

Niles Charter Township Planning Commission
April 4, 2017
Special Meeting

Chairman Smothermon called the meeting to order at 7:00 p.m. at the Township Hall, 320 Bell Road, Niles, Michigan.

Pledge of Allegiance: The Pledge was recited.

Roll Call:

- Present: Smothermon, Strefling, Spurlock, McNelis, Durm and Cooper
- Absent: Conover
- Others Present: ZA Hartman and RS Ernsberger
- Guests: None

Approval of Agenda: Strefling motioned to approve the April 4, 2017 Niles Charter Township Planning Commission meeting Agenda as written, Durm seconded the motion.

All voting in favor.

MOTION CARRIED.

New Business:

Public Hearing: Chairman Smothermon opened the hearing at 7:02 pm to hear public comments on amending the Current Zoning Ordinance by rescinding the 11th Street Overlay District Requirements, Section 14.05. No one was in attendance of this meeting, therefore no comments were made.

ZA Hartman summarized the purpose of this amendment. She stated the current ordinance contains a variety of regulations for properties in this District. The majority of undeveloped properties in the Overlay District are unique in that they are extremely shallow, and the properties that lie west of 11th Street and south of Ontario front on both 11th Street and Woodlawn Avenue. Since the front setbacks would apply to these properties, they basically become undevelopable; couple that with a 20-foot parking lot setback, 90 feet of the property is unable to contain a building or parking lot. Many of these properties are only 100 feet deep, leaving only 10 feet buildable. The majority of the parcels on the east side of 11th Street are slightly deeper; but even at 120 feet, there is a 40-foot rear setback and minimum 10-foot landscape buffer, because the abut a residential district.

The intent of this overlay is to improve pedestrian and vehicle traffic, access and circulation, visually enhance the area, reduce impervious surfaces and storm water run-off, while improving the usage and efficiency of parking areas. But, the overall reason for the General Business District is to provide for the general, community-wide commercial and service needs of the Township. In its current state, the overlay actually prevents development of the available parcels and likely would prohibit existing businesses from any upgrades.

No correspondence was received.

Board discussion: Members support the amendment and believe it is a good idea for the Township. Chairman Smothermon suggested adding another section to address these unusual parcels or including some type of sliding scale.

Spurlock motioned to recommend the Niles Charter Township Board of Trustees remove the 11th Street Overlay District, Section 14.05, 11th Street Overlay District Requirements, of the current Niles Charter Township Zoning Ordinance, amended as of June 24, 2016, based upon the following findings of fact:

The Zoning Board of Appeals has received several requests for variances with regards to the 11th Street Overlay District Requirements, Section 14.05,

The Planning Commission finds that the majority of available parcels that would be subject to the regulations/requirements of the overlay are not of sufficient size and/or area to accommodate the regulations/requirements in Section 14.05;

The Planning Commission finds that the public hearing notice was posted March 20, 2017 in the Niles Daily Star as required by the Niles Charter Township Zoning Ordinance and the Michigan Zoning Enabling Act;

The Planning Commission finds that written comments were solicited and the final date to submit written comments was Tuesday, April 4, 2017. No comments were received.

The Planning Commission finds that the public hearing was held by the Planning Commission on Tuesday, April 4, 2017, to consider this matter and no one attended the hearing so no testimony was taken from those persons who wished to be heard;

The Planning Commission finds that the proposed zoning change is consistent with the Master Plan redevelopment opportunities.

All voting in favor.

MOTION CARRIED.

Other Business:

Board Update: Mr. Cooper informed the Commission that residents on Harrah Road want a special assessment to repair their road, which will probably be repaired in 2018.

ZA Update: Hartman informed the members that the Township has received the final draft of the Master Plan and it will be on the Trustees next Agenda. Also, the Morris Farms owner may be purchasing more property and may develop a Planned Unit Development in the near future.

Members asked for updates on the Kiell Pit. Hartman stated that American Aggregate will be purchasing the property and moving forward. They will have to get all the proper permits in place before operations can begin. Ms. Hartman reiterated that the same holds true for the Dollar Tree Store. She also informed the Commission that she believes the liquor store has sold on 11th Street, and that she would update the car lot about the upcoming changes to the 11th Street Overlay District. She updated them on the Creek House building stop order that she and Dave Swanstrom would inspect the site once the builder is ready to continue the project; he has moved the garage. Lastly, ZA Hartman stopped at Fulkerson and 11th Street to inform the business owner there that any SLU expansions had to go before the Planning Commission. Next PC meeting is April 18th and Kachur Tree will be on the Agenda.

Comments from the Public: None

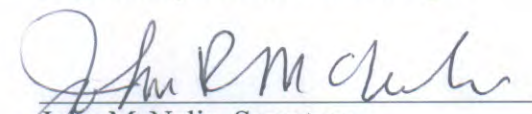
Adjournment

Durm motioned to adjourn the meeting at 7:24 p.m., McNelis seconded the motion.

All voting in favor.

MOTION CARRIED.

Prepared by Recorder Ernsberger



John McNelis, Secretary

Approval Date: 4-18-17