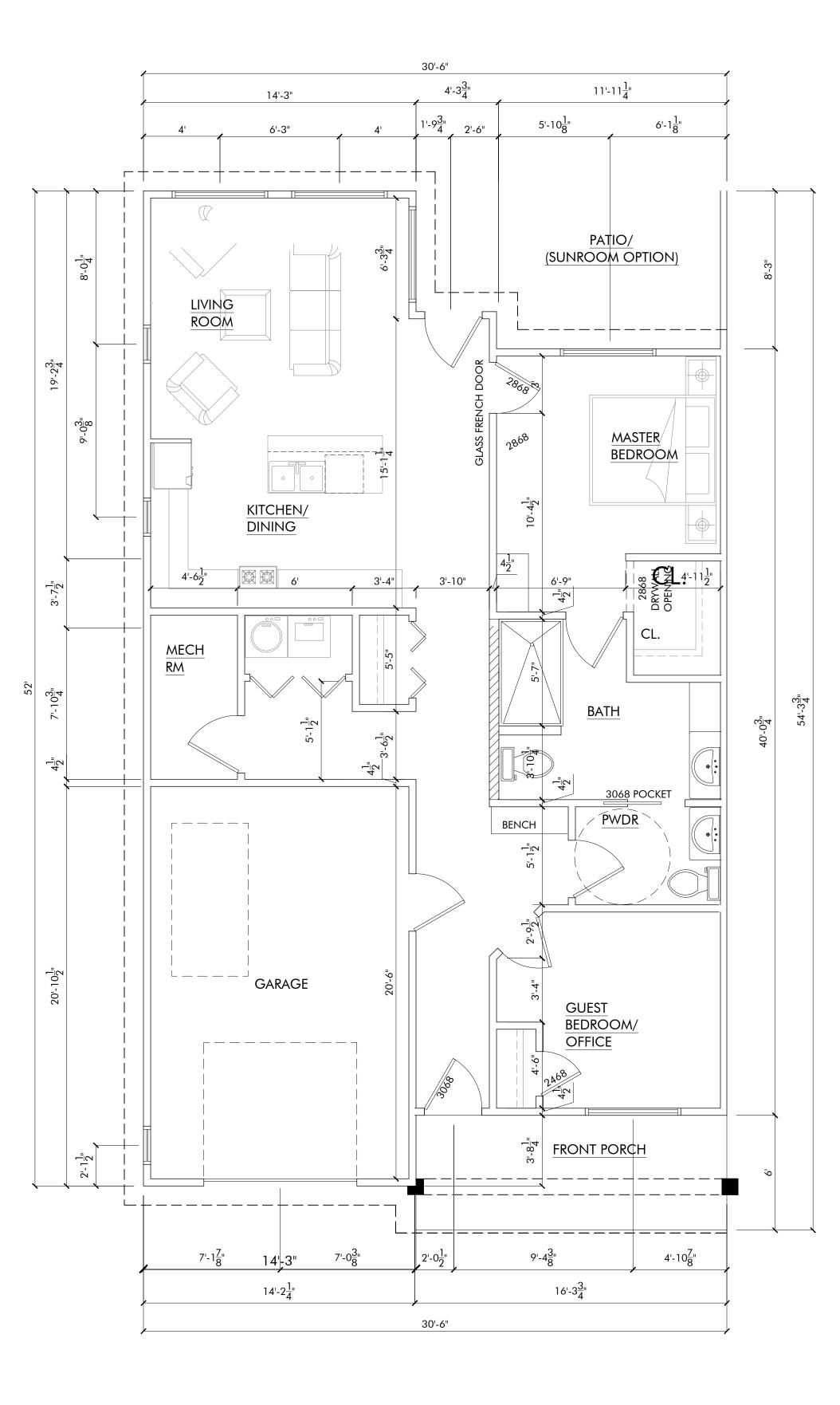
CHECKED BY:

DATE: 2/15/24

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BUILDING FLOOR PLAN

A101



 $\frac{\text{DESIGN LAYOUT}}{\text{SCALE: } \frac{1}{4}" = 1'-0"}$

PREPARED FOR:
Stuart Ventures and
Tall Tree Realty and Property Mar

PROJECT NAME:
Intown Condos of Lak
Odessa (phase 1)

DRAWN BY: AVBV
CHECKED BY:

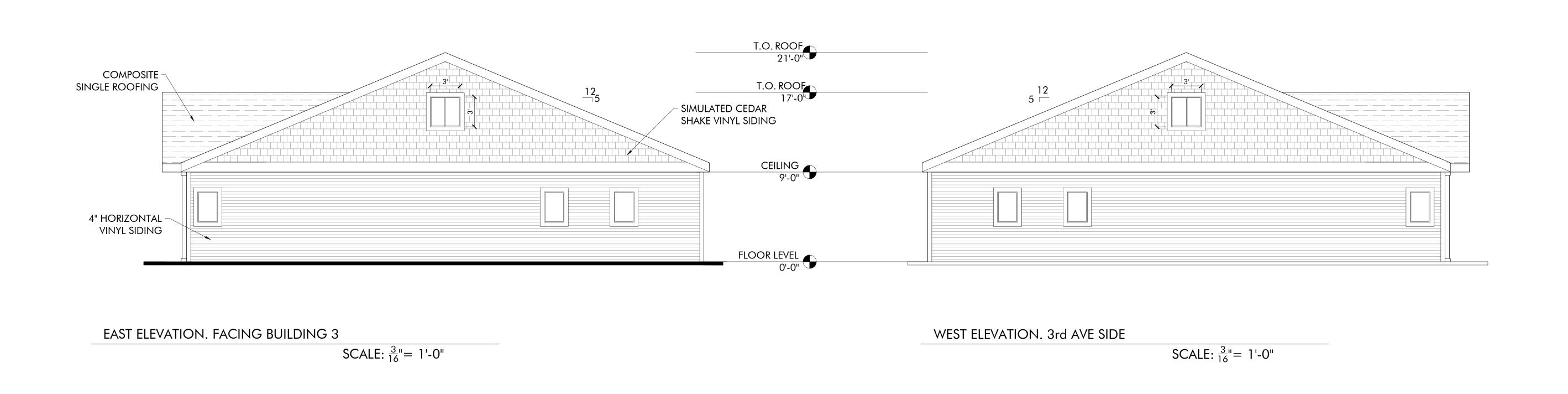
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LAYOUT





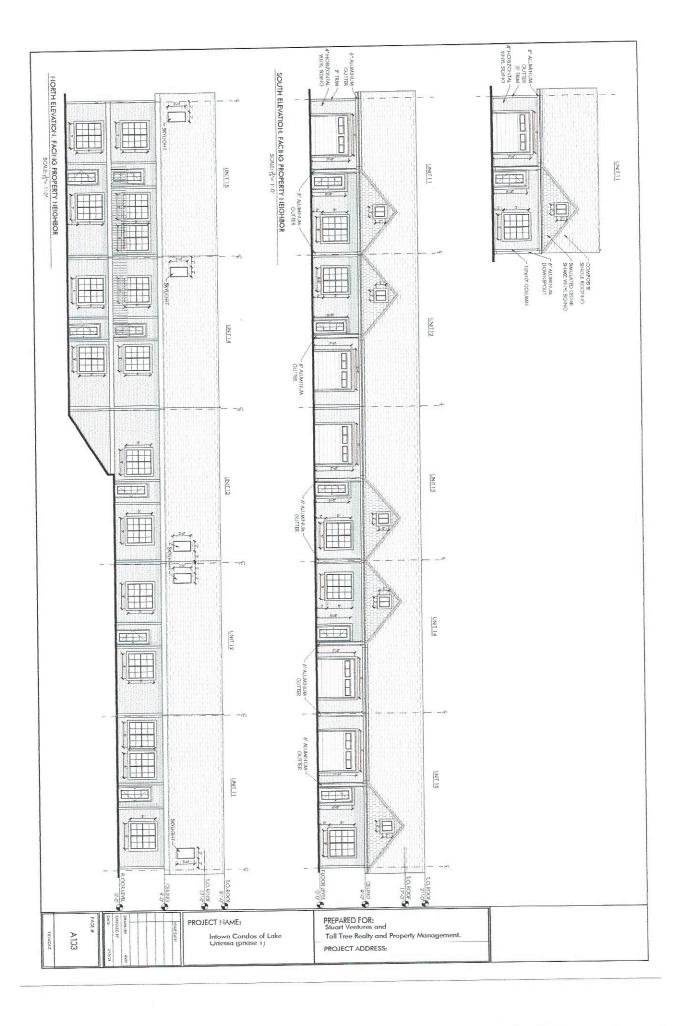
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DATES:	Intown Condos of Lake	Tall Tree Realty and Property Management.
	Odessa (phase I)	PROJECT ADDRESS:

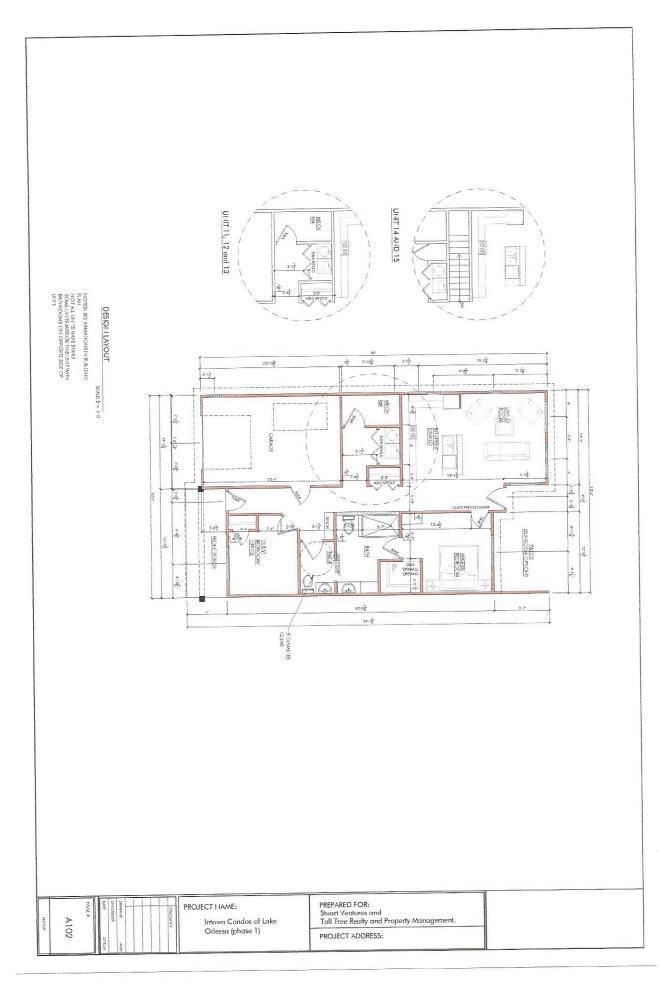
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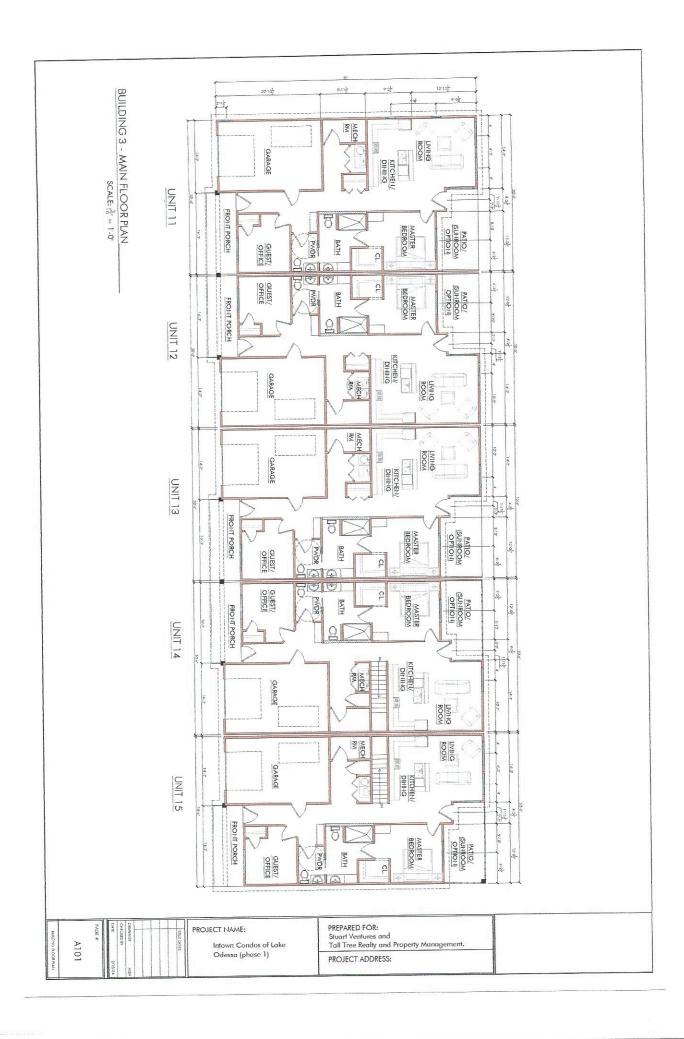
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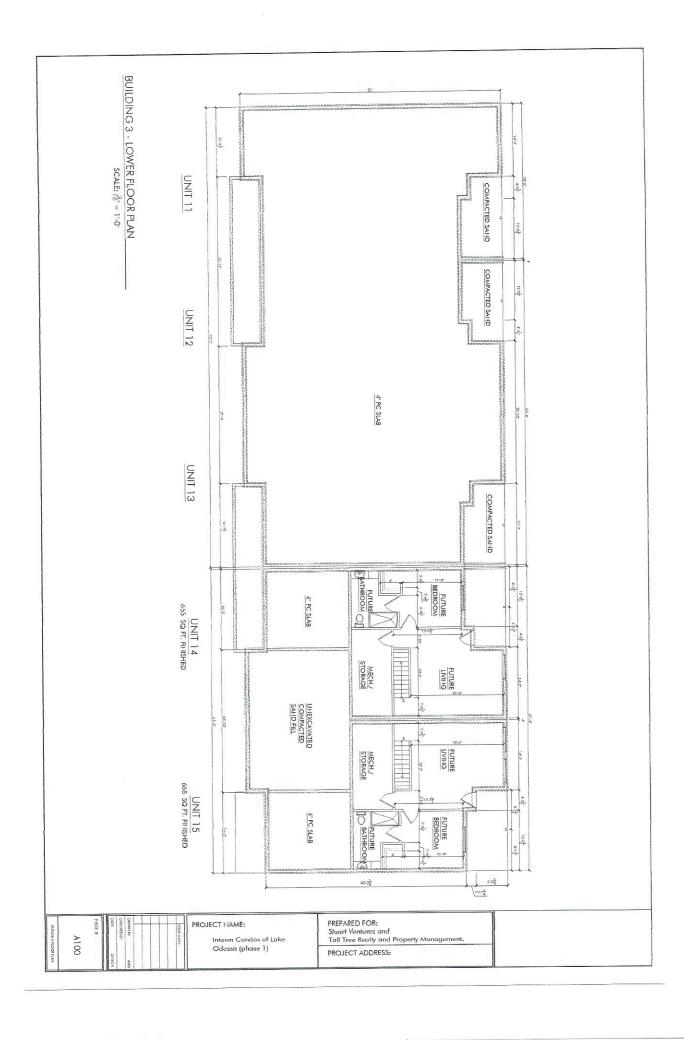
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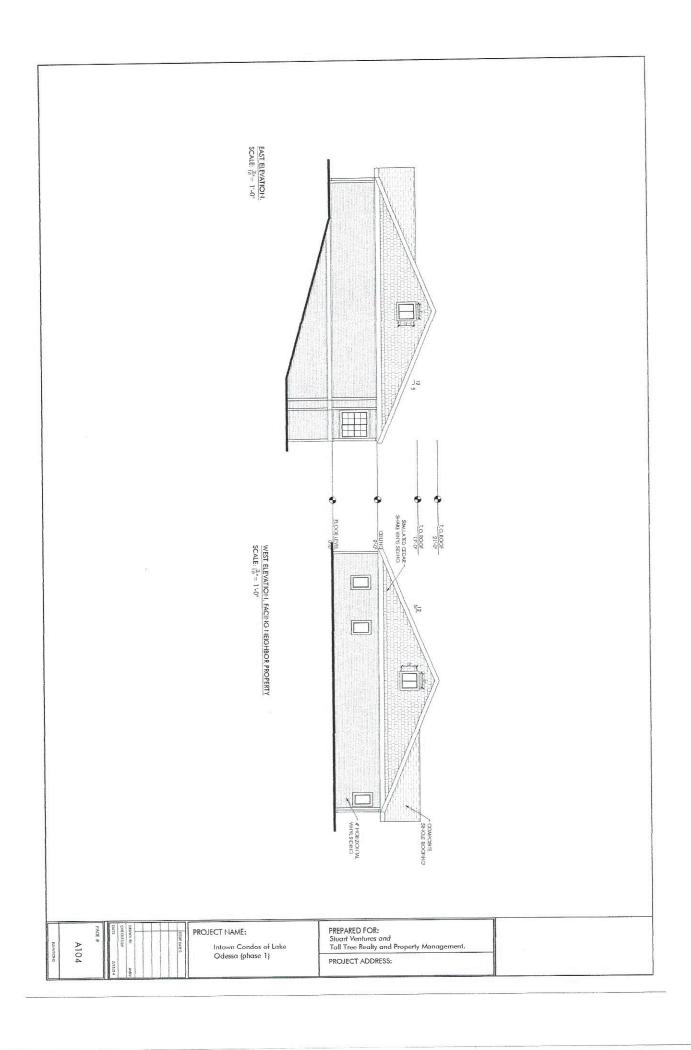
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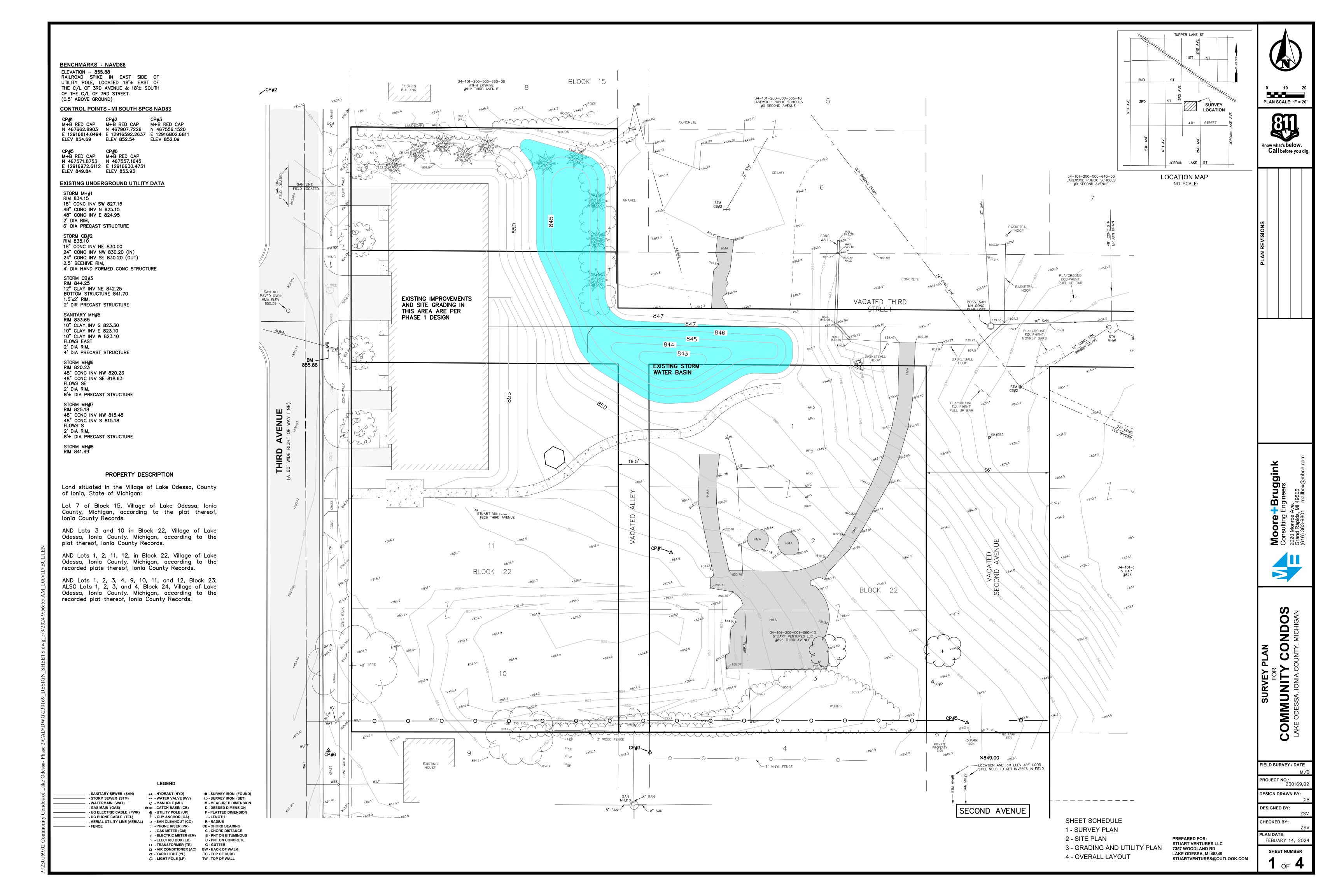


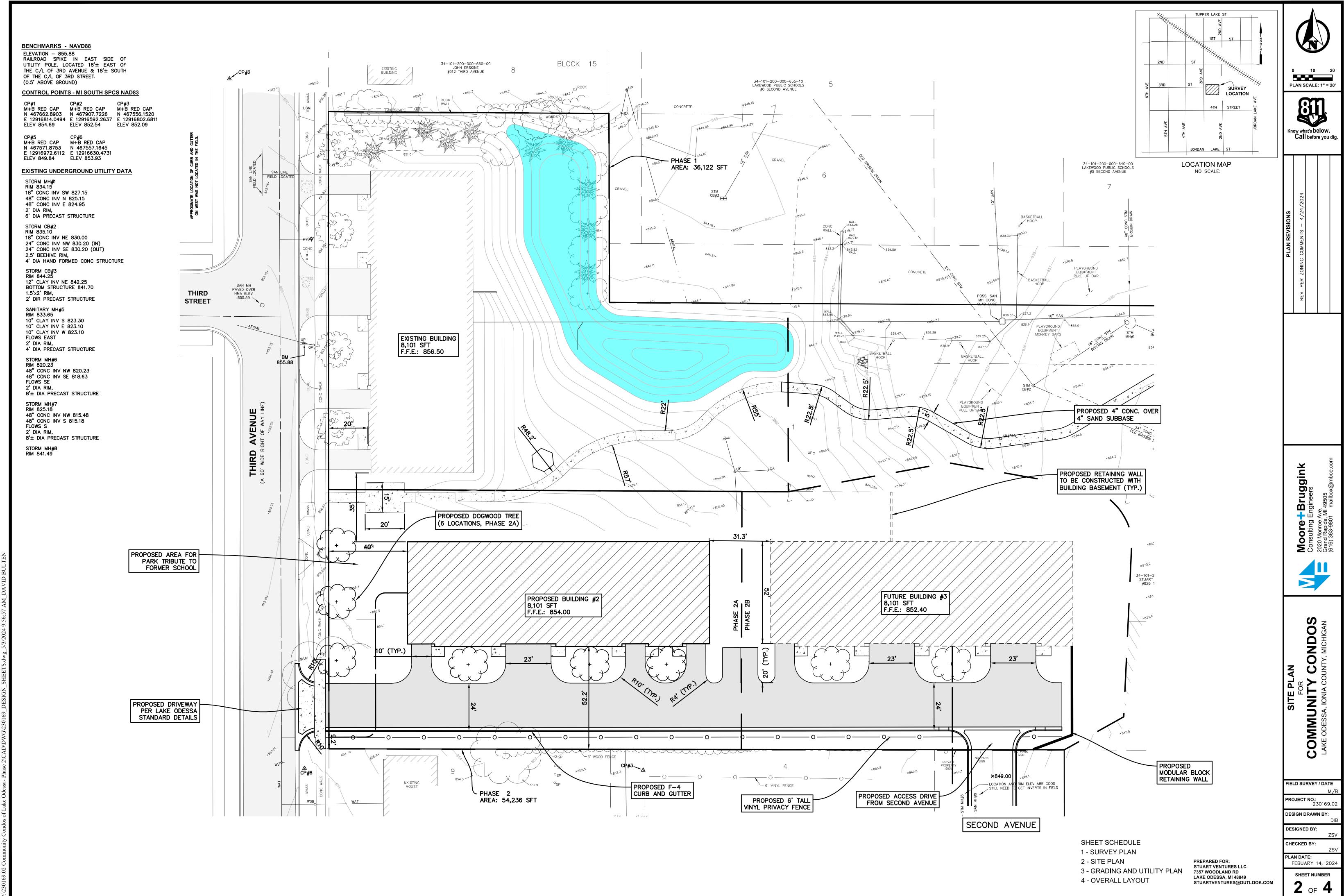


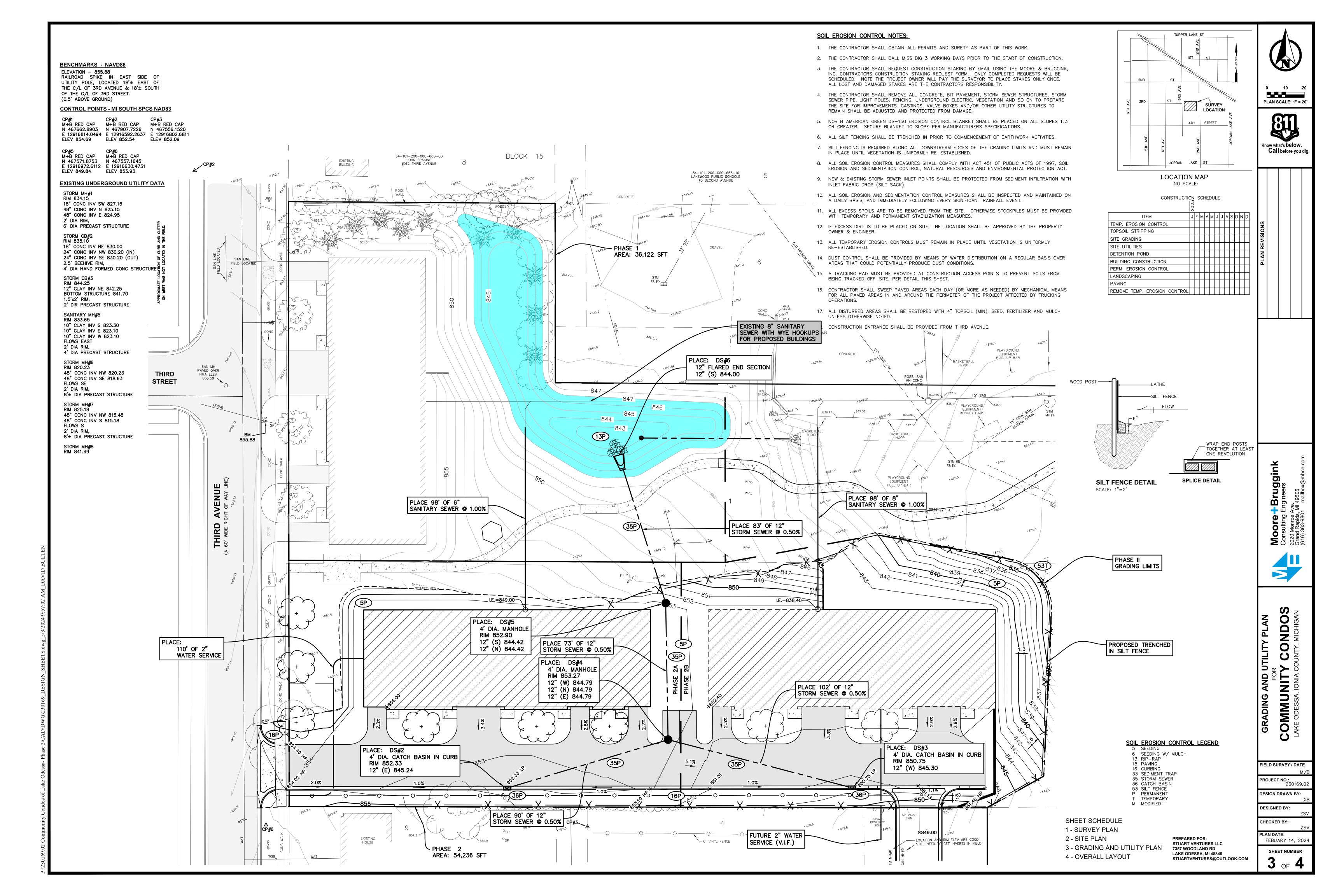


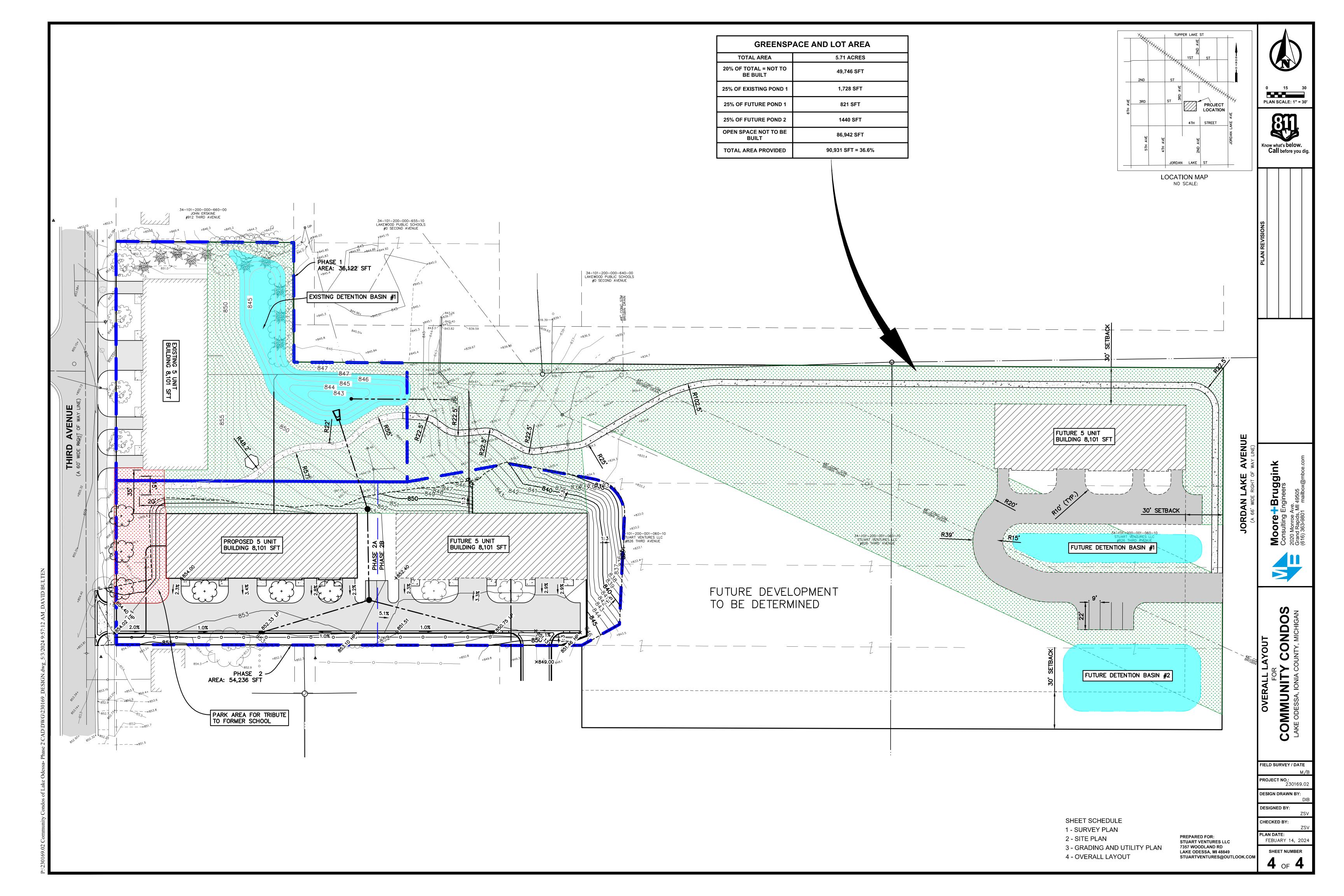












SAMPLE 1 ZONING ORDINANCE TO DESCRIBE WHAT ALL REQUIRES A SITE PLAN REVIEW OR AMENDMENT TO AN EXISTING SPECIAL LAND USE.

Article 19

Site Plan Review

Sec. 30.19.00 Site Plan Review and Approval Required.

The purposes of Site Plan Review is to determine compliance with the provisions of this Ordinance, to promote the orderly development of the Village, to prevent the depreciation of land values through uses or structures which do not give proper attention to siting or area protection, and to provide consultation and cooperation between the applicant and the Village Planning Commission in order that applicants may accomplish their objectives in the utilization of their land within the regulations of this Zoning Ordinance. A site plan shall be submitted for review according to the standards and procedures of this Article:

- A. Special land uses and planned unit developments: All requests for special use permits and planned unit developments must undergo site plan review and approval as part of the process of review under the provisions of Articles 16 and 20 by the Village Planning Commission. Where specifically referenced, the provisions of this Article shall therefore apply to the review of special land uses and planned unit developments. Site plan review of development projects requiring the rezoning of land shall also be required prior to the rezoning action to insure that the proposed use is capable of being supported by the requested zoning.
- B. <u>Non-residential and Multi-family residential development:</u> Site plan review and approval by the Planning Commission in accordance with the provisions of this Article shall be required for all individual uses in all zoning districts except the following which shall be the responsibility of the Zoning Administrator under the procedures outlined in Article 25:
 - 1. Individual single family dwellings, two-family dwellings,
 - 2. Residential accessory buildings and accessory uses that are not classified as special land uses
 - 3. Non-residential accessory buildings less than 800 square feet in area.
 - 4. Any expansion of any non-residential building less than 500 square feet
 - 5. Any site change involving the paving or addition of fewer than 5 parking spaces provided that such does not also involve the addition or elimination of a driveway opening upon a public street.

Sec. 30.19.05 Changes To An Approved Site Plan.

An approved final site plan, and any conditions imposed in relation thereto, may not be changed except upon the mutual consent of the Planning Commission and the applicant, and as otherwise provided by this Section.

- A. <u>Major changes</u>. Except for changes as provided by Subsection B below, changes to an approved site plan shall be reviewed, approved, approved with conditions, or denied by the Planning Commission pursuant to the same procedures of this Article as are applied to an original request for site plan review and approval.
- B. <u>Minor changes</u>. Minor changes to an approved site plan may be approved by the Zoning Administrator, acting as the agent of the Planning Commission, without review and approval by the Commission. For purposes of this Section, "minor changes" means changes which meet one or more of the following qualifications:
 - 1. For buildings, a reduction or increase by not more than 5% in the size of structures, provided that there is no increase in the number of dwelling units.
 - 2. A revision in floor plans, if consistent with the character of the use.
 - 3. The alteration of building and structure height by no more than 5% provided that it does not result in the addition of a story or exceed applicable maximum height limitations.
 - 4. The minor adjustment of building footprints unless a specific setback or separation distance was imposed as a condition of final approval.
 - 5. An increase or expansion of areas designated on the Final Site Plan as "not to be disturbed."
 - 6. The substitution of plant materials included in the Final Site Plan, provided they are substituted by similar types of landscaping on a 1-to-1 or greater basis, as determined by the Zoning Administrator.
 - 7. Minor alterations made to access and circulation systems, such as the addition of acceleration/deceleration lanes, boulevards, curbing, side walks/bicycle paths.
 - 8. Changes made to exterior materials, if the changes do not change the approved architectural style but provide for the use of materials of equal or higher quality than those originally approved, as determined by the Zoning Administrator.
 - 9. A reduction in the size of signs, or an increase in sign setbacks.
 - 10. The internal rearrangement of parking spaces in a parking lot, if the total number of parking spaces remains sufficient and circulation hazards or congestion are not created by the redesign.
 - 11. A change in the name of the approved project or in the names of streets within the project.

12. Other similar changes of a minor nature proposed to be made to the configuration, design, layout or topography of the use which are deemed by the Zoning Administrator to be not material or significant in relation to the entire use and which the Zoning Administrator determines would not have any significant adverse effect on adjacent or nearby lands or the public health, safety or welfare.

If the Zoning Administrator approves a minor change, the approval shall be in writing. The Zoning Administrator shall forward a copy of the written approval to the Planning Commission for inclusion in the record pertaining to the use.

C. <u>Discretionary Judgment</u>. The Zoning Administrator may in his or her discretion refer any decision regarding a proposed change to an approved final site plan to the Planning Commission for review and approval whether or not the change may qualify as a minor change under this Section. In making a determination as to whether a change is a minor change, or whether to refer a change to the Commission for approval, the Zoning Administrator may consult with the Chairperson of the Planning Commission.

SAMPLE 2 ZONING ORDINANCE TO DESCRIBE WHAT ALL REQUIRES A SITE PLAN REVIEW OR AMENDMENT TO AN EXISTING SPECIAL LAND USE.

Article 14: Site Plan Review

Sec. 3.14.01: Purpose

The purposes of Site Plan Review are: to determine compliance with the provisions of this Part; to promote the orderly development of the Township, to prevent the depreciation of land value through uses or structures which do not give proper attention to siting or area protection; to provide consultation and cooperation between the applicant and the Township Planning Commission and Township Board in order that applicants may accomplish their objectives in the utilization of their land within the regulations of this Part and achieve the purposes of the Portland Township Master Plan.

Sec. 3.14.02: Site Plan Review Required

A site plan shall be submitted for review and approval prior to the issuance of a building permit as follows:

- (a) Planning Commission Review:
 - (1) Any new principal commercial, office, industrial, business, or institutional use or a residential use having more than a two family dwelling unit. Farm buildings as defined herein, in the Agricultural and Rural Agricultural zoning district, shall not require site plan review.
 - (2) An alteration of the building or property or change in the use of a building or property which results in the increase in the intensity of the use or results in the need for more parking spaces as required by this Part.
 - (3) Special land uses and planned unit developments.
 - (4) All other uses requiring site plan approval as required by this Part.
- (b) Staff Review: The following uses shall be reviewed by the Zoning Administrator, or the Township Planner and Township Engineer if deemed necessary by the Zoning Administrator, to ensure compliance with the site plan review requirements. The Zoning Administrator may also refer such uses to the Planning Commission to be reviewed in accordance with the requirements of this Part.
 - (1) Expansion of an existing use or building which comprises less than 50 percent of the area of the existing building or use.
 - (2) Construction of a building which is accessory to the principal use or building and which is less than 1,000 square feet in area.

Review of site plans by the Zoning Administrator shall be in accordance with the same procedures, requirements and standards used by the Planning Commission except the number of site plan copies and submittal date shall be subject to the discretion of the Zoning Administrator.

The Zoning Administrator may waive specific site plan review submittal requirements if it is determined that such requirements are not relevant to the site plan under consideration. The Zoning Administrator shall keep a record of those items specifically waived and document reasons for the waiver.

Sec. 3.14.11: Amendments to Approved Site Plan

- (a) Any person who has been granted site plan approval shall notify the Zoning Administrator of any proposed amendment to the approved site plan.
- (b) A minor change in the site plan may be approved by the Zoning Administrator who shall notify the Planning Commission of the minor change and that such change does not substantially change the basic design or alter the conditions required for the plan by the Commission.

The following items shall be considered as minor changes:

- (1) Reduction of the size of any building and/or sign.
- (2) Movement of buildings and/or signs by no more than 10 feet.
- (3) Plantings approved in the site plan landscape plan being replaced by similar types of landscaping.
- (4) Changes of building materials to a higher quality.
- (5) Changes in floor plans which do not alter the character of the use.
- (6) Internal rearrangement of a parking lot which does not affect the number of parking spaces or alter access locations or design.
- (7) Changes required or requested by the Township for safety reasons.
- (8) Changes which will preserve the natural features of the site without changing the basic site layout.
- (9) Other similar changes of a minor nature proposed to be made to the configuration, design, layout or topography of the site plan which are deemed by the Zoning Administrator to be not material or significant in relation to the entire site and which the Zoning Administrator determines would not have any significant adverse effect on adjacent or nearby lands or the public health.

The Zoning Administrator may refer any decision regarding any proposed change to an approved site plan to the Planning Commission for review and approval (regardless of whether the change may qualify as a minor change). In making a determination whether a change is a minor change, or whether to refer a change to the Planning Commission for approval, the Zoning Administrator may consult with the Chairperson of the Planning Commission.

(c) Should the Zoning Administrator determine that the requested modification to the approved site plan is not minor, re-submission to the Planning Commission for an amendment shall be required and conducted in the same manner as an original application.

SAMPLE 3 ZONING ORDINANCE TO DESCRIBE WHAT ALL REQUIRES A SITE PLAN REVIEW OR AMENDMENT TO AN EXISTING SPECIAL LAND USE.

Chapter 11: Site Plan Review

Section 11.01 Site Plan Review Procedures

- A. The purpose of this Chapter is to consider and evaluate the applicant's planned objectives in the utilization of land and to ensure compliance with the regulations of this Ordinance.
- B. Uses Subject to Site Plan Review. No Building Permit for any proposed use or building or any other improvement requiring a site plan shall be issued until a Site Plan has been reviewed and approved under the following procedure:
 - 1. The following uses shall be subject to Site Plan Review in accordance with the provisions of this Section.
 - a) All land uses, new construction, new uses established, or additions to existing buildings in excess of twenty five (25) percent of the gross floor area of the main building in the MHP, C-1, and I-1 Districts, EXCEPT the following:
 - 1) Single family dwellings
 - 2) Temporary buildings and uses
 - 3) Accessory uses or structures
 - All new construction of nonresidential and non-agricultural uses, or additions to existing buildings serving nonresidential and non-agricultural uses in excess of twenty-five (25) percent of the gross floor area of the building in the AG, RR and R-1 districts. Construction of new accessory structures or expansion of accessory structures in excess of twenty-five (25) % of the gross floor area of the building, serving nonresidential uses in the above listed districts, are also subject to site plan review.
 - c) Special land uses in any zone district.
 - 2. All uses for which site plan review is not required under Section 11.01, B, 1, Single Family Dwellings, Temporary Buildings and Uses, and Accessory Uses or Structures, shall be subject to review by the Zoning Administrator. Such review shall be limited to ensuring that the proposed use conforms to the applicable setbacks, yards, parking, and other specific Zoning Ordinance requirements.

Section 11.05 Approved Plans and Amendments

A. Upon approval of the Site Plan, the Zoning Administrator shall sign three (3) copies thereof. One

- (1) signed copy shall be made a part of the Township Clerk files; one (1) copy shall remain with the Zoning Administrator for issuance of a Zoning Permit; and one (1) copy shall be returned to the applicant.
- B. Each development shall be under construction within one (1) year after the date of approval of the Site Plan, except as noted in this Subsection.
- C. The Township Board may grant one (1) extension of up to an additional one (1) year period if the applicant applies for such extension prior to the date of the expiration of the Site Plan and provided that:
 - 1. The applicant presents reasonable evidence that said development has encountered unforeseen difficulties beyond the control of the applicant.
 - 2. The site plan requirements and standards, including those of the Zoning Ordinance and land Use Plan, that are reasonably related to said development have not changed.
- D. Should neither of the provisions of Section 11.05, C, be fulfilled, or an extension has expired without construction underway, the Site Plan approval shall be null and void.
- E. An approved final site plan, and any conditions imposed in relation thereto, may not be changed except upon the mutual consent of the Township and the applicant, and as otherwise provided by this Section.
 - 1. <u>Major changes.</u> Except for changes as provided by subsection 2 below, changes to an approved site plan shall be reviewed, approved, approved with conditions, or denied by the Planning Commission and Township Board pursuant to the same procedures of this chapter as are applied to an original request for site plan review and approval, pursuant to Section 11.03.
 - 2. <u>Minor changes</u>. Minor changes to an approved site plan, including site plans associated with approved special land use permits, may be approved by the Zoning Administrator without Planning Commission review and Township Board approval. For purposes of this section, "minor changes" means changes that do not affect conditions of approval and shall include the following:
 - a) For buildings, a reduction or increase by not more than 5% in the size of structures provided that there is no increase in the number of dwelling units.
 - b) A revision in floor plans, if consistent with the character of the use.
 - c) The alteration of building and structure height by no more than 5% provided that it does not result in the addition of a story or exceed applicable maximum height limitations.
 - d) The minor adjustment of building footprints unless a specific setback or separation distance was imposed as a condition of final approval.
 - e) An increase or expansion of areas designated on the Final Site Plan as "not to be disturbed."
 - f) The substitution of plant materials included in the Final Site Plan, provided they are substituted by similar types of landscaping on a 1-to-1 or greater basis, as determined by the Zoning Administrator.
 - g) Minor alterations made to access and circulation systems, such as moving the entrance street a distance up to 100 feet if required by the Ionia County Road

- Commission or Michigan Dept. of Transportation, the addition of acceleration/deceleration lanes, boulevards, curbing, sidewalks/bicycle paths or mailbox cluster units.
- h) Changes made to exterior materials, if the changes do not change the approved architectural style but provide for the use of materials of equal or higher quality than those originally approved, as determined by the Zoning Administrator.
- i) A reduction in the size of signs, or an increase in sign setbacks.
- j) The internal rearrangement of parking spaces in a parking lot, if the total number of parking spaces remains sufficient and circulation hazards or congestion is not created by the redesign.
- k) A change in the name of the approved project or in the names of streets within the project.
- l) Changes which will preserve the natural features of the site without changing the basic site layout.
- m) Changes required or requested by the Township for safety reasons.
- n) Changing the height and/or material of fencing provided that the height conforms to the requirements of the ordinance and that any substitute material is similar in character and quality.
- o) Moving or adjusting condominium unit lot lines or metes and bounds lot lines or platted lot lines to accommodate a natural impediment such as soil conditions or subsurface geology or a standard of a public regulatory agency, providing that such change does not reduce the area of any lot or parcel below the standards of the zoning district and provided the change does not result in a change in the total number of lots, parcels or units approved.
- p) Altering the location of an accessory structure that is less than 200 square feet in area provided that the location does not encroach on any approved parking, loading, or landscape area and otherwise confirms to the requirements of this ordinance.
- q) Altering the approved depth grades in mining operations by no more than 5 feet as long as the final grade and reclamation do not exceed that amount and do not change the limits of mining or the overall nature of the reclaimed area.
- r) Other similar changes of a minor nature proposed to be made to the configuration, design, layout or topography of the use which are deemed by the Zoning Administrator to be not material or significant in relation to the entire use and which the Zoning Administrator determines would not have any significant adverse effect on adjacent or nearby lands or the public health, safety or welfare.
- 3. <u>Approval</u>. If the Zoning Administrator approves a minor change, the approval shall be in writing. The Zoning Administrator shall forward a copy of the written approval to the Planning Commission and Township Board for inclusion in the record pertaining to the use.
- 4. <u>Zoning Administrator Discretion</u>. The Zoning Administrator may in his or her discretion refer any decision regarding a proposed change to an approved final site plan to the Planning Commission and Township Board for review and approval whether or not the change may qualify as a minor change under this Section. In making a determination as to whether a change is a minor change, or whether to refer a change to the Township for

- approval, the Zoning Administrator may consult with the Chairperson of the Planning Commission.
- 5. <u>Resubmission as Major Amendment</u>. Should the Zoning Administrator determine that the requested modification to the approved site plan is not minor, re-submission to the Planning Commission for an amendment shall be required and conducted in the same manner as an original application pursuant to Section 11.03.