



Birch Run Township Planning Commission
Special Meeting Minutes
February 7, 2022
11935 Silver Creek Dr, Birch Run, Michigan 48415

Call to Order of Special Meeting:

Chairman CJ Norris called the February 7, 2022 Special Meeting of the Birch Run Township Planning Commission to order at 6:02 p.m. with the Pledge of Allegiance.

Members Present:

C.J. Norris, Chair; Riley Kiessling, Vice Chair; Mike Marr, Secretary; Ed Munson, Fred Sheridan, Keith Jewell & Mike Musial, Members.

Others Present:

Corey Trinklein, Recording Secretary; Jason Ball, ROWE Professional Services (by phone) and Adam Flory, Township Attorney. One (1) person was in the audience.

Public Meeting:

Site plan review for Meijer Inc. Jason Ball, ROWE Professional Services provided an analysis of the sit plan. (Attachment A)

Motion by Marr seconded by Kiessling to approve the Meijer Inc. site plan for the addition of a 1000 sq. ft. freezer to be added to the north end of the existing building with one condition of providing the shared driveway access easement with the Frankenmuth Credit Union.

Ayes: Marr, Sheridan, Musial, Kiessling, Munson, Norris, Jewell

Nays: None

PASSED: Motion carried by unanimous roll call vote

Old Business:

1. Master Plan Review – Jason Ball, ROWE PSC (Public Hearing scheduled for 3-21-2022)
2. Lot Coverage / Front Setback: No action was taken at this time.
3. Short-Term Rentals: No action was taken at this time.
4. Caregiver Ordinance (Public Hearing scheduled for 3-21-2022)
5. Sale of Accessory Structures in the C-1 Zoning Districts (Public Hearing scheduled for 3-21-2022)
6. Schedule Public Hearing for Drive-Thru Financial Institutions including drive-thru ATM's (Public Hearing set for 3-21-2022)

Open Discussion for Issues not on the Agenda:

Public comments/correspondence received: None

Planning Commission Members: Mike Marr commented that the Township needs to make sure the Zoning Ordinance book stays updated with all changes and that they be distributed to all PC members when changes are made.

Members in the audience: None

Reports:

Township Board Representative (Fred Sheridan): Has nothing to report

Zoning Board of Appeals (ZBA) Rep. (Mike Marr): Has nothing to report

New Business:

1. Discuss Re-Zoning parcels at the intersection of Dixie Hwy. & Townline. Will this change the master plan initiative? (Public Hearing scheduled for 3-21-2022)
2. Setting public hearing dates: None set tonight

Other: None

Announcements:

Township Board Meeting – 2nd Tuesday of each month (Next regular meeting is February 8, 2022)

Planning Commission Meeting – Quarterly (Next regular meeting is March 21, 2022)

ZBA – Semi Annual - 3rd Tuesday of April and October (Next regular meeting is April 19, 2022)

DDA – Meetings are held as needed (Next special meeting is February 9, 2022)

(All meetings are held in the Governmental Center unless noted)

Adjournment:

Motion by Sheridan seconded by Marr to adjourn at 6:53 p.m.

Motion passed by unanimous voice vote

Minutes respectfully submitted by:

Recording Secretary Corey Trinklein

Mike Marr

Planning Commission Secretary

ATTACHMENT A

BIRCH RUN TOWNSHIP	
ZONING ORDINANCE COMPLIANCE CHECKLIST	
PROJECT NAME: Meijer Store #213 Addition & Renovation	SITE PLAN DATE: 1/26/2022

Proposed Use: Retail	Any generally recognized retail business, excluding sexually oriented businesses, which supplies commodities on the premises within a completely enclosed building including, but not limited to, foods, drugs, liquor, furniture, clothing, dry goods, notions, books, flowers, jewelry or hardware		
Zoning District: C-1	Permitted Principal Land Use	X	Special Land Use

DISTRICT DIMENSIONAL REQUIREMENTS		
	Required	Proposed
Minimum Lot Area	1.5 acres	45.82 acres
Minimum Lot Width and Frontage	200'	~950'
Maximum Height in Feet	40'	?
Minimum Floor Area Per Dwelling	-	-
Maximum Lot Coverage	50%	9%
Minimum Front Yard Setback	40'	~40' (S)
Minimum Front Yard Setback	40'	~1,300 (W)
Minimum Side Yard Setback	10'	~700' (N)
Minimum Rear Yard Setback	20'	~35' (E)

*Lots that gain access off Dixie Highway

ZONING ORDINANCE COMPLIANCE CHECKLIST				
PROJECT NAME:		SITE PLAN DATE:		
Requirement	Complies	Does Not Comply	N/A	Comment
Sec. 13.02. Nonconforming Lots – In a district that allows single family dwellings a single family dwelling and customary accessory buildings may be erected on any single lot of record even if it is nonconforming provided it meets the yard dimensions, setbacks and other requirements.			X	
Sec. 13.03 Nonconforming Uses – Does a nonconforming use comply with the requirements of this section?			X	
Sec. 13.04 Nonconforming Structure – Does a nonconforming structure comply with the requirements of this section?			X	

DEVELOPMENT STANDARDS CHECKLIST				
Requirement	Complies	Does Not Comply	N/A	Comment
Article 14 Standards and Regulations for Specific Land Uses			X	

PARKING REQUIREMENTS				
Requirement	Complies	Does Not Comply	N/A	Comment
Sec. 16.02 Off Street Parking General Requirements – Does the proposed site plan comply with the requirements for C. Use of off-street parking areas E. Location of joint use of parking areas F. Vehicles waiting to park/exit H. Barrier free parking spaces	X			
Sec. 16.03 Site Development Requirements for Off-Street Parking – Does a nonconforming use comply with the requirements for A. Marking and Designation B. Driveways C. Surface D. Drainage E. Location/Setback F. Lighting G. Parking Spaces and Maneuvering Lanes H. Service Drives and Connections to Adjacent Parking Areas J. Landscaping and Screening			X	
Sec. 16.05 Loading and Unloading Space Requirements – Does a nonconforming use comply with the requirements for C. Access D. Screening E. Location			X	

PARKING COMPLIANCE CHECKLIST		
Use	Parking Space Requirement (per Sec. 16.04)	Parking Spaces Provided
Retail Stores	1 space per 150 square feet of useable floor area= 747 required spaces	796 spaces provided
	Loading Space Requirement (per Sec. 16.05 B)	Loading Spaces Provided
Retail Stores	60,001 square feet or above, 4 spaces plus one space for each additional 20,000 square feet= 6 required spaces	?? Loading spaces not shown on site plan.

ZONING ORDINANCE COMPLIANCE CHECKLIST

PROJECT NAME:

SITE PLAN DATE:

Requirement	Complies	Does Not Comply	N/A	Comment
Sec. 17.03. Landscape Plan Required – Does the landscape plan meet the requirements of this section?	X			No change.
Sec. 17.04 Buffer Areas – Do required buffer areas meet the requirements of this section?	X			No change.
Sec. 17.05 Parking Lot Landscaping and Screening – Do proposed parking lots meet the requirements of this section?			X	No change proposed.
Sec. 17.06 Minimum Standards of Landscape Elements– Does proposed landscaping meet the requirements of this section?			X	No change proposed.
Sec. 17.08 Fencing and Walls Construction– Do proposed fences and wall meet the requirements of this section?			X	No change proposed.
Sec. 18.02 Natural Resources – Does a nonconforming use comply with the requirements for A. Compliance with Local, County, State, and Federal Regulations B. Discharges C. Sensitive Lands D. Clearing, Grading, and Drainage			X	Use is not nonconforming.
Sec. 18.03 Potable Water and Sewage Disposal – Are all building provided with a potable water supply and waste water disposal system that ensures a safe and effective means of collection, treatment, and disposal of generated wastes?	X			No change.
Sec. 18.04 Lighting – Does proposed lighting meet the requirements of this section?	X			No change.
Sec. 18.05 Vibration – Is there a characteristic of the proposed use that would indicate that the use may violate the requirements of this section?	X			No change.
Sec. 18.06 Glare and Heat – Is there a characteristic of the proposed use that would indicate that the use may violate the requirements of this section?	X			No change.
Sec. 19.02 Lots To Have Access – Do parcels created have frontage on a public road, or private road constructed and approved according to this Ordinance, and take their access from such frontage so as to provide safe, convenient access for fire protection, other emergency vehicles, and any required off-street parking?	X			No change.
Sec. 19.03 Driveways – Do proposed driveway comply with the requirements of this section?	X			No change.
Sec. 19.04 Clear Vision Zone – Do all intersection of roads or intersections of roads and driveways comply with the requirements of this section?	X			No change.
Sec. 19.05 Private Roads – Do any proposed private roads comply with the requirements of this section?	X			No change.
Sec. 19.06 Shared Driveways – Do any proposed shared driveways comply with the requirements of this section?	?			No change proposed, should confirm shared access agreement with Credit Union.

ZONING ORDINANCE COMPLIANCE CHECKLIST

PROJECT NAME:

SITE PLAN DATE:

Requirement	Complies	Does Not Comply	N/A	Comment
Sec. 20.04 Permitted Yard Encroachments for Principal Buildings – Do any proposed yard encroachments qualify for exceptions under the provisions of this section?			X	
Sec. 20.07 One Single-Family Dwelling to a Lot – Are proposed residential lots in compliance with this requirement?			X	
Sec. 20.09 Exception to Frontage Requirements – Do any proposed frontage exceptions qualify under the provisions of this section?			X	
Sec. 20.10 Height Requirement Exceptions – Do any proposed height exceptions qualify under the provisions of this section?			X	
Sec. 20.12 Fences for Residences – Do any proposed condominiums comply with the requirements of this section?			X	
Sec. 20.14 Condominium Subdivisions – Do proposed condominiums comply with the requirements of this section?			X	
Sec. 20.16 Outdoor Storage – Does proposed outdoor storage comply with the requirements of this section?	X			Outdoor sales and storage is for landscaping and associated items that are not subject to limitation.
Sec. 20.20 Accessory Uses, Buildings, and Structures – Do any proposed accessory uses, buildings or structures comply with the requirements of this section?	X			No change.
Sec. 20.21 Removal of Soil and Gravel – Does any proposed removal of soil, sand, gravel, or minerals for use elsewhere on the parcel or a different parcel, not otherwise associated with the erection of a structure comply with the requirements of this section?			X	
Sec. 20.22 Off-Premises Advertising Signs / Billboards – Do any proposed off-premises advertising signs comply with the requirements of this?			X	
Sec. 20.23 Display of Sexually Oriented Material – Does any operation that involves the display of sexually oriented material comply with the requirements of this?			X	

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BIRCH RUN TOWNSHIP SITE PLAN REVIEW CHECKLIST			
PROJECT: Meijer Store #213 Addition & Renovation		SITE PLAN DATE: 1/26/2022	
Site Plan Informational Requirements Section 4.04.D.1	Provided	Not Provided	Note
a. Name, address and telephone number of the applicant (and owner if different) and project designer	X		Sheet G-001
b. A survey showing property dimensions and legal description, including angles, lot area and dimensions, and an arrow pointing north.	X		Sheets C-100E1 and C-100E2
c. Existing natural features such as woodlands, streams, flood plains, county drains, lakes or ponds, and topography (at two-foot intervals on-site and within one hundred fifty (150) feet of the site)	X		Sheets C-100E1 and C-100E2
d. Existing public right-of-way, private easements of record, and deed restrictions, and existing improvements on the site including but not limited to roads, driveways, structures, and buildings.	?		Sheets C-100E1 and C-100E2; information does not extend to driveways that connect to Right-of-Way.
e. Project description, including the location, dimensions, and height of existing and proposed structures to be erected, altered, or moved on the property; the total number of dwelling units and offices; the square feet associated with each building and use including total and usable floor area; carports and garages; configuration of proposed roads, parking areas, and lots; employees by shift; amount of recreational and open space and the type of recreation facilities to be provided, and related information as pertinent or otherwise required by this Ordinance.	X		Sheet C-100
f. Proposed location and dimensions of accessory structures, including trash receptacles.		X	
g. Proposed location of free standing and wall signs, and dimensions and construction details of such signs.	?		Parking and directional signs are detailed. No changes to existing wall signs or other signs are indicated.
h. A landscaping plan indicating the locations of plant materials to be preserved and locations of proposed planting and screening, fencing, and lighting in compliance with the requirements of Article 17, Landscaping and Screening. Also, proposed locations of common open spaces, if applicable.	?		Landscaping is shown on the site plan, but without detail. No changes are proposed.

BIRCH RUN TOWNSHIP SITE PLAN REVIEW CHECKLIST			
PROJECT: Meijer Store #213 Addition & Renovation		SITE PLAN DATE: 1/26/2022	
Site Plan Informational Requirements Section 4.04.D.1	Provided	Not Provided	Note
i. Final construction plans that ensure proper construction of roads and alleys including plan/profiles, cross-sections, acceleration, deceleration or right turn lanes, driveways, parking spaces, sidewalks, with indication of direction of travel, and the inside radii of all curves including driveway curb returns. The width of streets, driveways and sidewalks, the total number of parking spaces, and dimensions of a typical individual parking space and associated aisles shall be identified. Proposed traffic control measures (including signs) and proposed street or road names shall also be indicated.		X	No changes are proposed to existing configuration. Only striping improvements.
j. Final construction plans that ensure proper construction of facilities designed to manage storm water including location of any retention and/or detention areas and points of discharge for all drains, and engineering specifications including dimensions and elevations of all pipes and drains. The point of discharge for all drains and pipes shall be specified on the site plan.		X	No changes are proposed. Impervious surface is not proposed to change.
k. Final construction plans that ensure proper construction of facilities designed to provide, collect, store, dispose of, and/or transport potable water, waste water and sewage, including but not necessarily limited to the locations, specifications and elevations of pipes, drains, sumps, holding tanks, and easements that exist or are proposed to be established for installation, repair and maintenance of such utilities.		X	No changes proposed.
l. Final construction plans that ensure proper location of other utilities not otherwise addressed in (j) and (k) above, and any easements that exist or are proposed to be established for installation, repair and maintenance of utilities.	X		CD-101 provides information on utilities to be relocated.
m. Location and specifications for any existing or proposed above or below ground storage facilities for any chemicals, salts, flammable materials, or hazardous materials as well as any containment structures or clear zones required by government authorities.			None proposed.
n. A statement from the applicant identifying all federal, state, county, and local permits required, if any.	?		Sheet CD101 states that permits must be obtained, but does not identify them.
o. Elevation drawings of all buildings and structures		X	No elevation drawing of proposed addition is provided.

BIRCH RUN TOWNSHIP SITE PLAN REVIEW CHECKLIST			
PROJECT: Meijer Store #213 Addition & Renovation		SITE PLAN DATE: 1/26/2022	
Site Plan Informational Requirements Section 4.04.D.1	Provided	Not Provided	Note
<p>p. A vicinity sketch showing the location of the site in relation to the surrounding street system, extending a minimum one (1) mile from the site, and the identification of surrounding land uses within three hundred (300) feet in every direction of the proposed use including land uses on the opposite side of any roads.</p>	<p>?</p>		<p>Sheet G-001 provides a location map, but does not identify land uses.</p>
<p>q. Such other information as may be necessary to enable the Planning Commission to determine whether the proposed site plan will conform to the provisions of this Ordinance.</p>			

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<p align="center">Birch Run Township Site Plan Standards for Approval of Site Plan (Sec. 4.05) PROJECT: Meijer Store #213 Addition & Renovation SITE PLAN DATE: 1/26/2022</p>			
STANDARD	Does Site Meet Requirements?		
	Yes	No	N/A
<p>1. Applicable provisions of:</p> <ul style="list-style-type: none"> a. Article 14, Standards and Regulations for Specific/Land Uses b. Article 16, Off-Street Parking and Loading c. Article 17, Landscaping and Screening d. Article 18, Environmental Protection e. Article 19, Access Provisions f. Article 20, General Provisions 			
<p>COMMENTS/FINDINGS OF FACT:</p> <ul style="list-style-type: none"> • Applicant is requesting to add a ~800 square foot freezer to the Northern side of the existing building and remove four (4) parking spaces. • The building and existing site appear to conform to all existing Birch Run Township zoning ordinance provisions (it is not a nonconforming use). • The addition does not appear to violate any Birch Run Township zoning ordinance provisions as shown on the site plan. 			
Applicants Comments:	Zoning Administrators Comments:	Planning Commission Comments:	
<p>2. All elements of the 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.</p>			
<p>COMMENTS/FINDINGS OF FACT:</p> <ul style="list-style-type: none"> • No changes are proposed to the site that will have any affect on surrounding properties that is different from the current effect of the property. • The nearest adjoining property to the East is a farm field, the adjoining property to the North is setback approximately 700 feet, across a detention pond and open field. 			
Applicants Comments:	Zoning Administrators Comments:	Planning Commission Comments:	

STANDARD		Does Site Meet Requirements?		
		Yes	No	N/A
3. 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 are in keeping with the general appearance of adjacent and surrounding uses and development.				
COMMENTS/FINDINGS OF FACT: <ul style="list-style-type: none"> All proposed ground disturbance is taking place in the place of existing areas. No natural or vegetative materials will be impacted. 				
Applicants Comments:	Zoning Administrators Comments:	Planning Commission Comments:		
4. The removal of storm waters shall not increase off-site sedimentation or otherwise adversely affect neighboring properties due to flooding.				
COMMENTS/FINDINGS OF FACT: <ul style="list-style-type: none"> The proposed additional will not increase impervious surface on the site (replacing parking area with a freezer structure). 				
Applicants Comments:	Zoning Administrators Comments:	Planning Commission Comments:		
5. All buildings or groups of buildings shall be so arranged as to permit emergency access by some practical means to all sides.				
COMMENTS/FINDINGS OF FACT: <ul style="list-style-type: none"> Access for emergency vehicles does not appear to be affected by the added freezer structure. 				
Applicants Comments:	Zoning Administrators Comments:	Planning Commission Comments:		
6. There shall be provided a pedestrian circulation system which is insulated as completely as reasonably possible from the vehicular circulation system.				
COMMENTS/FINDINGS OF FACT: <ul style="list-style-type: none"> Pedestrian circulation on the site is not impacted by the additional freezer structure. 				
Applicants Comments:	Zoning Administrators Comments:	Planning Commission Comments:		

STANDARD		Does Site Meet Requirements?		
		Yes	No	N/A
7. The arrangement of public or common ways for vehicular and pedestrian circulation shall ensure the public health, safety and welfare including coordination with the pattern of existing or planned streets and pedestrian or bicycle pathways in the area, compatibility with adjacent land uses, and design capacities. Roads and drives which are part of an existing or planned road pattern which serve adjacent development shall be of a width appropriate to the traffic volume they will carry.				
COMMENTS/FINDINGS OF FACT:				
<ul style="list-style-type: none"> The proposed addition does not affect on-site circulation. 				
Applicants Comments:	Zoning Administrators Comments:	Planning Commission Comments:		
8. 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 roads, including the use of service drives as appropriate, and minimize the negative impacts of such parking areas.				
COMMENTS/FINDINGS OF FACT:				
<ul style="list-style-type: none"> The proposed addition has a minimal affect on parking, reducing the total available spaces from 800 to 796. This still meets zoning ordinance requirements for minimum required parking spaces. On-site circulation is not impacted by the addition of the proposed freezer. The number of loading spaces is not clear on the site plan, but additional loading spaces are not required by the proposed addition. 				
Applicants Comments:	Zoning Administrators Comments:	Planning Commission Comments:		
9. Development shall not include unnecessary curb cuts and shall use shared drives and/or service drives unless precluded by substantial practical difficulties.				
COMMENTS/FINDINGS OF FACT:				
<ul style="list-style-type: none"> No changes to curb cuts are proposed. 				
Applicants Comments:	Zoning Administrators Comments:	Planning Commission Comments:		

STANDARD			Does Site Meet Requirements?		
			Yes	No	N/A
10. 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.					
COMMENTS/FINDINGS OF FACT: <ul style="list-style-type: none"> Necessary changes to underground utilities are noted on the site plan. 					
Applicants Comments:	Zoning Administrators Comments:	Planning Commission Comments:			
11. Site plans shall conform to all applicable requirements of state and federal statutes.					
COMMENTS/FINDINGS OF FACT: <ul style="list-style-type: none"> The site plan notes additional permits may be required and must be secured prior to construction. 					
Applicants Comments:	Zoning Administrators Comments:	Planning Commission Comments:			
12. The applicant shall demonstrate that reasonable precautions will be made to prevent hazardous materials from entering the environment including: <ul style="list-style-type: none"> a. 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 ground water discharge permit. b. 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. 					
COMMENTS/FINDINGS OF FACT: <ul style="list-style-type: none"> No hazardous materials are identified on the site plan or on the site. 					
Applicants Comments:	Zoning Administrators Comments:	Planning Commission Comments:			

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