

**Village of Pinckney
Planning Commission Meeting
Minutes
Monday, November 6, 2017**

Call to Order: Chairman Gonzalez called the meeting to order at 7:06 pm.

Roll Call: Present – Bridget Gergel, Diane MacDonald, Christine Oliver, Donald Oliver, Tom Pais, Eric Wubbenhorst, Leo Gonzalez
Also attending – Lucie Fortin (Planner), Michelle Brunner (Recording Secretary)

Approval of the Agenda:

Moved by Commissioner C. Oliver, seconded by Commissioner MacDonald, to approve the agenda as presented. The motion carried unanimously.

Approval of the October 16, 2017 Minutes:

Moved by Commissioner Wubbenhorst, seconded by Commissioner Gergel, to approve the October 16, 2017 minutes as presented. The motion carried unanimously.

Reports:

Chairman: Chairman Gonzalez had nothing to report.

Secretary / Vice-Chairperson: Commissioner Gergel had nothing to report.

Council Report: Commissioner Pais had nothing, other than that Spooktacular was a very enjoyable event. The dump truck was decorated nicely and the kids liked it.

Zoning Administrator: Ms. Brunner had nothing to report.

Public Forum:

Chairman Gonzalez opened the Public Forum at 7:09 pm.

Public Forum was closed at 7:09 pm.

Agenda:

1. Public Hearing: Conditional Rezoning

Ms. Fortin asked if the applicant had anything additional to present. Mr. Kril stated he had turned in some additional information regarding some previous questions.

Public Hearing opened at 7:11 pm.

Robert Coppersmith of 323 E. Hamburg Street stated he had reviewed the packet and thinks it's a nice use of the space. He wondered if the conditional rezoning would address noise and noise control, especially as gasoline RC cars can get loud.

Linda Van Blaircum of 339 Stuart Street stated that Hamburg Street runs next to her house and noise

is one concern. She also thought the hours of operation seemed rather late. She has concerns if the business really takes off, that would make for a lot of traffic late at night. She had also read that there will be kids working there and worried about no adult supervision, which could be a potential problem.

Benjamin Harju of 147 W. Hamburg Street stated there is about one house between his house and the property being discussed. He stated he doesn't really have a problem except with the potential noise factor. It's a quiet spot and that is why they want to live there. He would like to see some restrictions on hours and noise as that is not something they want right outside of their house.

Mr. Kril, the property owner, stated the RC tracks will be strictly electric and inside. As for supervision, it is a business and there will be adult supervision at all times. He stated the hours will be modified and some will be seasonal hours. One late night a week is typical of these types of businesses. Right now he is asking for a wider parameter for the hours to start with and then will 'dial it in'.

Public Hearing closed at 7:17 pm

Ms. Fortin stated this is an unusual request as it is a conditional rezoning. The conditions offered will be recorded with the property at the County Register of Deeds and the property owner needs to come forward with the conditions voluntarily.

In her review of items that had been offered by Mr. Kril, Ms. Fortin was unclear as to what was a condition and not a condition. She wanted it to be clear that this conditional rezoning was to ONLY be for indoor and outdoor recreation use and for the western portion of the property only.

Ms. Fortin stated that this is a great opportunity to connect to the trail right behind the property and it would be a great use of the property if it offers the buffer with the residential property. Special land use and site plan review will be considered after rezoning request is approved.

Ms. Fortin's review of her list of items offered by the applicant are:

1. The shared driveway is a good idea.
2. The main entrance from Hamburg Street is good.
3. The proposed hours of operation should be revised. Mr. Kril stated that they will be Monday through Friday from 9-10, Saturday from 9-9 and Sunday 9-6. The hours of operation are strictly for that one parcel. Mr. Kril stated that they will offer multiple things and ideally outdoor recreation would have one set of hours and indoor recreation would have a different set of hours.
4. The proposed sidewalks aren't really a rezoning issue, but they are critical because connecting to the trail is a major asset for this development. Mr. Kril stated that sidewalks are something they will do, including along North Howell Street.
5. The pedestrian gates are good. Mr. Kril stated they he contacted MDNR and are looking for a viable option to allow access from the trail, yet keep the younger kids from being able to wander off.
6. Items 6 through 8 involve signage and all of these will be reviewed through the site plan review process.
9. The landscape buffer will be very important, particularly to keep down noise. Chain link fence is existing but that also, is a site plan consideration. Access to a back gate is a concern to Mr. Kril, as it may become a safety issue watching younger children, as with the pedestrian gates in item 5.
10. Items 10 through 13 are all items that will be addressed during site plan review process.
14. The parking is a concern because it will be shared with other uses on the adjacent parcels.

Additional information needs to be provided to understand exactly the square footage of the uses and compute parking requirements to determine whether the parking will be sufficient. Mr. Kril stated that SBD parking requirements are 1 spot per 660 square foot of building (?) and for both buildings it only requires 54 spaces. There is also potential space for overflow. Ms. Fortin stated that it is important that people do not park in the street. One more issue she would like to see resolved is showing exactly the area of what is proposed for conditional rezoning on a rezoning site plan as far as boundaries with bearing and distances defined. A legal agreement regarding the conditional rezoning and the shared parking agreement will need to be drafted (even if it is between Mr. Kril himself as

property owner of both parcels). Mr. Kril stated the property line essentially runs through the center of the parking lot and there would be enough parking on the parcel without needing to have a shared agreement.

15. The building façade enhancements are good improvements.

16. Restricting the use is the critical condition for this conditional rezoning. It needs to be stated very clearly that the ONLY uses for this property will be indoor and outdoor recreation. Ms. Fortin would like to see the language that restricts it to those uses.

17. Traffic is a consideration that will need to be considered when the project gets to the Special Use review. Having a traffic impact study would be a good idea and is up to the Planning Commission to request. Mr. Krill stated that it would be difficult to compare the property as this is a unique business in a much less populated area. Most of the comparable businesses are in large cities. Ms. Fortin stated that professional engineers doing the study would have the experience and necessary tools to make it relevant.

Ms. Fortin stated that the Planning Commission and Village need to determine if the proposed uses and conditions attached to the property will be compatible with the residential character of the neighborhood. This could be a good use for the village provided it won't have a negative impact on the neighborhood. Improving the appearance of the building is great. The overall impact on the neighborhood is very important in the decision making.

In conclusion, Ms. Fortin would like the applicant to submit additional information for review including a formal letter addressed to the Village Council/Planning Commission stating clearly the conditions he is voluntarily offering and a rezoning site plan which would include the legal description and boundaries of the proposed rezoning as well as all the existing features, proposed parking and other features that would illustrate the conditions.

The next steps in the process is a recommendation from the Planning Commission to approve, deny, or approve with conditions the conditional rezoning, with complete legal and conditions, to Council. If approved and after the agreement is recorded, the owner needs to go through the special use and site plan approval process. Ms. Fortin feels that, once the agreement is in place, the preliminary site plan and special use request could proceed fairly quickly. She also noted that the special use will require another public hearing.

Ms. Fortin recommends to postpone making a recommendation until we have all elements in hand to make a solid decision.

Commissioner MacDonald asked Mr. Kril if he could run down the types of recreation he intends to have there. Mr. Kril stated he envisions indoor rock climbing, baseball teams using part of the space for indoor practice, and health-oriented activities such as yoga. Some of those items, like the baseball, is seasonal for inside. RC cars would be inside also perhaps. Golf simulators and sports simulators are another idea. Virtual Reality arcades are an idea. Commissioner MacDonald asked that as far as outdoor activities, would anything for skateboards be available? Mr. Kril stated the outdoor bump tracks are designed to 'crossover' for bicycles, scooters, and skateboards.

Motion by Commissioner D. Oliver to table the decision until there are more formal conditions written as suggested by the Village Planner and there is a more detailed rezoning site plan with legal description to set the boundaries of the parcel being conditionally rezoned; Seconded by Commissioner MacDonald

Yeas: Gergel, MacDonald, C. Oliver, D. Oliver, Pais, Wubbenhorst, Gonzalez

Nays: None

Motion carried in a roll call vote.

2. Land Split and Site Plan Approval – 4714-23-304-079

For the site plan, the screening and dumpster placement were the concerns. Ms. Fortin will look at the landscaping to make sure it meets the ordinance requirement.

Motion by Commissioner MacDonald to approve the site plan and land split for parcel number 4714-23-304-079 provided the landscaping and dumpster meet the zoning requirements; Seconded by Commissioner D. Oliver

Yeas: Gergel, MacDonald, C. Oliver, D. Oliver, Pais, Wubbenhorst, Gonzalez

Nays: None

Motion carried in a roll call vote.

3. 2018 Meeting Schedule – Approve Dates

It was recommended that we move the April meeting from the 2nd to the 16th as Easter is April 1st and spring break falls on that week.

Motion by Commissioner Wubbenhorst to approve dates as amended;

Seconded by Commissioner Gergel

Yeas: Gergel, MacDonald, C. Oliver, D. Oliver, Pais, Gonzalez

Abstain: Wubbenhorst

Nays: None

Absent: Motion carried in a roll call vote.

Public Forum:

Chairman Gonzalez opened the Public Forum at 8:03 pm.

Benjamin Harju of 146 West Hamburg Street asked if there are decibel limits for a residential neighborhood. He is worried that the proposed use would exceed it and listening to the discussion about how late the recreation will be open, it is also a concern that people out that late would be the older kids and perhaps more rowdy. If the proposed recreation facility attracts that element, it would not be good and it would be more work for the police as well. Living near the trail, what he tends to see are groups of teenagers making noise but they pass through. In this case, kids will gather and make noise but they will stay in one place. Ms. Fortin stated that there are provisions for the noise in the ordinance regulating maximum decibel levels. Ms. Fortin will look into what the decibel levels are for the RC cars. Chairman Gonzalez stated the landscape buffer may help with the noise as well.

Paul Zisler, who works at People's Church, had a question about the external elements and if they will be restricted to paying people. As it is a business, it will be for paying customers only.

Madison Mukensturm, EMU planning class student, was attending for her class.

Public forum closed at 8:11 pm.

Member Discussion:

Commissioner D. Oliver asked if we rezone this for SBD and it ended up reverting to R4, does Mr. Kril have other ideas for property. Ms. Fortin stated that what is happening is that Mr. Kril wants to do a use that isn't allowed in R4, so that is why he is asking for SBD. If he does NOT go forward with SBD, it reverts back to R4. It is a protection for the Village. Commissioner Pais added that by Mr. Kril having to record all the conditions with the property, in theory, he could sell the property and the buyer would be bound by the conditions in order to move forward. Ms. Fortin stated we should be careful

because the conditions need to come from the applicant. Suggestions can be made, such as with the hours, but that is all.

Commissioner Wubbenhorst stated his biggest concern is traffic. He also asked if Planning Commission could have Mr. Kril submit the specifications of the noise the RC cars emit? Ms. Fortin stated that those specifications could be part of the impact statement.

Commissioner D. Oliver asked about the conditional rezoning and if Planning Commission was making the decision or were they recommending a decision to Council? Ms. Fortin stated that Planning Commission was making a recommendation to Council and that this was a good question because a lot of these decisions have changed recently. Zoning changes, which would include a conditional rezoning, go to Village Council. Approved and special use applications are approved by Planning Commission.

Adjournment:

Moved by Commissioner C. Oliver, seconded by Commissioner D. Oliver, to adjourn the meeting at 8:13 pm. The motion carried unanimously.