

Village of Bellaire
PLANNING COMMISSION

William Drollinger, Chairman

Commissioners: Butch Dewey, Fred Harris, Robert Shumaker and Don Seman

PLANNING COMMISSION MEETING MINUTES

July 8, 2014

1. **Call to Order:** Chairman Drollinger called the meeting to order at 3:00 p.m.
2. **Roll Call Attendance**
 - Present:** Chairman Drollinger, Butch Dewey, Fred Harris, Robert Shumaker and Don Seman
 - Absent:** None absent.
 - Staff Present:** Lori Luckett, Zoning Administrator
 - Also Present:** Colette Stanish, David L. Schulz, Robert Cornwell from Cornwell Architects and Joe Short
3. **Approval of Agenda:** Correction of the date referenced on agenda, typed as May 5, 2014, should be May 6, 2014. The amended agenda was approved.
 - Motion by Shumaker, seconded by Seman, to approve the agenda as amended.**
 - Motion carried by unanimous voice vote.**
4. **Approval of Minutes:** The minutes were approved.
 - Motion by Dewey, seconded by Harris, to approve the minutes of the May 6, 2014 Public Hearing and May 6, 2014 Meeting as written. Motion carried by unanimous voice vote.**
5. **Public Comment on Agenda Items:** None presented.
6. **Old Business:** None presented.
7. **New Business**
 - a) **Short's Brewing Company Site Plan Review:** Site plan review began with the applicant, Cornwell Architects PC through Robert Cornwell, making a presentation of the expansion project. The project includes the acquisition of the pharmacy parcels and the expansion of Short's Brewery through the connecting and remodeling of the acquired parcels to add a kitchen, new bathrooms, a small seating area, and new retail. The façade will be unified but the height and width, except for the façade of the existing pharmacy being raised a foot, will remain the same. Joe Short added that the intention is to return the historical character of the buildings by restoring the original brickwork. There was brief discussion about the signage and what would be allowed for the unified façade. Chairman Drollinger advised that the Planning Commission is currently reviewing the sign ordinance and suggested that Short's wait until that review was complete.

Luckett presented her staff report to the Planning Commission. The parcels 05-41-010-107-00, 05-41-010-108-00 and 05-41-010-109-00 are in the Central Business District. This request is for Commercial Site Plan review for the Short's Brewery expansion project. Commercial Site Plan Review by the Planning Commission is required under Section 10.2.b. as this is a request to expand an existing use which increases the existing floor space more than twenty-five (25) percent. As stated in the application, and identified on the plan, Short's Brewery intends to increase the seating capacity of its restaurant, add a new kitchen and restrooms in Building 31, and new retail in Building 32. Front setbacks are not required in the Central Business District unless the property borders the river. Side setbacks are not required and the rear setback shall be not less than 5 feet. The minimum lot area in this district is 2500 square feet, with a minimum width of 25 feet and a minimum depth of 100 feet. There is no minimum floor area in the Central Business District. Apartments shall not be located on the first floor of any building. This district is exempt from the off-street parking requirements of Article III, Section 3.26. Restaurants without a drive thru and retail businesses with a maximum gross floor area of 5000 square feet are permitted by right in Section 5.5.B. The proposed exhibits were listed in the report and read into the record by Chairman Drollinger:

- Exhibit 1 Village of Bellaire Zoning Ordinance
- Exhibit 2 Village of Bellaire Zoning Map
- Exhibit 3 Village of Bellaire Master Plan
- Exhibit 4 Application with Attachments
- Exhibit 5 Ownership and Authorization
- Exhibit 6 Antrim County Map showing Parcel Lines and Labels, Minor Watersheds and Topographical Contours

Chairman Drollinger requested a motion to accept all of the exhibits as stated.

Motion by Dewey to accept Exhibits 1 through 6, supported by Shumaker. The motion carried by unanimous voice vote.

Chairman Drollinger moved the discussion to Section 10.2.A. Basic Site Plan review. Luckett indicated that the necessary information had been provided and included in the packet.

Motion by Harris that application met the requirements of basic site plan review, supported by Seman. The motion passed by unanimous voice vote.

The Planning Commission moved onto Section 10.2.B. Commercial Site Plan review. Questions about the floor drain and outdoor storage facilities were asked and answered.

Motion by Harris that the application met the requirements of Commercial Site Plan review, supported by Seman. The motion passed by unanimous voice vote.

The Planning Commission next considered Section 10.3, Site Plan Review Standards, and whether each standard had been met or was not applicable.

A. Safe, convenient, uncontested, and well-defined vehicular and pedestrian circulation shall be provided for ingress/egress points and within the site. Drives, streets and other circulation routes shall be designed to promote safe and efficient traffic operations within the site and at ingress/egress points.

The Planning Commission finds:

1. This standard is not applicable to the expansion project under consideration.

Motion by Dewey, seconded by Shumaker, to waive this standard as it is not applicable to the expansion project under consideration. The motion passed by unanimous voice vote.

B. The arrangement of public or private vehicular and pedestrian connections to existing or planned streets in the area shall be planned to provide a safe and efficient circulation system for traffic within the village.

The Planning Commission finds:

1. This standard is not applicable to the expansion project under consideration.

Motion by Dewey, seconded by Shumaker, to waive this standard as it is not applicable to the expansion project under consideration. The motion passed by unanimous voice vote.

C. Removal or alteration of significant natural features shall be restricted to those areas that are reasonably necessary to develop the site in accordance with the requirements of this Ordinance. The Planning & Zoning Commission may require that landscaping, buffers, and/or greenbelts be preserved and/or provided to ensure that proposed uses will be adequately buffered from one another and from surrounding public and private property.

The Planning Commission finds:

1. This standard is not applicable to the expansion project under consideration.

Motion by Harris, seconded by Seman, to waive this standard as it is not applicable to the expansion project under consideration. The motion passed by unanimous voice vote.

D. Areas of natural drainage such as swales, wetlands, ponds, or swamps shall be protected and preserved insofar as practical in their natural state to provide areas for natural habitat, preserve drainage patterns and maintain the natural characteristics of the land.

The Planning Commission finds:

1. This standard is not applicable to the expansion project under consideration.

Motion by Shumaker, seconded by Dewey, to waive this standard as it is not applicable to the expansion project under consideration. The motion passed by unanimous voice vote.

E. The site plan shall provide reasonable visual and sound privacy for all dwelling units located therein, and adjacent thereto. Fences, walls, barriers, and landscaping shall be used, as appropriate, to accomplish these purposes. Any buffer required shall be completely solid to the ground level.

The Planning Commission finds:

1. This standard is not applicable to the expansion project under consideration as the project is in the Central Business District.

Motion by Dewey, seconded by Shumaker, to waive this standard as it is not applicable to the expansion project under consideration. The motion passed by unanimous voice vote.

F. All buildings and groups of buildings and outside display of property shall be arranged so as to permit necessary emergency vehicle access.

The Planning Commission finds:

1. These are existing buildings along M-88 and there are adequate public or private vehicular connections to allow emergency vehicle access are existing. (Exhibit 4)

Motion by Dewey, seconded by Harris, that this standard has been met. The motion passed by unanimous voice vote.

G. All streets shall be developed in accordance with the Village of Bellaire Standards, Specifications and Regulations for Subdivision Streets and Proposed Public Roads, as appropriate. In addition, sidewalks may be required if determined to be necessary or appropriate for pedestrians and non-motorized vehicles.

The Planning Commission finds:

1. The public or private vehicular connections and sidewalks are existing the project is not proposing to add anything.

Motion by Harris, seconded by Shumaker, that this standard has been met. The motion passed by unanimous voice vote.

H. Appropriate measures shall be taken to ensure that removal of surface waters will not adversely affect neighboring properties or the public storm drainage system. Provisions shall be made to accommodate stormwater and to prevent erosion and the formation of dust. The use of detention/retention ponds may be required. Surface water on all paved areas shall be collected at intervals so that it will not obstruct the flow of vehicular or pedestrian traffic or create puddles in paved areas. Catch basins may be required to contain oil filters or traps to prevent contaminants from being discharged to the natural drainage system.

The Planning Commission finds:

1. This standard is not applicable to the expansion project under consideration.

Motion by Harris, seconded by Seman, to waive this standard as it is not applicable to the expansion project under consideration. The motion passed by unanimous voice vote.

I. Exterior lighting shall be arranged so that it is deflected away from adjacent properties and so that it does not interfere with the vision of motorists along adjacent streets. Lighting of building or structures shall be minimized to reduce light pollution.

The Planning Commission finds:

1. There is no additional lighting proposed, therefore This standard is not applicable to the expansion project under consideration.

Motion by Harris, seconded by Seman, to waive this standard as it is not applicable to the expansion project under consideration. The motion passed by unanimous voice vote.

J. All loading and unloading areas and outside storage areas, including areas for the storage of trash, which face or are visible from residential districts of public streets shall be screened by a vertical screen consisting of structural or plant materials no less than six (6) feet in height and solid to the ground. The finished side of any wall, fence, or other screen shall face adjacent properties.

The Planning Commission finds:

1. The dumpsters are not visible from a residential district, therefore they are not required to be screened. This standard is not applicable to the expansion project under consideration.

Motion by Dewey, seconded by Shumaker, to waive this standard as it is not applicable to the expansion project under consideration. The motion passed by unanimous voice vote.

K. Entrances and exits shall be provided at appropriate locations so as to maximize the convenience and safety for persons entering or leaving the site. The number of entrances to and exits from the site shall be determined with reference to the number of dwelling units or other land uses within the site, the nature and location of the surrounding streets, the effect of traffic in the area, nearby topography, and other factors.

The Planning Commission finds:

1. These are existing buildings and there are no additional entrances proposed.

Motion by Shumaker, seconded by Harris, that this standard has been met. The motion passed by unanimous voice vote.

L. Site plans shall conform to all applicable requirements of county, state, and federal statutes and ordinances. Approval may be conditioned on the applicant receiving all other necessary permits before final site plan approval is granted.

The Planning Commission finds:

1. This application is for expansion of an existing use. If approved the zoning administrator will issue a zoning permit. The applicant is required to conform to the applicable county, state and federal requirements.

Motion by Harris , seconded by Seman, that this standard has been met. The motion passed by unanimous voice vote.

M. Appropriate fencing may be required around the boundaries of the development if deemed necessary to minimize or prevent trespassing or other adverse effects on adjacent lands.

The Planning Commission finds:

1. This standard is not applicable to the expansion project under consideration.

Motion by Harris, seconded by Shumaker, to waive this standard as it is not applicable to the expansion project under consideration.

The Planning Commission next moved onto consideration of whether the current use of the Short's property, while unlisted, is similar to any of the uses permitted by right in the district.

Motion by Dewey seconded by Shumaker that the current use of Building 29 and 30 for restaurant and pub operations is permitted by right, as "restaurants without drive thru" are permitted, and the micro-brewing is in conjunction with the restaurant operation. The motion passed by unanimous voice vote.

After determining that the existing use of the property is permitted and considering the standards for review, the Planning Commission made a decision on the application for commercial site plan approval.

Motion by Dewey seconded by Harris, to approve, based on the findings of fact and the site plan review standards, the request for the expansion of existing operations to include additional seating, a new kitchen and restroom facilities in Building 31 and retail sales in Building 32.

- b) **Meeting Per Diem:** Luckett informed the members that with the work sessions and special meeting the extra amount budgeted for meeting fees had been used. She asked the members to consider counting the day's work session and special meeting as one meeting for purposes of the meeting per diem.

Motion by Dewey, seconded by Drollinger, to consider the day's work session and meeting as one meeting. The motion passed by unanimous voice vote.

8. Discussion Items (Non-action):

- a) **Zoning Administrator's Report:** Luckett reported on zoning permits issued for sign and structures.

9. Communications/Informational: None presented.

- 10. Member/Public Comment:** Chairman Drollinger commented on the need to review signage in the Central Business District, particular when there are multiple businesses owned by the same owner. Public comment on what happens when the side of the building is being used as the sign. Additional public comment that when signage is on the interior of a building and visible by the public, it be counted towards total allowable sign square footage.

11. Adjournment: Meeting adjourned at 4:02 p.m.

Minutes compiled by:
Lori Luckett, Zoning Administrator & Recording Secretary

Approved: _____
William Drollinger, Chair

Date: _____