TYRONE TOWNSHIP
SPECIAL BOARD MEETING AGENDA
NOVEMBER 28, 2017 - 7:30 P.M.

CALL TO ORDER – PLEDGE OF ALLEGIANCE – 7:30 P.M.

ROLL CALL

APPROVAL OF AGENDA – OR CHANGES

PUBLIC REMARKS

NEW BUSINESS
1. Action Water Sports site plan review.

PUBLIC REMARKS

ADJOURNMENT

* * * * * * * * * * * * * * * * *

Supervisor Mike Cunningham            Clerk Marcella Husted

Please note: The Public Remarks section appears twice on the agenda - once after Communications and once before Adjournment. Anyone wishing to address the Township Board may do so at these times. The Tyrone Township Board of Trustees has established a policy limiting the time a person may address the Township Board at a regular or at a special meeting during the Public Remarks section of the agenda to three minutes. The Board reserves the right to place an issue under the New Business section of the agenda if additional discussion is warranted or to respond later either verbally or in writing through an appropriately appointed Township Official. Individuals with disabilities requiring auxiliary aids or services should contact the Tyrone Township Clerk at (810) 629-8631 at least seven days prior to the meeting.
November 21, 2017

Township Board
Tyrone Township
10408 Center Road
Fenton, MI 48430-9439

Subject: Action Water Sports Site Plan Amendment

Dear Township Board Members:

During our Planning Commission meeting held September 12, 2017, we reviewed the Action Water Sports site plan amendment application. Cam Gonzalez made a motion to recommend Township Board approval of the Action Water Sports site plan amendment with the following conditions: (1) Providing an updated site plan elevation view which includes the missing doorway, and (2) Indicate on the site plan the current employee parking area is also available for additional customer parking, if needed. Kurt Schulze supported the motion. The motion carried by unanimous voice vote.

The applicant has submitted updated drawings which address the approval conditions set forth by the Planning Commission. All conditions set forth have now been satisfied.

The Planning Commission finds the Action Water Sports use has reasonable impact in its current location relative to zoning, and continues to find the gravel areas around the storage buildings provide a reasonable surface given the limited use and with access generally being limited to Action Water Sports employees.

Action Water Sports continues to operate a visually appealing and respected business in Tyrone Township. The expansion requested will blend with, and complement the existing main showroom structure, and provides reasonable growth of their business while continuing to comply with our Zoning Ordinance requirements. Please note this submittal also provides details for the ninth anticipated outdoor storage building and therefore satisfies those expansion requirements should it occur in the foreseeable future.

The Planning Commission recommends your consideration and approval of the requested site plan amendment.

Respectfully submitted,

Tyrone Township Planning Commission

Mark Meisel
Chairman
TYRONE TOWNSHIP
PLANNING COMMISSION REVIEW APPLICATION

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<tr>
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<td>A 9,443 sf sales and service addition</td>
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Planning Commission applications should be filed with the Planning Commission Recording Secretary at least 14 days (21 days for land divisions/realignments) prior to review. Applications will not be scheduled for review until all information has been received. This signature constitutes the applicant's acknowledgement of the application requirements and permission for site inspection by Tyrone Township representatives.

Signature of Owner(s) or Authorized Agent

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Received by: RN

$800- $2000-

View the Tyrone Township Ordinance at <tyronetownship.us> Z-Application - 12.2.13
August 23, 2017

To Whom It May Concern,

I authorize John L. Asselin, Jr. and David Melane of Asselin, Melane Architectural Group and/or one of their designated project managers to act on my behalf in matters pertaining to obtaining required approvals from various authorities having jurisdiction for my project at 8150 Old US 23, Tyrone Township, Genesee County, Michigan.

Sincerely,

[Signature]

Gregg Rising
August 28, 2017

Tyrone Township Planning Commission
10408 Center Road
Fenton, MI 48430

Dear Tyrone Township Planning Commission,

I am writing in reference to the current proposed expansion of Action Water Sports. I recognize that the plan includes a reduction of 6 customer parking places. Most of this expansion is to accommodate additional service area and administrative needs. We are not forecasting much increase in customer volume over the next several years.

We have been in the current facility for 10 years. Unfortunately we have never run out of customer parking during the course of normal business activities. The current parking availability is significantly larger than our needs. During special events we open parking up behind the gates. There is essentially unlimited parking availability for special events.

Please consider our history of actual parking requirements as you continue though the approval process. Thank You for your continued support.

Sincerely,

[Signature]

Gregg Rising
Transmittal

Date: 8/29/2017
Project #: 
Project: Action Water Sports - Sales Addition

Attention: 
Company Name: Tyrone Township
Street Address: 
City, State, Zip: 

Sent: 
Via:
- [ ] Postal Mail
- [ ] FedEx
- [ ] Hand Delivered by: ____________________________
- [ ] Picked-Up by: ____________________________

We are sending you:
- [ ] Plans
- [ ] Check Prints
- [ ] Specifications
- [ ] Shop Drawings
- [ ] Addendum No.
- [ ] Contract Documents
- [ ] Change Order No.
- [ ] Computer Media
- [ ] Letter
- [ ] Application(s)/Permit(s)
- [ ] Proposal
- [ ] Calculations
- [ ] Other: ____________________________

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These are transmitted:
- [ ] For Your Use
- [ ] For Your Approval
- [ ] As Requested
- [ ] For Review and Comment
- [ ] Approved as Noted
- [ ] Approved as Submitted
- [ ] Revise and Resubmit
- [ ] Resubmit as Specified
- [ ] For Your Approval

Remarks: ____________________________

Transmitted by: ____________________________
**MESSAGE TO TAX PAYER**
OFFICE HOURS: MON-THURS 9AM-5PM. TWP PHONE #810-629-6631. WEBSITE: www.tyronetownship.us. TO VIEW THE TOWNSHIP CITIZENS GUIDE GO TO OUR WEBSITE OR CONTACT THE OFFICE. THIS BILL IS DUE NO LATER THAN 9/14/2017. FAILURE TO RECEIVE A TAX BILL DOES NOT WAIVE INTEREST, PENALTY & ADMIN FEES. IF MAILING OR USING THE DROP BOX INCLUDE THE BOTTOM PORTION OF THE BILL. YOUR CHECK WILL BE YOUR RECEIPT UNLESS YOU INCLUDE A SELF-ADDRESSED & STAMPED ENVELOPE.

**PROPERTY INFORMATION**
Property Assessed To:
R & B ENTERPRISES LLC
4389 ISLAND VIEW DR
FENTON, MI 48430

HARTLAND
Prop #: 4704-20-400-015
Prop addr: 8051 OLD US-23

Legal Description:

**OPERATING FISCAL YEARS**
The taxes on bill will be used for governmental operations for the following fiscal year(s):
County: 01-01-2017 - 12-31-2017
Twp/Cty: 01-01-2017 - 03-31-2018
School: 07-01-2017 - 06-30-2018
State: 10-01-2017 - 09-30-2018

Does NOT affect when the tax is due or its amount

**PAYMENT INFORMATION**
PAYMENTS MAY BE MADE AT THE TWP OFFICE MONDAY-THURSDAY 9AM-5PM, A DROP BOX IS AVAILABLE IN THE FRONT WEST DOOR FOR AFTERTIME PAYMENTS. PAYMENTS CAN ALSO BE MADE AT MOVABLES BRANCH AND THE STATE BANK, FENTON LOCATION ONLY (DURING REGULAR BANK HOURS) UNTIL END OF BUSINESS HOURS ON 9/14/2017. THE BOTTOM PORTION OF YOUR TAX BILL MUST BE INCLUDED WITH FULL PAYMENT FOR BANK PAYMENTS. IF YOU ARE IN BANKRUPTCY THIS IS A NOTICE, NOT A BILL.

**TAX DETAIL**
Taxable Value: 1,186,603
COMMERICAL-IMPROVE
State Equalized Value: 1,719,300
Class: 201
P.R.E. %: 0.0000

**CITY OF MILS**
Taxes are based upon the Taxable Value.
1 mill equals $1.00 per $1,000 of Taxable Value.
Amounts with no millage are either special assessments or other charges added to this bill.

**DESCRIPTION**
STATE ED TAX
6.00000
6,119.61
COUNTY ALLOCATED
3.34840
3,793.22
HA SCHOOL OPER
17.57260
19,333.22
LIVINGSTON
3.33510
3,957.43

**TOTAL**
30.66190
36,383.48
363.83
36,747.31

**PAYMENTS MUST BE RECEIVED AND PAID BY 5PM ON DUE DATE**

Please detach along perforation. Keep the top portion.

Bill #: 4704-20-400-015

**Please return this portion with payment. Thank you.**

**THIS TAX IS DUE BY:** 09/14/2017

**Make Check Payable To:** TYRONE TOWNSHIP

**TAX BILL DATE:** 09/14/2017

**TOTAL AMOUNT DUE:** $36,747.31

Amount Remitted: ___________

**PAYMENT**

**To:** R & B ENTERPRISES LLC
4389 ISLAND VIEW DR
FENTON MI 48430

**TAXPAYER NOTE:** Are your name & mailing address correct? If not, please make corrections below. Thank You.

**PAYMENT**

**To:** R & B ENTERPRISES LLC
4389 ISLAND VIEW DR
FENTON MI 48430

**TAXPAYER NOTE:** Are your name & mailing address correct? If not, please make corrections below. Thank You.
**TYRONE TOWNSHIP**

10408 CENTER ROAD  
FENTON, MI 48430  
810-629-8631  
WWW.TYRONETOWNSHIP.US

Payment for:  
R & B ENTERPRISES LLC  
MEETING DATE SEPT. 12, 2017

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TENDERED: CHECKS 26089  800.00

**RECEIVED:**  
**TYRONE TWP.**  
**AUG 29 2017**  
**PLANNING & ZONING DEPT.**

Signed: 

---

Receipt: 73546  08/29/17  
Cashier: JOANNE  
Received Of: ACTION WATER SPORTS  
8051 OLD US 23  
FENTON MI 48430  
The sum of:  800.00
Tyrone Township Escrow Agreement

This Escrow Agreement is for the cost of review, inspection and monitoring of the project of the Applicant. This includes, but not limited to:

a) The cost of the review of applications for approvals and variances;
b) Site Plan Reviews;
c) Any Planning Commission meetings;
d) Special meetings;
e) Reviews by Township Attorney and preparation of appropriate approving resolutions or ordinances;
f) Reviews by Township planner and/or engineer;
g) Publications and notices of public hearings or meetings;
h) Traffic studies;
i) Environmental impact studies;
j) Engineering Construction Reviews
k) Zoning administrator inspections and involvement;
l) Any other services or expenses relating to the application, inspection or monitoring processes incurred by the Township that are necessary and incident to the completion of the work or project.

Accordingly, the Applicant shall pay, simultaneously with the execution of this Agreement, the sum of $2,000.00 to be held in escrow by the Township to cover the aforementioned costs and expenses. The escrow deposits shall bear no interest.

If, during the project, the escrow balance falls below the amount necessary to complete the project, the Applicant shall make additional deposits sufficient to cover any deficit.

Any excess funds remaining in any escrow account after the project completion will be refunded to the Applicant less any administrative fees.

If the project costs and expenses exceed the amount remaining in the escrow after final project approval, the Township shall send the Applicant a statement for such additional costs. Until the Applicant pays for such costs, no further Township permits or approvals shall be issued.

**By:** [Signature]
**Its:** [Signature]

APPLICANT

Ross Nicholson
Zoning Administrator

12/1/11
TYRONE TOWNSHIP
10408 CENTER ROAD
FENTON, MI 48430
810-629-8631
WWW.TYRONETOWNSHIP.US

Receipt: 73545  08/29/17

Cashier: JOANNE
Received Of: ACTION WATER SPORTS

Payment For:
ACTION WATER SPORTS
R & B ENTERPRISES LLC

The sum of:  2,000.00

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TENDERED: CHECKS  26090  2,000.00

RECEIVED - TYRONE TWP.
AUG 29 2017
PLANNING & ZONING DEPT.

Signed: ___________________________
Subject: Project: Action Water Sports Showroom addition  
Address / Location: 8051 Old-US 23  
Tax ID: 4704-04-20-400-015  
Applicant / Developer: McLane Architectural Group, LLC  
Review Type: Site Plan Amendment - Review #1  
Plan Date: August 29, 2017

Dear Commission Members:

Action Water Sports, located on the northwest corner of Old-US 23 and Dean Road, proposes to construct a 9,443-square foot addition to the existing main showroom, adjacent to the north side of the showroom. The addition will be constructed on an area that is currently paved, requiring the removal of six (6) parking spaces (including one (1) barrier-free space) but not increasing the impermeable surfaces on the site above what was originally approved in 2006 and amended in 2013.

We have reviewed the application for compliance with the Township’s Zoning Ordinance and sound planning and design principles, and offer the following comments for your consideration.

**SITE PLAN REVIEW STANDARDS**

1. **Zoning and Use.** The site is 20.76 acres and zoned as M-1, Light Manufacturing. The application includes a use statement, which states that there are six (6) single-story steel storage buildings for racked storage of boats. The existing conditions plan shows that there are seven (7) storage buildings and one under construction; a recent aerial photo shows seven (7) buildings, also. The use statement should be updated to correct this discrepancy accordingly.

The proposed expansion is proposed to the existing 14,794-square foot showroom and repair shop. When this facility was originally approved in 2006, the Planning Commission determined that the outdoor storage was a more significant use, and therefore sales were an accessory use to the storage component. This is an important distinction, because retail sales of marine equipment are not principle permitted uses in the M-1 District. Regardless, Action Water Sports was granted a Special Land use permit for outdoor storage of boats, in addition to approval for a site plan for the retail sales repair, and warehousing components.
The expansion of the showroom floor is appropriate as a continuation of the retail and repair accessory uses as long as the Planning Commission believes the intent of the original approval is still true: the external impact of the sales and repair uses is no greater than would otherwise be permitted in the M-1 District by permitted-by-right uses.

**OUTSTANDING ITEM(S):**

*Confirmation that the intensity of the retail and repair uses is less than permitted storage uses.*

2. **Dimensional Standards.** The expansion to the showroom will be to the north, and the new northern wall will be more than 65 feet from the property line; the side setback is 30 feet. The proposed plans will meet the setback standards of the Ordinance.

   The note on Page C1.3 indicates of 20.76 acres, approximately 13% will be utilized for buildings and 53% will be developed. The proposal meets the Ordinance standards for lot coverage.

3. **Parking Requirements.** The proposed building footprint will require the removal of six (6) parking spaces, one of which is a barrier-free space. The applicant notes in the submitted narrative that parking has never been an issue during normal business hours. The proposed plan will leave 46 spaces, two (2) of which are barrier-free.

   No parking standards appear to have been referenced in the 2013 approval, likely due to the specialized use combination on this site. In our estimation, the showroom is the most intensive parking generator; repair work on marine craft and recreational vehicles are oftentimes dropped off and picked up at a later date, rather than the owner waiting for
repairs on-site. For automotive repairs, the Ordinance requires 3 parking spaces for each service stall, one (1) per towing vehicle, and one (1) per employee at peak operation. Due to the permitted outdoor storage of boats, we do not believe parking spaces directly attributable to the repair use should be required at the same rate as for automotive repairs. The apparent ample outdoor storage area can accommodate any parking required for craft in queue for repair. Tow vehicles are stored inside of the shop in the evenings. We do find it appropriate to provide one (1) parking space for each anticipated employee at peak operation. In this case, we have confirmed a total of 22 employees will be on site during a max shift (16 full-time, 6 part-time).

The Institute of Transportation Engineers estimates for a similar use (motorcycle dealer), a maximum of three (3) spaces is required per 1,000 square feet of showroom space. This requirement would be approximately 25 spaces, given the proposed 8,340 square foot showroom.

We do not recommend the Planning Commission count the warehouse use parking standard (1 space per 1,000 square feet of area) because these particular buildings appear to be used specifically for seasonal storage, rather than an active warehouse facility. Furthermore, there are significant spaces between buildings that would allow for informal overflow parking with no impact on adjacent properties.

Based on the estimates and assumptions above, we would expect a total of 47 parking spaces. The anecdotal evidence offered by the applicant suggests there have not been parking concerns in the past. Due to the lack of directly applicable standards, we recommend the Planning Commission take one of three directions:

- Permit the proposed 46 parking spaces, and require the applicant set aside a designated area for expansion of formalized parking should the need arise. Two potential locations include at the southwest corner of the existing lot (expand pavement from the existing 15 spaces to the west) or adjacent to the west face of the new addition (stripe existing asphalt for formalized parking).
- Formalize additional parking along the east side of the building (along the front sidewalk by the barrier-free parking).
- Find available efficiencies in existing parking bays, perhaps decreasing the width of existing spaces to add another space if feasible.

**OUTSTANDING ITEM(S):**

Due to the lack of Ordinance or professional parking standards for the use, Planning Commission should provide direction to the applicant on the course of action for provision of parking.

4. **Access for Open Storage Yards.** The public display and parking facilities are all paved currently, with paving in place to the eastern building line of the eastern-most storage buildings. To the west of this line, the maneuvering lanes, driveways, and outdoor storage areas are gravel. Per Section 22.05.P, Site Design Conditions for Open Storage Yards, all driveways, loading areas, staging areas, and truck maneuvering areas within the site must
be paved, and we would recommend that paving be added in the required areas consistent with Section 22.05.P.

However, given the large amount of area that would have to be paved, Planning Commission may recognize the natural benefit to pervious stone surfaces. The gravel begins over 600 feet from the Old-US 23 road surface, and is enclosed by an existing gate; we find very little evidence that continuation of the existing gravel surface would negatively impact adjacent owners or patrons in terms of aesthetic quality or nuisance.

**OUTSTANDING ITEM(S):**
The gravel surface in the driveways and outdoor storage areas are not negatively impactful for the consumer, adjacent property owners, or patrons of the store.

5. **Landscaping.** No changes to the landscaping have been proposed. The building will be constructed on an area that is currently paved, and grades are not shown to be altered in any manner. We do not anticipate stormwater patterns will change, as this is an impervious surface replacing an impervious surface.

6. **Screening.** We do not anticipate any additional screening requirements as a result of the proposed expansion. The resultant building will be set back from the northern property line by over 65 feet, and there is a detention basin and heavy vegetation separating the showroom from the property to the north.

7. **Building Elevations.** The applicant has provided building elevations for the proposed showroom addition. It appears the new building will match materials, form, roof pitch, window awnings, etc. to the existing building. New windows will be installed along the east (front) face of the building and the eastern portion of the north wall. There will also be one pedestrian door installed at the northeast corner of the addition.

The west elevation of the proposed addition should have an overhead door added to match the plan view.

**OUTSTANDING ITEM(S):**
Update proposed west elevation.

8. **Lighting.** No new exterior lighting is proposed on the addition.

9. **Signs.** No changes to the existing signs are noted.

10. **Stormwater Pond.** It does not appear any alterations are proposed to accommodate the addition. We do not expect stormwater surface flow volumes to change. Engineering verification may be appropriate.
11. **Future Expansion.** The plans show one additional new storage building in the southwest corner of the site. This building was shown as a “future building” on previous submissions, and was included in the stormwater volume calculations for original approval.

**RECOMMENDATION**

The proposed expansion of Action Water Sports at 8051 Old-US 23 generally conforms to the Zoning Ordinance. However, there are still several minor aspects of the plan that need to be addressed as described above.

1. Confirm the intensity of use after the proposed addition will not be more impactful than permitted M-1 District uses.
2. Due to the lack of applicable parking standards for this use, direct the applicant on a course of action to provide satisfactory parking.
3. Confirm the existing gravel driveway will not produce negative impacts on patrons or adjacent property owners.
4. Update the proposed west elevation drawing.

We recommend the Planning Commission review the current plan, obtain further information from the applicant and, upon satisfactory findings that the outstanding items have been addressed, approve the site plan amendment for the proposed building addition.

Respectfully Submitted,

**McKENNA ASSOCIATES**

[Signature]

Brian Keese, AICP
Senior Planner
TYRONE TOWNSHIP PLANNING COMMISSION

REGULAR MEETING MINUTES

September 12, 2017 at 7:00 p.m.

PRESENT: Mark Meisel, Cam Gonzalez, Al Pool, Ron Puckett, and Kurt Schulze.

ABSENT: Dave Wardin and Bill Wood.

OTHERS PRESENT: Tyrone Township Planner Brian Keesey, Tyrone Township Planning & Zoning Administrator Ross Nicholson.

CALL TO ORDER (7:01 PM): By Chairman Meisel.

PLEDGE OF ALLEGIANCE (7:02 PM):

CALL TO THE PUBLIC (7:03 PM): No comments received.

APPROVAL OF THE AGENDA (7:03 PM):

Kurt Schulze made a motion to approve the agenda as presented. Cam Gonzalez supported the motion. The motion carried by unanimous voice vote.

APPROVAL OF THE MINUTES (7:05 PM): July 18, 2017

On line 85, “wood” was changed to “Wood”.

Al Pool made a motion to approve the August 8th, 2017 meeting minutes as amended. Cam Gonzalez supported the motion. The motion carried by unanimous voice vote.

Cam Gonzalez made a motion to suspend the order of business and move New Business #1 above all new business items in consideration of the applicants in attendance. Kurt Schulze supported the motion. The motion carried by unanimous voice vote.

NEW BUSINESS # 1 (7:06 PM): Action Water Sports Site Plan Amendment

Chairman Meisel opened the discussion by briefly going through the application. Brian Keesey then read through the review that he had prepared for the application. He stated that the proposed site plan amendment includes an addition to the existing [principal] building, which houses service, showroom, and office facilities, and several new storage buildings.

Brian Keesey went through some of details on the proposed changes to the site plan. He stated the amended site plan shows a reduction of six (6) total parking spaces from what was originally approved. The storage and service of boats was approved as a special land use in the Light Manufacturing (M-1) zoning district. The retail aspect of the operation was approved as an accessory use since it was found that the use was significantly less impactful than any of the permitted principal uses in the district. He stated that he believes the principal and accessory
uses are still appropriate for the M-1 district under the current Zoning Ordinance and that there are no apparent concerns with traffic flow. He continued, stating that the Planning Commission will need to consider whether or not the number of parking spaces will be sufficient for the operation and that the traffic flow resulting from the business operation is not problematic. He mentioned that during the initial site plan review, the Planning Commission had concluded that the number of spaces would be adequate for all normal business activities and special events and did not foresee any significant traffic concerns.

Brian Keesey then continued to discuss the dimensional standards. He stated that the proposed structures would not replace any permeable area and therefore the overall drainage of the site should not be significantly affected. If approved, the additional floor area would result in approximately thirteen percent (13%) of the total [approximately twenty (20) acre] site being utilized for buildings. Of that 13%, fifty-three percent (53%) would be developed for gravel parking, asphalt drive(s), and similar features. Chairman Meisel mentioned that one aspect that was heavily discussed during the initial site plan review was the screening of the site. He stated that the way that the property is planned out, the screening is nearly optimal, which has not resulted in any known issues with neighboring properties. Brian Keesey agreed and added that the use of the site has proven to be one of, if not the most benign operations in existence within the M-1 district.

Brian Keesey then revisited the topic of parking spaces. He mentioned again that the proposed site plan, if approved, would result in a reduction of six (6) parking spaces. He mentioned that the standards for parking spaces in the Zoning Ordinance do not directly apply to the operation in question, but some similar standards do exist for operations such as auto repair shops. Although similar standards exist in the Zoning Ordinance, they cannot be directly applied because of the unique aspects of the operation. He also mentioned that the standards did not exist during the initial review, but were determined at that time, based on the intensity of the uses on site. He stated that he had reviewed some industry standards for similar uses and determined that there are several viable options the Planning Commission could utilize to come up with a minimum parking space requirement. Brian Keesey recommended that the Planning Commission should consider requiring one parking space for each anticipated employee at the peak business hours, the current employee count being twenty-two (22), and require three (3) parking spaces for each one thousand (1000) square feet of showroom space, for a total of forty-seven (47) parking spaces.

Brian Keesey stated that the proposed amended site plan contains forty-six (46) parking spaces, which is one space shy of the recommended 47 parking spaces. He recommended that the Planning Commission decide between several options before considering approval. The first option is that the Planning Commission can approve the site plan with 46 spaces if they require an area to be designated as overflow in the event that the available spaces become insufficient for the number of vehicles on site. Kurt Schulze inquired about how many handicap-accessible spaces are required for the site. Brian Keesey replied that they are required to provide two handicap-accessible spaces for each twenty-five (25) to fifty (50) total spaces. He continued, stating that he has no concerns about the proposed handicap-accessible parking spaces. Brian Keesey then identified a few potential locations on the site plan that could be used for overflow parking.
Chairman Meisel inquired where the employees currently park during normal business hours. The applicants indicated that the employees typically park near the boat service area except for during special events. Chairman Meisel inquired about where additional overflow parking could be made available. The applicants responded, stating that the area which is fenced in can be utilized in case additional parking is needed.

Brian Keesey suggested that an alternate option to meet the recommended number of parking spaces would be to reduce the width of the existing spaces to free up enough area for one or two additional parking spaces. Chairman Meisel mentioned that reducing the width of the spaces would be undesirable since many of the customers visiting the facility drive larger trucks or SUV’s with boat trailers.

Brian Keesey moved onto the next review standard regarding, access for open storage yards. He stated that the Zoning Ordinance does require that all access areas, loading areas, turning areas, and etc., are paved. He also mentioned that paving was not required during the initial site plan review and there have been no issues with those areas being unpaved since the business has been in operation.

Brian Keesey then moved on to the landscaping requirements. He stated that there are no proposed changes to the landscaping in the new site plan. He also reiterated Chairman Meisel’s opinion that the landscaping/screening on site creates an excellent buffer to the surrounding properties. He stated that he does not anticipate any increased noise or nuisance factors if the proposed site plan amendment is approved.

Brian Keesey made note that the west side elevation drawing for the proposed addition does not include the northern most garage door on west side. The authorized agent stated that he would add the information when he updates the proposed site plan.

Brian Keesey then moved on to the exterior materials standards section of his review. He explained that the current exterior materials were approved during the initial site plan review, and the proposed addition would be built to match the existing exterior materials. He stated that there are no proposed changes or alterations to the exterior lighting or signage.

Brian Keesey stated that the planned future expansion, including one storage building under construction and two additional storage buildings are indicated on the site plan. Chairman Meisel noted that with the additional structures, the site will be, for the most part, fully developed.

Brian Keesey recommended that the Planning Commission should recommend approval if they are comfortable with the proposed parking space configuration, the intensity of use, the gravel driveway remaining unpaved, and the west side elevation for the addition being shown on the site plan. Chairman Meisel brought up the topic of special events that are occasionally held on site. Brian Keesey stated that the Planning Commission could approve future special events as a permitted accessory use.
Chairman Meisel confirmed that the Planning Commission was in agreement on the intensity of the use, parking, gravel driveway, updated elevation drawing, and special event aspects of the amended site plan. Cam Gonzalez suggested that to address parking, the Planning Commission could require an area on the site plan be identified for overflow parking, as needed, instead of requiring an additional parking space. The applicants agreed that they would be willing to set aside an area for overflow parking and indicate the location on the updated site plan when they are making the revision to the west side elevation drawing.

Cam Gonzalez made a motion to recommend Township Board approval of the Action Water Sports site plan amendment with the following conditions: (1) Providing an updated site plan elevation view which includes the missing doorway, and (2) Indicate on the site plan the current employee parking area is also available for additional customer parking, if needed. Kurt Schulze supported the motion. The motion was carried by unanimous voice vote.

The Item was closed at 7:46 PM.

OLD BUSINESS # 1 (7:47 PM): Completion of Next Group of Zoning Amendments

[Registered Designer Requirements, Open Space (Revise Minimum Lot Sizes in Residential Districts, CDO, Site Condo, & Subdivision Control), Cemetery Ingress/Egress & Other Requirements, and Correction of Various Typos.]

Chairman Meisel opened the discussion by summarizing where the Planning Commission had left off, topic by topic. He summarized the intent and discussions regarding the Registered Designer Requirements section. The updated text was designed to ensure that the Township is in compliance with the recent Michigan statute which requires local municipalities accept electronic signatures and electronically transmitted documents, to clarify the definition of a registered designer, specify that a registered designer must be in good standing with the State of Michigan, and better describe which types of designers may prepare materials for different types of applications. If approved, the text amendments would be included in the Zoning Ordinance #36 and the Land Division Ordinance #25.

Chairman Meisel then moved on to the topic of proposed open space text amendments. He summarized all of the proposed revisions including: Increasing the minimum lot size in the Farming Residential (FR) zoning district from two (2) acres to three (3) acres and eliminating the open space requirement for newly created parcels, Increasing the minimum lot size in the Rural Estate (RE) zoning district from one and a half (1.5) acres to one and three quarter (1.75) acres and eliminating the open space requirement for newly created parcels, Increasing the minimum lot size in the Single Family Residential (R-1) zoning district from thirty-thousand (30,000) square feet to one (1) acre and eliminating the open space requirement for newly created parcels. These text amendments, if approved, would result in the following: All newly created FR parcels would be permitted at least one (1) animal unit, All existing parcels in any single family zoning district that do not meet the new minimum lot sizes would be “grandfathered-in” and considered existing nonconformities, Those parcels that would not meet the new minimum lot sizes would be minimal, and any newly created parcels in the R-1 zoning district would have adequate area to install conventional or engineered on-site/decentralized sanitary sewage disposal (septic) systems.
Additionally, and separately, the two Single Family Residential (R-2) parcels currently used by Fenton Sand and Gravel are proposed to be rezoned to Single Family Residential (R-1).

Brian Keesey mentioned that the possibility of adding several footnotes to the sections of the Zoning Ordinance pertaining to open space requirements was discussed during the last meeting, but he neglected to prepare proposed text in time for this meeting.

Chairman Meise stated that the footnotes had been previously discussed and it was decided that footnotes must be added to the schedule of regulations, even though the text would be updated in the open space-related sections of the Zoning Ordinance and Subdivision Control Ordinance, in an effort to increase clarity and reduce the likelihood of creating confusion/uncertainty.

Chairman Meisel then mentioned a minor language revision which would add clarity to a State requirement for open space area for newly-created parcels utilizing the Open Space Preservation (OSP) option or Cluster Development Option (CDO) in any residential zoning district. Brian Keesey added that another minor language revision should be to differentiate between the OSP option being utilized in site condominium or subdivision developments versus standard land divisions. The reason this language would be used is to ensure that all developments/land divisions utilizing the OSP option or CDO would have adequate land area to provide for a community septic system, specifically those developments/land divisions resulting in lots that are less than one (1) acre. There was a brief discussion amongst Brian Keesey and the Planning Commission regarding possible mechanisms that could be implemented to ensure that if community septic systems are used, they are adequately operated and maintained. It was decided that the revised text should explain that all developments or land divisions utilizing the OSP option or CDO must connect to a public sanitary sewer system, if available, or through another means of sanitary waste disposal, such as a community septic system.

The Planning Commission briefly went through some of the minor typos and spelling errors in the current ordinance text and discussed the proposed corrections. The proposed corrections would not result in any significant change in the meaning of the text, but would simply clarify/correct errors that were overlooked or created when the original text was amended or approved.

Brian Keesey then brought up a concern that Dave Wardin had mentioned during a previous meeting. Dave Wardin had suggested that there could be an issue with requiring a ten (10) acre minimum size for a parent parcel in order to develop/divide land using the OSP option or CDO. Brian Keesey explained that if someone were to divide a ten (10) acre property under OSP or CDO, it would result in two (2) one and a half (1.5) acre parcels and one (1) seven (7) acre parcel, the seven (7) acre parcel containing all of the required open space. He stated that, although dividing a ten (10) acre parcel with the CDO or OSP option would be possible, it is unlikely that someone would choose to do so. He continued, stating that he believes that Dave Wardin’s suggestion was to specify a minimum parent parcel size for land divisions using CDO or OSP option. He continued, explaining that he does not believe it would be possible to prevent a person from using the OSP option of CDO to divide a piece of property regardless of the parent parcel size, since it would be a violation of the Michigan Zoning Enabling Act. Since it is very unlikely that anyone would actually choose to use the OSP option or CDO to divide a small...
parcel, and because requiring a minimum parent parcel size may violate Michigan law, it was determined that a minimum parent parcel size should not be required. Brian Keesey suggested that the Planning Commission verify that Dave Wardin’s concern was explained correctly during the next meeting to make sure everyone is on the same page.

Kurt Schulze inquired about how the Township can confirm that open space deed restrictions are recorded properly after a property [containing open space required by CDO or the OSP option] is created. Chairman Meisel explained that upon receiving a recommendation for approval from the Planning Commission, the Township Board will require that the applicant(s) provide all required recordable documents prior to their review of the application. Once the Township Board grants approval, but before the newly created parcel(s) are issued parcel identification number(s), the applicant(s)/authorized agent(s) are required to record the documents with the Livingston County Register of Deeds and provide proof of recording to the Township Assessor. This ensures that the all necessary documents, including open space description(s), are properly recorded with the Livingston County Register of Deeds once the land division/development has received final approval.

Chairman Meisel read through the list of proposed ordinance text amendments to verify that everything is in order before the public hearing is scheduled for the following regular meeting. One topic that had not been fully discussed is the nonconformities that would result from the revisions to the minimum lot sizes and open space requirements. Brian Keesey read through the suggested text in the memo he had prepared. The proposed text would explain that the intent of the new regulations would not be to create nonconformities, however, some parcels will become nonconforming if the proposed text amendments are adopted. It would define any newly nonconforming properties as open space-dependent properties, which would be considered conforming (similar to existing nonconforming or “grandfathered” properties that do not meet the minimum lot size for the zoning district in which they are located). The proposed text would also contain language which would allow for residents who own open space-dependent properties to effectively abandon the existing open space on their property if they can provide a legal mechanism to do so. If a property owner is able to prove to the Planning Commission that the open space can legally be abandoned, they can approve it through a boundary realignment. Allowing property owners to abandon open space should result in properties that have more usable land that are fully-conforming or closer to conformity than before.

Chairman Meisel then moved on to the topic of the proposed text amendments to the Subdivision Control Ordinance. Brian Keesey read through his memo which includes the proposed text amendments. None of the proposed revisions would result in significant changes to the intent or purpose of the Subdivision Control Ordinance. Most of the proposed revisions would be statutory updates to make sure that the most recent local, State, and Federal laws/legislation/regulations/departments are referenced. Other proposed revisions are designed for clarification purposes, such as changing “Livingston County Health Department (LCHD)” to “Livingston County Department of Health (LCDH)”. The only substantive revision to the Ordinance that has been proposed is an update to the standards for granting variances. The text would be updated to specify that the Township Board cannot issue use-type variances, for the purpose of consistency (since the text in the Zoning Ordinance already contains a similar statement). Chairman Meisel suggested adding some language that would require that any new
subdivision or site condominium development that would like to incorporate street lighting as a common element, use LED and solar technology (self-powered/not connected to public utilities).

Brian Keesey said that he can prepare some text to incorporate the proposed requirement.

There was a brief discussion amongst Brian Keesey and the Planning Commission to determine what the best method would be to amend the text in the Subdivision Control Ordinance since the existing .PDF document is not editable. It was decided that Ross Nicholson would look through the digital files at the Township Hall to see if an editable version of the document exists. If an editable document does not exist, the entire ordinance will need to be retyped or text recognition software must be utilized to convert the existing document into an editable format.

Chairman Meisel then moved on to the topic of cemetery ingress/egress and other requirements. He summarized where the Planning Commission had left of on the discussion. A brief discussion amongst the Planning Commission and Brian Keesey followed, talking through and agreeing upon suggested revisions to cemetery standards. Chairman Meisel then inquired if anyone had any questions, comments, or concerns regarding the proposed text amendments. The Planning Commission determined that everyone was satisfied with the proposed amended text.

Chairman Meisel then moved on to the topic of proposed minor revisions to correct typos and errors that were overlooked during the initial text approval/amendment processes. He read through the list, citing several examples of minor typos with the Zoning Ordinance and various regulatory ordinances. He then explained that minor revisions to correct typos and errors can be handled administratively without going through the standard text amendment process. Although these changes will not be required to go through the formal amendment process, the Planning Commission intends to send them through with the rest of the proposed text amendments so that, upon final approval, all ordinance text can be updated simultaneously.

Chairman Meisel asked the Planning Commission if everyone was in agreement regarding the proposed ordinance text amendments. All Planning Commissioners agreed that they were satisfied with the text amendments, as proposed. Chairman Meisel stated that the required public hearing will be held during the October 10th Planning Commission Meeting.

The item was closed at 9:16 PM.

NEW BUSINESS # 3 (9:18 PM): Recreation Uses in the FR District

Chairman Meisel opened the discussion by explaining why the agenda item has been placed on the table. He explained that the purpose for the discussion is to try to determine how to treat recreational special land uses within the Farming Residential (FR) zoning district. The topic was brought to the attention of the Township through the discovery of an existing recreational business that has been in operation for several years without going through the formal process to receive the required approvals. The intent of the discussion is not to determine how to penalize the particular operation or similar operations, but to determine what the best way to permit them would be while simultaneously taking measures to ensure they do not negatively impact the community. The Zoning Ordinance does include provisions for permitting some recreational-type uses within the FR zoning district, typically through a special land use permit application, however, the specific operation in question has unique characteristics that are not addressed in
the Zoning Ordinance. Chairman Meisel brought up the website for the operation in question to provide information on the unique characteristics to the Planning Commission.

Brian Keesey suggested that the Planning Commission should consider revising the home occupation and special land use requirements for the FR district. The purpose would be to create/alter existing standards that would be broad enough to cover most of the potential types of operations while also allowing the Planning Commission to require specific standards for unique operations. A brief discussion followed.

The item was closed at 9:36 PM.

MISCELLANEOUS BUSINESS: NONE

1) Planning and Zoning Administrator's Report: None
2) Other Business Items: None
3) Township Board Actions: None
4) ZBA Report: None
5) Future Items: N/A
6) Correspondence: N/A

ADJOURNMENT: The meeting adjourned at 9:37 PM.
Proposed Addition for:

ACTION WATER SPORTS

8051 Old U.S. 23, Fenton, Michigan

USE STATEMENT

The applicant is currently proposing to construct a 9,441 S.F., one-story steel building to the existing building is service/office/story building. The site is located in the light manufacturing district. The proposed use is compatible with the existing use and will not have a detrimental impact on the area. The building will be used for rack storage, three (3) 12,000 S.F. steel buildings for rack storage, and an existing existing 17,474 S.F. building housing boat sales and repairs. The proposed building addition is to match the existing building in design and materials. The existing approved outdoor storage for seats and trailers to a maximum height of 12' to remain. The impact due to construction of the addition will be minimized because of the following:

1.) NO ADDITIONAL INFILTRATIVE AREA WILL BE CONSTRUCTED OR ADDED TO THE DETENTION SYSTEM.
2.) THE EXISTING DETENTION BASIN, AS APPROVED BY THE LIVINGSTON COUNTY DRN COMMISSION, WAS DESIGNED AND CONSTRUCTED TO ACCOMMODATE A FULLY DEVELOPED SITE. TO DETRAIN THE AMOUNT OF WATER GENERATED BY A 10-YEAR STORM.
3.) THE SITE PLAN WAS PREPARED TAKING INTO ACCOUNT EXISTING TOPOGRAPHY TO MINIMIZE THE AMOUNT OF EARTHWKOP WORK REQUIRED FOR THE BUILDING AND PARKING AREAS. CUTTING IS REQUIRED TO ESTABLISH APPROPRIATE FOUNDATION ELEVATIONS IN THE EXISTING BUILDING. CURRENT WELL-DEVELOPED LANDSCAPING TO EXIST AND IS IN ACCORDANCE WITH TROY TOWNSHIP STANDARDS.
4.) THE PERIMETER OF THE SITE IS BOUNDED BY DENSE WOODED AREAS COMPRISED OF PINES WITH CYPRESS BETWEEN 2 AND 8 INCHES. A CHAIN LINK FENCE ENCIRCLES THE SITE FOR SECURITY WITHIN AND SCREENED BY THE WOODED AREAS.
5.) EROSION CONTROL MEASURES SUCH AS Silt Fence, Straw Bales, and Pea Stone Filters at Catch Basins Will Be Utilized During Construction to Control Siltation and Sedimentation from Entering the Detention Areas.
6.) A DRAINAGE DUMPSTER IS PLACED ON SITE THAT IS SCREENED USING AN EIGHT (8) FOOT HIGH WOODEN ENCLOSURE AND WOOD GATE FOR ACCESS.
7.) THERE IS NO SIGNIFICANT NOISE OR AIR POLLUTANT INCREASABLE ANTICIPATED FOR THE PROPOSED USE ON THIS SITE. THE ONLY POLLUTION AND NOISE WILL COME FROM CAR AND TRUCK TRAFFIC INTO AND OUT OF THE SITE. SITE LIGHTING IS EXISTING, NEW BUILDING LIGHTING WILL MATCH THE EXISTING LIGHTING, WALL MOUNTED. FORWARD THROW FLAT LEVEL LIGHT FIXTURES MATCHING THE EXISTING BUILDING. LIGHT FIXTURES WILL BE DIRECTED DOWNWARD.

Legal Description for Action Water Sports

A parcel of land located in the Southeast 1/4 of Section 20, T4N–R8E, Tyrone Township, Livingston County, Michigan, more particularly described as follows: Beginning at a point on the South line of said section which is N88°06’06”W 892.26 feet from the Southwesterly corner of said section; thence from the POINT OF BEGINNING, N88°06’06”W 892.26 feet to the South line of said section; thence E88°06’06”N 990.45 feet to the East line of said section; thence N88°06’06”E 990.45 feet to the West line of said section; thence S88°06’06”E, along said line a distance of 890.56 feet; thence S88°06’06”E 391.76 feet; thence S88°06’06”W 391.76 feet; thence S88°06’06”W 355.68 feet to the Western right-of-way line of Old US-23; thence along said right-of-way line the following (x) courses; (x) S88°06’06”W, 391.76 feet, (x) S88°06’06”W, 211.04 feet, and (x) S88°06’06”W, 310.00 feet, thence N88°06’06”W, along said line a distance of 121.04 feet to the Southwesterly corner of said section, and thence N88°06’06”W 892.26 feet to the beginning to form a portion of the said parcel. Said parcel contains 20.73 acres of land and is subject to Dean Road and all other easements and restrictions of record.

For Site Plan Review

Schedule of Drawings

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<tr>
<th>Sheet Name</th>
<th>Scale</th>
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<td>Site Plan B</td>
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<td>Site Plan E</td>
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DEVELOPER

Rhoads & Johnson

ARCHITECT

AMAG

KEVIN JOHNSON
Legal Description

A portion of land located in the Southwest 1/4 of Section 32, T46N, R4E, Town of Franklin, Waukesha County, Wisconsin, more or less, described as follows: Beginning at a point on the east line of said section, thence northeasterly along the south line of said section to a point on Section 32, thence southerly along the west line of said section to a point on the west line of said section, thence westerly along the north line of said section to the point of beginning, containing 10 acres, more or less, more specifically described as follows:

EXISTING CONDITIONS SITE PLAN

Existing Conditions Site Plan
2023-03-14