

Village of Bellaire

PLANNING COMMISSION

Commissioners: Dan Bennett, Butch Dewey, Bill Drollinger, Fred Harris, and Don Seman

PLANNING COMMISSION SPECIAL MEETING MINUTES

October 18, 2016

5:00 p.m.

1. **Call to Order:** Chairman Drollinger called the meeting to order at 5:00 p.m.
2. **Roll Call Attendance:**
 - Present:** Chairman Drollinger, Butch Dewey, Fred Harris and Don Seman
 - Absent:** Dan Bennett
 - Staff Present:** Lori Luckett, Zoning Administrator
 - Also Present:** Steve Voice, Voice Environmental, Art Cruse, Lisa Cruse, Scott Kruger and unidentified man
3. **Public Comments:** None presented.
4. **Approval of Minutes:** The minutes of the September 13, 2016 Special Meeting were approved.

Motion by Commissioner Harris, seconded by Commissioner Seman, to approve the minutes of the September 13, 2016 special meeting as written. Motion carried by unanimous voice vote.
5. **New Business: Site Plan Review Crusecom Technology Consultants, LLC:** Chairman Drollinger asked Mr. Cruse if he wished to address the Planning Commission. Mr. Cruse began by telling the Planning Commission that while originally from Columbus, Ohio, he and his wife moved to Oscoda in 1998 and developed a technology company in Oscoda. They noticed there was a pattern with welfare and WIC recipients going to Mexico and India for call centers. They went to the DTMV in the state of Michigan and were able to get to the Governor's Office, Governor Granholm in 2000 and 2001, and convinced her to that to improve the Michigan economy you needed to bring jobs to Michigan. He explained that rural Michigan is the perfect place for call centers. The Governor agreed and helped secure a prime contract with Xerox. The brought on the State of Michigan, with 26 people in a small 4,000 square foot facility, in 2004. Over the last ten years, the company has been able to grow with the State of Michigan, DNR burn permits. They have contracts with 32 other states. With that growth, they have maxed out the Oscoda area with available people. They began exploring satellite offices; possibly this could be the first with potentially three or four more, as they continue to grow the business activity that they believe will support jobs in Northern Michigan. They selected Bellaire; realizing that Mancelona had lost many jobs. He explained that these positions are available to senior citizens and those who have earnings limitations; they also employ 18, 19 and 20 year olds who gain experience working in a professional environment. They believe Bellaire will be a great location.

Commissioner Harris stated that he had looked up "call centers" on Wikipedia. He said that there are all kinds; in-bound, out-bound and blended. Did Mr. Cruses indicate that they were in bound? Mr. Cruse responded that they were entirely in bound, there is no telemarketing. The 800 number on the back of the payment cards goes to over 70% to 90 of clients.

Zoning Administrator Luckett confirmed that Mr. Cruse was before the Planning Commission seeking approval for phase one only. She asked him to explain – Phase One is opening the building to get jobs going immediately. They have hired 35 people to help with the work. He wants to get 50 parking spaces around the building so that they can get 40 to 50 people per shift working, almost immediately.

Phase Two involves working with Steve Voice of Voice Environmental to look at that back acreage to see what they can do with that property. They hope to close November 1 or November 2 and acquire the Papa K's location and the surrounding property back up to the hills.

Zoning Administrator confirmed that they had not yet closed on the property. She explained that he had Mr. Kruger's approval. Mr. Kruger was in attendance and had already been to the Planning Commission for his request. She noted that the expanded parking lot encroached onto the larger acreage parcel, 4.9 acres, owned by CH & CS, LLC. She stated that the Mr. Cruse should either own that property or have the owner's written permission to expand the parking. She asked if the internal modifications were going to be started before the parking expansion. Mr. Kruger explained that he is responsible for removing the indoor golf course and will be starting that work soon. Zoning Administrator Luckett added that depending on what the Planning Commission decides this evening; normally a permit would cover the first phase, the internal modifications and parking. If Mr. Cruse does not own the property and there is not written permission from the owner, the permit would not include the parking lot. She wondered what his time frame is. Mr. Cruse stated that before they touch anything, they will own the properties.

Chairman Drollinger confirmed the Planning Commission was only dealing with phase one. He noted that the property address is 201 South Division and it is zoned Commercial. The Future Land Use Map on page 7-2 of the Master Plan identified the parcel as General Business. The parcels behind are identified as Conservation Residential. The Zoning Map identifies the parcel(s) also as Commercial. It was clarified that the 201 address is for the parcel with the building; the surrounding property is vacant land and does not have an address. The properties were identified: PIN 05-41-030-005-00. The surrounding parcels identified on the vicinity map and site plan are slated for future development, parking lot expansion, and water run-off retention. These parcels are currently owned by CH & CS LLC, 7657 Chapman Road, Bellaire, MI. The alternative address: P.O. Box 207, Alden, MI. The surrounding parcels were identified: Parcel 2 - PIN 05-41-030-005-05; Parcel 3 - PIN 05-41-030-005-15; - and Parcel 4 - PIN 05-41-030-005-40. Zoning Administrator Luckett explained that Parcel 4 was listed because it contains the easement back to the 4.9 acres. The parking lot will expand into the easement. Chairman Drollinger then read portions of the staff report into the record as follows:

Crusecom Technology Consultants, LLC, was organized under the laws of the State of Ohio June 10, 2000. An Application for Certificate of Authority to Transact Business in Michigan was filed May 3, 2002. The company filed an Annual Statement due February 15, 2015 on November 17, 2014. There is not a current record available on-line. A current record should be made available.

Zoning Administrator Luckett explained that it the annual statement was not current; one needed to be filed every year. Chairman Drollinger continued.

Mr. Cruse, the owner of Crusecom Technology Consultants, Inc., is requesting a change of use permit to operate a call center in the building currently occupied by Papa K's and Par-Tee Time Indoor Golf. Mr. Cruse intends to add exterior window and doors; remodel the interior of the building to add offices, a training room, a break room, a data center, a storage room and restrooms. A large portion of the interior will be occupied by 131 workstations (cubicles). The call center will be a "secure facility" that will be open 24 hours a day, seven days a week, 365 days a year. The women's restroom will have three stalls and two sinks; the men's two stalls, a urinal, and two sinks. A sink and drinking fountain are located in the break room. A second drinking fountain is located outside of the restrooms. In order to accommodate these facilities, DPW Supervisor, Ken Stead, has recommended that the water service line will be increased from 3/4" to 1".

As set forth in Article 4, Section 4.01 E. Commercial District C.1.

It is the intent of this zoning district to provide regulations governing use and further development of areas in the Village where there are areas of arterial road oriented commercial development. The regulations and conditions contained in this district are designed to promote the economic viability of arterial road oriented commercial areas by encouraging improved site development standards that will provide more safety and convenience for customers. The regulations in this district are also designed to ensure that development in the Commercial district, including associated accessory buildings and uses, will relate harmoniously to surrounding land uses.

The proposed Commercial Use is "Business Office" which is a use by right in the Commercial District (Article 4, Section 4.02 Table of Land Uses by Zoning District).

Article 4, Section 4.03 Schedule of Regulations sets forth the Commercial District:

Minimum Lot Area: 20,000 square feet

Minimum Lot Width: 100'

Maximum Height of Structure: 3 stories; 35'

Minimum Setbacks: 25' Front; 20' Side; 30' Rear

The exterior dimensions of the existing building total 7,236 square feet.

Outdoor Lighting is covered in Article 3, Section 3.10. Subsection A. provides:

All outdoor lighting, whether for illuminating sites, parking areas, buildings, signs and/or other structures shall be shielded, shaded, designed and/or directed away from all adjacent properties and uses; and further shall not glare upon or interfere with persons and vehicles using public streets. Lighting fixtures are to be of the full cut-off design with horizontally aligned flush mounted (non-protruding) lens, directing light on-site only, and no more than twenty (20) feet in height.

Article 3, Section 3.14 addresses Vehicular Parking and Access. Off-street parking space with adequate access to all spaces shall be provided and maintained. Parking for other than residential use is required to be on the same lot or within 300 feet to the nearest off-street parking lot. Section 3.14 B. 3. requires that "adequate space should be provided in all parking, loading and unloading areas to facilitate turning around or vehicles so that the entry on to streets and county roads may be in a forward manner and not by backing. Furthermore, in parking, loading and unloading areas where internal movement of vehicles is necessary, adequate aisle space shall be provided to insure vehicular and pedestrian safety." Parking spaces are required to be a minimum of 162 square feet, or 9' x 18' is required. The Planning Commission determines the number of parking spaces needed based on the chart set forth at Section 3.14.C.

According to the guidelines, a business office is required to have three spaces plus one additional space for every 300 square feet of floor are; in this case 27 spaces. The site plan indicates that a minimum of 27 spaces are required under the guidelines however, due to the scale at which Mr. Cruse intends to operate, the site plan depicts parking for 50 vehicles. Note: the expanded parking to the south encroaches onto Parcel 05-41-030-005-40. If Applicant owns the parcels, this is not an issue. If it does not, owner's permission in writing should be provided.

Pursuant to Article 10, Section 10.02.C. a zoning permit shall not be issued until all other necessary permits required by statute have been obtained or waived with the exception of those permits issued by the Antrim County Building Department. "Upon issuance of the Zoning permit, a copy of the permit and the application, including any drawings shall be transmitted to the Assessor, the Antrim County Building Department and other agencies as appropriate." Article 10, Section 10.02.H.

Chairman Drollinger identified the list of exhibits:

Exhibit 1 - Village of Bellaire Master Plan Future Land Use Map (Figure 7-1)

Exhibit 2 - Village of Bellaire Zoning Ordinance with Zoning Map

Exhibit 3 - Site Plan Review Application with attachments including: Vicinity Map, Existing Conditions, and Site Plan

Exhibit 4 - Certificate of Boundary Survey

Exhibit 5 - Architectural drawings of the floor plan and exterior elevations

Zoning Administrator Lockett explained that a second set of drawings had been provided showing additions to the façade. Chairman Drollinger asked if the new submission was the façade Mr. Cruse was proposing. Mr. Cruse stated that it was the current version; they were working with an architect to have professional drawings done.

Exhibit 6 – Letter from Heidi Shaffer, Antrim Conservation District with attachments as marked.

The Planning Commission began its consideration of the request by addressing the Site Plan Approval Standards in Article 6, Section 6.05.

Each site plan shall conform with the applicable provisions of this Ordinance and the standards listed below:

- A. The site plan shall comply with the Village of Bellaire Master Plan and any other applicable Village adopted planning documents.

The Planning Commission finds:

1. The existing Zoning Map in the zoning ordinance identifies the property as Commercial. (Exhibit 2)
2. The parcel is located within the Commercial Zoning District which recognizes that “(t)he regulations and conditions contained in this district are designed to promote the economic viability of arterial road oriented commercial areas by encouraging improved site development standards that will provide more safety and convenience for customers. (Exhibit 2)
3. The subject property is developed with an existing commercial building. (Exhibit 3)

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

- B. All elements of the site plan shall be harmoniously and efficiently organized in relation to topography, the size and type of lot, the character of adjoining property and the type and size of buildings. The site shall be so developed as not to impede the normal and orderly development or improvement of surrounding property for uses permitted in this Ordinance.

The Planning Commission finds:

1. The subject property is currently developed with a commercial building and associated parking. (Exhibit 3)
2. The addition of parking around the building will not impede normal and orderly development or improvement of surrounding property. (Exhibit 3)

Commissioner Seman made the motion that the standard had been met. Before it could be seconded, Commissioner Dewey asked about the property identified on the plan as “Drainage Easement” on the site plan and “easement” on other drawing. Could that easement be used to access parcels 2, 3 and 4? Is that a drainage easement? Mr. Cruse explained that he had gone to Antrim County and they had gone from point to point and drawn out the area on the map. The actual easement for the drainage area is 27’ inside the pond line and 15’ onto the Family Fare line; somehow, that whole area had been designated as drainage down through there. Mr. Cruse added that there is nothing there, he does not know why it is shown as a drainage easement. The actual drainage area is the 27’ inside the pond area. Zoning Administrator Lockett asked whether there was going to be another access point on the easement, or any development on the property, other than a parking lot, that would interfere with the pond area. Mr. Cruse indicated that there was not; the pond is staying. After discussion, Commissioner Harris supported the motion.

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

- C. The landscape shall be preserved in its natural state, insofar as practical, by minimizing tree, other vegetative

material, and soil removal, and by topographic modifications which result in maximum harmony with adjacent areas. Landscape elements shall minimize negative impacts. Landscaping, buffering, and screening shall conform with the requirements of this Ordinance.

The Planning Commission finds:

1. Parking lot expansion will result in loss of vegetation to the north property line. (Exhibit 3)
2. The existing area for drainage and retention will remain. (Exhibit 3)
3. The plans do not show any proposed landscaping, buffering or screening. (Exhibit 3)

**Motion by Commissioner Dewey, seconded by Commissioner Seman, that this standard has been met.
Motion passed by unanimous voice vote.**

- D. Special attention shall be given to proper site drainage so that removal of storm waters will not increase off-site sedimentation or otherwise adversely affect neighboring properties.

The Planning Commission finds:

1. Drainage patterns for the building and current parking lot are currently existing. (Exhibit 3)
2. Alterations to the topography for the parking lot addition will increase hard surface and run off.
3. Any alterations may not result in off-site sedimentation or run off to the neighboring property not owned by the Applicant.

**Motion by Commissioner Dewey, seconded by Chairman Drollinger, that this standard has been met.
Motion passed by unanimous voice vote.**

- E. The site plan shall provide reasonable, visual, and sound privacy for the proposed development, as well as the adjacent properties. Fences, walks, barriers, and landscaping shall be used, as appropriate, for the protection and enhancement of property and for the privacy of its occupants.

The Planning Commission finds:

1. The request is for a new use by right within the Commercial District. (Exhibit 3)
2. Adjacent properties are zoned Commercial. (Exhibit 2)

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

- F. A fire and safety preplan review shall be required and coordinated by the applicant with the Bellaire District Fire Department chief or his/her designee.

The Planning Commission finds:

1. The Bellaire District Fire Chief has approved the proposed site plan. (Exhibit 3)

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

- G. All buildings or groups of buildings shall be so arranged as to permit emergency vehicle access.

The Planning Commission finds:

1. The building is located on the property with paved parking and an existing traffic flow pattern. (Exhibit 3)
2. Access for emergency vehicles is available from M-88 (Exhibit 3).
3. The addition of parking will alter the flow of traffic around the building but will not impact access for emergency vehicles. (Exhibit 3)

**Motion by Chairman Drollinger, seconded by Commissioner Seman, that this standard has been met.
Motion passed by unanimous voice vote.**

- H. Every building or dwelling unit shall have access to a public street, private road, walkway, or other area dedicated to common use.

The Planning Commission finds:

1. This is an existing building with access to a public street established.

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

- I. Walkways shall be provided, separate from the road system, where feasible.

The Planning Commission finds:

1. Access to the property is on M-88. (Exhibit 3)
2. Any pedestrian traffic travels within the MDOT right-of-way.

**Motion by Commissioner Seman, seconded by Chairman Drollinger, that this standard has been met.
Motion passed by unanimous voice vote.**

- J. Exterior lighting shall be designed and arranged so that it is deflected away from adjacent streets and adjoining properties, and shall be directed downward so as not to unnecessarily illuminate the night sky. Flashing or intermittent lights shall not be permitted.

The Planning Commission finds:

1. Six exterior lights are identified on the site plan. (Exhibit 3)
2. All exterior lighting shall be shielded, shaded, designed and directed away from adjacent properties. (Exhibit 2, Section 3.10.A.)
3. Lighting fixtures are to be the full cut-off design with horizontally aligned flush mounted lens, directing lighting on site only, and no more than twenty (20) feet in height. (Exhibit 2, Section 3.10. A.)
4. The proposed lighting will be mounted on the building. (Exhibit 3)

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

- K. The proposed arrangement of vehicular and pedestrian routes shall respect the pattern of existing or planned streets and nonmotorized pathways in the area. Streets and drives which are part of an existing or planned street pattern which serves adjacent development shall be of a width appropriate to the traffic volume they will carry and shall have a dedicated right-of-way.

The Planning Commission finds:

1. The site is developed and existing with ingress and egress off of M-88. (Exhibit 3)

Motion by Commissioner Dewey, seconded by Commissioner Seman, that this standard has been met. Motion passed by unanimous voice vote.

L. All streets shall be developed in accordance with Village specifications.

The Planning Commission finds:

1. This standard is not applicable to the request under consideration as there are no additional streets proposed.

Motion by Commissioner Dewey, seconded by Commissioner Harris, to waive this standard, as it is not applicable to the request under consideration. Motion passed by unanimous voice vote.

M. All parking areas shall be so designed to facilitate efficient and safe vehicular and pedestrian circulation, minimize congestion at access and egress points to intersecting streets, including the use of service drives as appropriate, and minimize the negative visual impact of such parking areas.

The Planning Commission finds:

1. The site plan depicts an entrance off of M-88 to the existing parking area. (Exhibit3)

2. The Applicant intends to expand parking with one-way vehicular circulation around the building. (Exhibit 3)

3. If employment reaches Applicant's projected levels, congestion at shift change should be expected.

Chairman Drollinger inquired how it would be handled. Mr. Cruse indicated that it would take a bit of planning. The first shift will be 30 to 35 people; the second shift will have an additional 20 come in. Commissioner Harris asked, "what time is shift change?" Mr. Cruse stated that it varies but there are overlapping shifts; but was generally around 4:00 p.m. Commissioner Harris noted that Meadow Brook afternoon shift change is around 3:00 p.m. and morning is at 7:00 a.m. Mr. Cruse explained that they would start at 7:00 a.m. and at 4:00 p.m. depending on the day of the month. The plan is to insure that there is parking on the second shift when the third shift comes in.

Motion by Commissioner Harris, seconded by Commissioner Seman, that this standard has been met.

Prior to the vote, there was discussion on the motion. Commissioner Dewey noted that on the plan there is space for 142 desks or cubicles and only 52 parking spaces. Mr. Cruse explained that he was building for the future. Designing it now for the future so that next year or two years from now he wanted to put an additional parking lot behind.

After discussion, the motion passed by unanimous voice vote.

N. Residential and nonresidential development shall not include unnecessary curb cuts and shall use shared drives and/or service drives where the opportunity exists unless precluded by substantial practical difficulties.

The Planning Commission finds:

1. The access and some parking are existing. (Exhibit 3)

2. Applicant is not proposed additional access points or curb cuts. (Exhibit 3)

Motion by Commissioner Harris, seconded by Commissioner Dewey, to waive this standard, as it is not applicable to the request under consideration. Motion passed by unanimous voice vote.

- O. The site plan shall provide for the appropriate location of all necessary and proposed utilities. Locational requirements shall include underground facilities to the greatest extent feasible.

The Planning Commission finds:

1. This is an existing developed site.

Motion by Commissioner Dewey, seconded by Commissioner Seman, to waive this standard, as it is not applicable to the request under consideration. Motion passed by unanimous voice vote.

- P. Site plans shall conform to all applicable requirements of state and federal statutes, and approval may be conditioned on the applicant receiving necessary state and federal permits before the Zoning Permit is issued.

The Planning Commission finds:

1. Pursuant to Article 10, Section 10.02.C, a zoning permit shall not be issued until all other necessary permits required by statute have been obtained or waived with the exception of those permits issued by the Antrim County Building Department. (Exhibit 2)
2. According to the letter from Heidi L. Shaffer, Antrim County Soil Erosion Control Officer, “unless you are disturbing more than an acre of soil or are working within 500’ of a river, lake or stream, you will not need a soil erosion control permit.” (Exhibit 6)
3. In addition to a land use permit, required permits for this phase of Applicant’s project will be issued by the Antrim County Building/Construction Code Enforcement Department.

Motion by Commissioner Seman, seconded by Chairman Drollinger, that this standard has been met. Motion passed by unanimous voice vote.

- Q. The applicant shall demonstrate that reasonable precautions will be made to prevent hazardous materials from entering the environment, including:

1. Sites at which hazardous substances are stored, used or generated shall be designed to prevent spills and discharges to the air, surface of the ground, ground water, lakes, streams, rivers, or wetlands.
2. General purpose floor drains shall only be allowed if they are approved by the responsible agency for connection to a public sewer system, an on-site closed holding tank (not a septic system), or regulated through a State of Michigan groundwater discharge permit.
3. State and federal agency requirements for storage, spill prevention, record keeping, emergency response, transport and disposal of hazardous substances shall be met. No discharges to ground water, including direct and indirect discharges, shall be allowed without required permits and approvals.

The Planning Commission finds:

1. The property is currently connected to the Village water and sewer systems and is subject to the Village of Bellaire Code of Ordinances regarding use.
2. The proposed use will not require that hazardous substances be stored, used, or generated on site.

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

The Planning Commission reviewed the request for signage on the property. Zoning Administrator Luckett explained that the updated architectural renderings show a wall mounted sign that Mr. Cruse has represented to be approximately 8’ x 2.5’ square feet. She asked Mr. Cruse if he proposed that it be internally lit. Mr. Cruse stated

that there were lights on the building and that the sign would not be lit. Zoning Administrator Luckett asked Mr. Cruse if he proposed to use the ground-mounted sign currently on site. He indicated that the ground-mounted sign would be removed; there would just be one sign on the building.

Chairman Drollinger then reviewed the Supplemental Findings of Fact for the record.

Article 3, Section 3.11 Signs, specifies that the size limit for a permanent sign in the Commercial District is 32 square feet.

B. General Sign Regulations

1. No sign, except specifically identified in **Section 3.11.A** above, shall be erected or altered until approved by the Zoning Administrator (ZA) or authorized by a Planning Commission (PC) approved site plan. After the ZA or PC approval, the required zoning permit shall be issued.

8. In no case shall a sign or signs exceed a total of ten percent (10%) of the building face to which they are attached, except signs temporarily affixed to the interior of a window shall not count toward the 10%.

There was discussion about the proposed motion and whether the drawings in Exhibit 5 were final. Mr. Cruse explained that the entry way may enclosed. The gables over four of the doors will stay. Zoning Administrator Luckett requested a copy of the plans submitted to the Antrim County Building Department. Commissioner Harris made the motion to approve, the draft motion that was supported by Commissioner Seman. During discussion on the motion Commissioner Dewey reiterated that written permission from the owners be provided before the permit be issued. Mr. Cruse stated that he could get the written permission and that they will be closing on all the properties on November 1 or November 2.

Motion by Commissioner Harris, seconded by Commissioner Seman to approve, based on the findings of fact and the site plan review standards, the request to change the use of the building from a restaurant and indoor golf establishment to a secured facility call center/business office with operations 24/7, 365 days annually. Applicant to make exterior alterations by adding 4 windows on the façade and doors (totaling 5) 3 doors with trussed gables and an enclosed entry door area with gabled roof supported by partially stone clad columns; interior alternations include offices, training room, break room, data center, storage, and restroom expansions; and expanded off-street parking for 50 vehicles so long as Applicant owns the property or has the property owners' written permission; and an 8' by 2.5' wall mounted sign that complies with Article 3, Section 3.11.

6. **Unfinished Business:** None presented.

7. **Correspondence/Reports:** Zoning Administrator Luckett reminded the Planning Commission member of the sign work session scheduled for October 25, 2016 at 6:00 p.m. and the regular meeting on November 1, 2016.

8. **Adjournment: Meeting adjourned at 5:47 p.m.**

Minutes compiled by:
Lori Luckett, Zoning Administrator & Recording Secretary
Minutes are subject to approval

Approved: _____
William Drollinger, Chairman

Date: _____