HASTINGS PLANNING COMMISSION A G E N D A

Monday May 1, 2023

- 1. Call to Order/Roll Call (Regular meeting starts at 7:00 p.m.)
- 2. Pledge of Allegiance
- 3. Approval / additions / deletions to agenda
- 4. Approval of Minutes April 3, 2023 Draft Meeting Minutes of the Planning Commission *
- 5. Informative Items: April 18, 2023 Draft Meeting Minutes of the ZBA *

6. Public Hearings:

A. Public hearing to review and consider a site plan and special use permit from the City of Hastings/Barry County Central Dispatch for construction of a 300' communications tower at 1037 E. State Street. *

7. New Business:

- A. Consider setting a public hearing for June 5, 2023 to review and consider a rezoning request from Jennifer and Randall Sykes at 1117 S. Michigan from R-S Residential Suburban to R-2 One Family Residential District. *
- B. Consider setting a public hearing for June 5, 2023 to consider a conditional rezoning request from Green Development Ventures, LLC at 1107 N. Ferris Street for conditional rezoning from R-1 Family One Family Residential to R-2 One Family Residential.
- C. Review and discuss proposed text amendment language to Section 90-87 regarding Board of Appeals variance criteria as recommended by the Zoning Board of Appeals. *

8. Old Business:

- A. Receive JPA / JPC Update.
- B. Consider Planning Commission 2023 General Work Task List. *
- C. Report Regarding Tracking and Terms and Conditions Imposed by the Planning Commission. *
- D. Review and Discuss Tractor, Trailer, & RV Parking Draft Text Amendment. *
- E. Review and Discuss Planning Consultant Memo Regarding Residential Driveway Width. *

9. Open Public Discussion and Comments

- 10. Staff Comments
- 11. Commissioner Comments
- 12. Adjourn

*Indicates attachment

CITY OF HASTINGS DRAFT PLANNING COMMISSION MEETING MINUTES April 3, 2023

The meeting was called to order at 7:00 p.m. by Chairperson Hatfield with the following Commissioners present: Jordan Brehm, David Hatfield, Nichole Lyke, Tom Maurer, Sarah Moyer-Cale, and Dave Tossava. Absent: Lois Bowers, Chelsey Foster, Jacquie McLean.	Call to Order
Also present: Community Development Director Dan King, Planning Consultant Rebecca Harvey, and DPS Director Tate.	
It was MOVED by Maurer and SECONDED by Lyke to approve the agenda as presented. All members present voting yes; motion carried.	Approval of the Agenda
It was MOVED by Maurer and SECONDED by Tossava that the proposed minutes of the meeting of March 6, 2023 be approved. All members present voting yes; motion carried.	Approval of the Minutes
Chairperson Hatfield noted the council workshop on April 10 th regarding the proposed emergency communications tower and that the Barry County Master Plan Draft is now available and has been distributed electronically to members.	Informative Items
The public hearing on proposed amendments to the zoning ordinance to add Food Trucks and Food Truck Parks was held. Members reviewed the updated documents and it was the consensus of the commission members to remove section #7 pertaining to license transfers since zoning only pertains to property. Chairperson Hatfield opened the hearing for public comment at 7:27pm. No members of the public spoke. Chairperson Hatfield closed the public comment portion of the hearing at 7:27pm.	Public Hearing: Food Trucks
It was MOVED by Brehm and SECONDED by Lyke to recommend approval of the amendments to the City Council with the removal of item #7. All members present voting yes; motion carried.	
Discussion was held regarding the required width of driveways at the property line for single- and two-family residences. The Commission determined more thought and information was needed before determining if it would be desirable to modify the text. It was MOVED by Brehm and SECONDED by Tossava to table the matter until the next regular meeting. All members present voting yes; motion carried.	New Business: Set hearing for drives
It was MOVED by Tossava and SECONDED by Brehm to set a public hearing for May 1, 2023 to accept comment on the site plan and special land use request regarding a communications tower at 1037 E. State St by Barry County Central Dispatch. All members present voting yes; motion carried.	Set hearing for 911 tower
DPS Director Tate provided an overview of the revised storm water standards for the City of Hastings. Discussion was held.	Storm Water Standards

King and Moyer-Cale provided information on the revised Capital Improvement Plan. It was noted by the Commission.	2023 CIP
Moyer-Cale reported that neither the JPA nor JPC had met since the last Planning Commission meeting.	Old Business: JPA/JPC Update
King noted that tree species recommendations had been added to the work task list.	Work Task List
No changes.	Tracking Terms and Conditions
The Commission reviewed the contents of a memo from Harvey regarding trailers and RVs. The Commission provided direction on a draft ordinance. It was noted that draft text would be available at the next meeting.	Trailer, Tractor, RV Parking Text
No public comment was received.	Public Comment
King stated that he reviewed and approved two administrative site plan applications.	Staff Comments
Moyer-Cale commented that King had recently completed his zoning administration certification.	Commission Comments
It was MOVED by Tossava and SUPPORTED by Maurer to adjourn the meeting. All members present voting yes, motion carried. Meeting adjourned at 8:25 p.m.	Adjournment

Respectfully submitted,

Sarah Moyer-Cale, Secretary

CITY OF HASTINGS ZONING BOARD OF APPEALS MEETING MINUTES April 18, 2023

- 1. Call to Order: Chair Maurer Called the Meeting to Order at 7:02 PM
- Roll Call -- Members Present: Buehl, Dickinson, Furrow, Maurer Members Absent: Baker Alternates Present: Anger, Hook Alternates Absent: None Staff Present: Harvey, King
- 3. Pledge of Allegiance.
- 4. Approval/Additions/Deletions to Agenda.

Motion by Furrow, second by Buehl, to approve the agenda as amended.

All ayes.

Motion Carried.

5. Approval of the Minutes – March 21, 2023 Meeting.

Motion by Buehl, second by Furrow, to approve the minutes of the March 21, 2023, ZBA Meeting.

All ayes.

Motion Carried.

- 6. Public Hearings: None
- 7. Old Business
 - A. Consider Motion to Take from the Table the Deliberation of a Variance Request from Stephen Huver at 220 W. Muriel Street.

Motion by Anger, second by Furrow to take from the table the deliberation of a variance request from Stephen Huver at 220 W. Muriel Street.

Roll call: Ayes: Anger, Buehl, Dickinson, Furrow, Maurer Nays: None

Motion Carried

Mr. Huver stated that the building permit for the construction of his new garage was issued with a 15' setback. Mr. Huver explained that 15' setback creates a situation where relief from the ordinance regarding a 20' maximum driveway width at the property line would cause a hardship in accessing his new two stall garage.

Mr. Huver stated that many homes in Hastings now have two stall garages and access to these garages can be challenging with a 20' maximum driveway width.

As requested at the March 21, 2023 Zoning Board of Appeals meeting, Mr. Huver presented the board with elevation drawings of the driveway from the face of the garage to the curb.

Mr. Maurer restated the standards the Zoning Board of Appeals are required to meet in order to approve or deny variance requests.

As to standard #1, the board found the following;

#1 - substantial detriment to adjacent property and the surrounding neighborhood:

- the driveway is located consistent with required building setbacks and offers adequate separation from adjacent property
- the driveway is proposed to be paved and has been presented to adequately direct storm water runoff on site
- no concern was expressed by neighbors of the property

Mauer expressed concern that a driveway width of greater than 20 ft has a greater chance of generating storm water runoff which may negatively affect adjacent property.

As to standard #2, the board found the following:

#2 - spirit/intent of ordinance:

- the proposed driveway will be of a single width that aligns w/ the width of the garage

- the proposed driveway width will not result in a proliferation of paving within the front yard

- the proposed driveway width will allow for necessary turning movements and provide adequate area for off-street parking addressing potential safety issues

Mauer noted that a driveway width greater than the allowed 20 ft will result in a greater front yard impervious surface.

As to standard #1, the board found the following:

#1 - unique physical circumstances:

- it was recognized that the subject site is a double lot in an area of narrow lots, and so does not possess a unique physical circumstance preventing compliance

- it was further noted that the configuration of the driveway is limited by the location of the garage, which is a self-imposed limitation

As to standard #2, the board found the following:

#2 - substantial justice:

- other drives in the immediate area and in other residential areas of the City are provided widths in excess of 20 ft

- where drives exceed 20 ft in width, they are generally serving garages that are wider than 20 ft, similar to the proposal

As to standard #3, the board found the following:

#3 - the situation is of such a recurrent nature that a text amendment is more practical

 the situation is largely created due to the nonconforming location of the house and garage which do not represent a recurrent situation in the City

Based upon findings of #1 and #2 and #2 and #3 of the second set of criteria, motion by Buehl, second by Furrow to grant the applicant the requested variance of constructing a driveway with a 26' maximum width at the property line.

Roll call: Ayes: Buehl, Dickinson, Furrow Nays: Anger, Maurer

Motion passed with 3 aye and 2 nay votes.

- 8. New Business: None
- 9. Public Comments: (None)
- 10. Board Comments:

The board agreed that they would like to request the Planning Commission consider a text amendment change to Section 90-87 of the Code of Ordinances to clarify the standards subject to deliberation by the Zoning Board of Appeals.

11. Adjournment:

Motion by Anger, second by Furrow to adjourn the meeting.

All ayes.

Meeting was adjourned at 9:02 PM.

Tom Maurer–Chair

Recording Secretary - King

City of Hastings

NOTICE OF PUBLIC HEARING ON THE SPECIAL USE PERMIT FOR 1037 EAST STATE STREET

The Planning Commission for the City of Hastings will hold a Public Hearing for the purpose of hearing written and/or oral comments from the public regarding the request from City of Hastings/ Barry County Central Dispatch for a Special Use Permit and Site Plan Review for construction of a 300' Communications Tower located at 1037 E. State Street, Hastings, Michigan 49058. The public hearing will be held at 7:00 PM on Monday May 1, 2023 in the Council Chambers, second floor of City Hall, 201 East State Street, Hastings, MI 49058. Please check the City of Hastings website at www.hastingsmi.org or contact City Hall at 269-945-2468 for details.

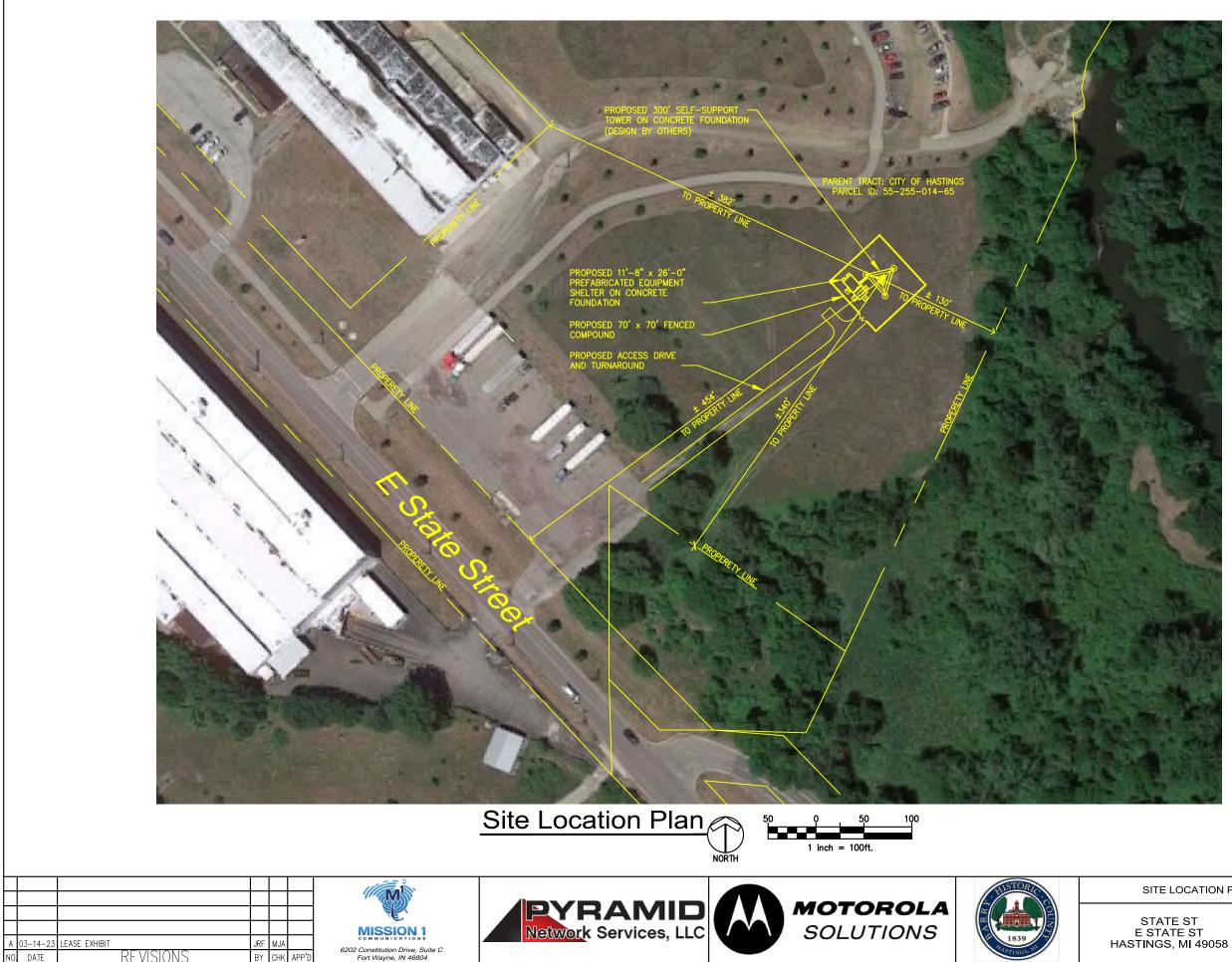


All interested citizens are encouraged to attend and to submit comments.

A copy of the plans and additional background materials are available for public inspection from 9:00 AM to 4:00 PM Monday through Friday at the Office of the Community Development Director, 201 E. State Street, Hastings, MI 49058. Questions or comments can be directed to Dan King, Community Development Director at 269-945-2468 or dking@hastingsmi.org.

The City will provide necessary reasonable aids and services upon five days' notice to the City Clerk at 269.945.2468 or TDD call relay services 800.649.3777.

Christopher R. Bever City Clerk Please publish in the April 13, 2023 edition of the Hastings Banner.



GENERAL NOTES:

- PROPERTY OFFSETS ARE APPROXIMATE. FINAL LOCATION OF COMPOUND TO BE DEVELOPED FROM TOWER & 1.
- 2. THE LOCATION, SIZE & TYPE OF MATERIAL OF EXISTING UTILITIES INDICATED ON THE PLANS IS NOT REPRESENTED AS BEING ACCURATE, SUFFICIENT OR COMPLETE. IT SHALL BE THE CONTRACTOR'S RESPONSIBILITY TO DETERMINE THE ACTUAL LOCATION RESPONSIBILITY TO DETERMINE THE ACTUAL LOCATION OF ALL SUCH FACILITIES, INCLUDING THE SERVICE CONNECTIONS TO UNDERGROUND UTILITIES. PRIOR TO CONSTRUCTION THE CONTRACTOR SHALL NOTIFY THE UTILITY COMPANIES OF HIS OPERATIONAL PLANS & SHALL OBTAIN FROM THE RESPECTIVE UTILITY COMPANIES DETAILED INFORMATION & ASSISTANCE DELATIVE TO THE LOCATION OF THEIR FACILITIES & RELATIVE TO THE LOCATION OF THEIR FACILITIES & THE WORKING SCHEDULE OF THE COMPANIES FOR REMOVAL OR ADJUSTMENT WHERE REQUIRED. IN THE EVENT AN UNEXPECTED UTILITY INTERFERENCE IS ENCOUNTERED DURING CONSTRUCTION, THE CONTRACTOR SHALL IMMEDIATELY NOTIFY THE UTILITY COMPANY OF JURISDICTION. THE ENGINEER SHALL ALSO BE IMMEDIATELY NOTIFIED. ANY SUCH MAINS & SERVICES SHALL BE RESTORED TO SERVICE AT ONCE & PAID FOR BY THE CONTRACTOR AT NO ADDITIONAL COST TO THE CONTRACT.
- ALL PROPOSED CONSTRUCTION ACTIVITIES & MODIFICATIONS SHALL COMPLY WITH MOTOROLA R-56 STANDARDS, REV 2017. 3.
- ANY DISCREPANCIES BETWEEN THIS DRAWING PACKAGE AND EXISTING FIELD CONDITIONS MUST BE REPORTED TO THE ENGINEER OF RECORD PRIOR TO THE COMMENCEMENT OF CONSTRUCTION.



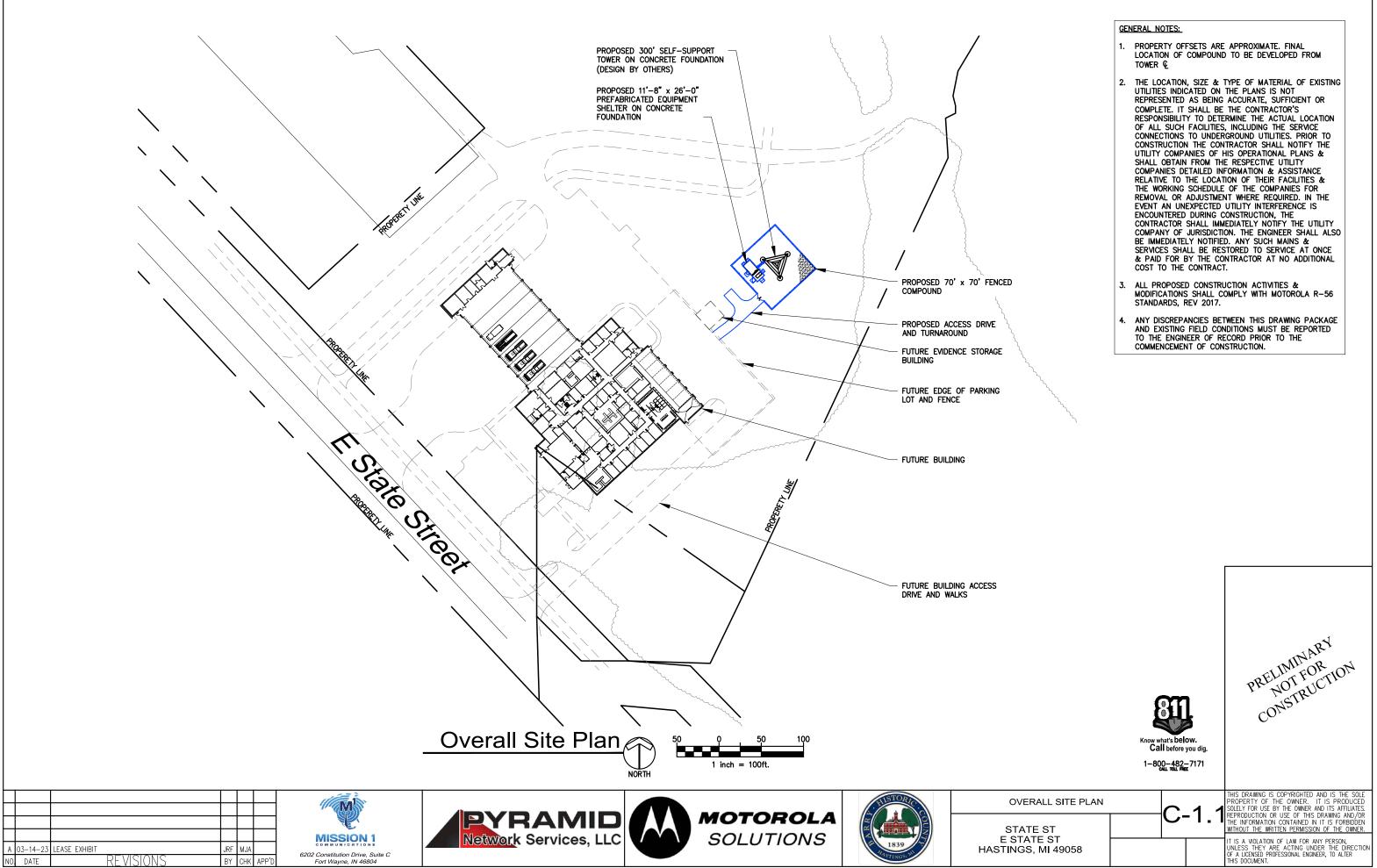


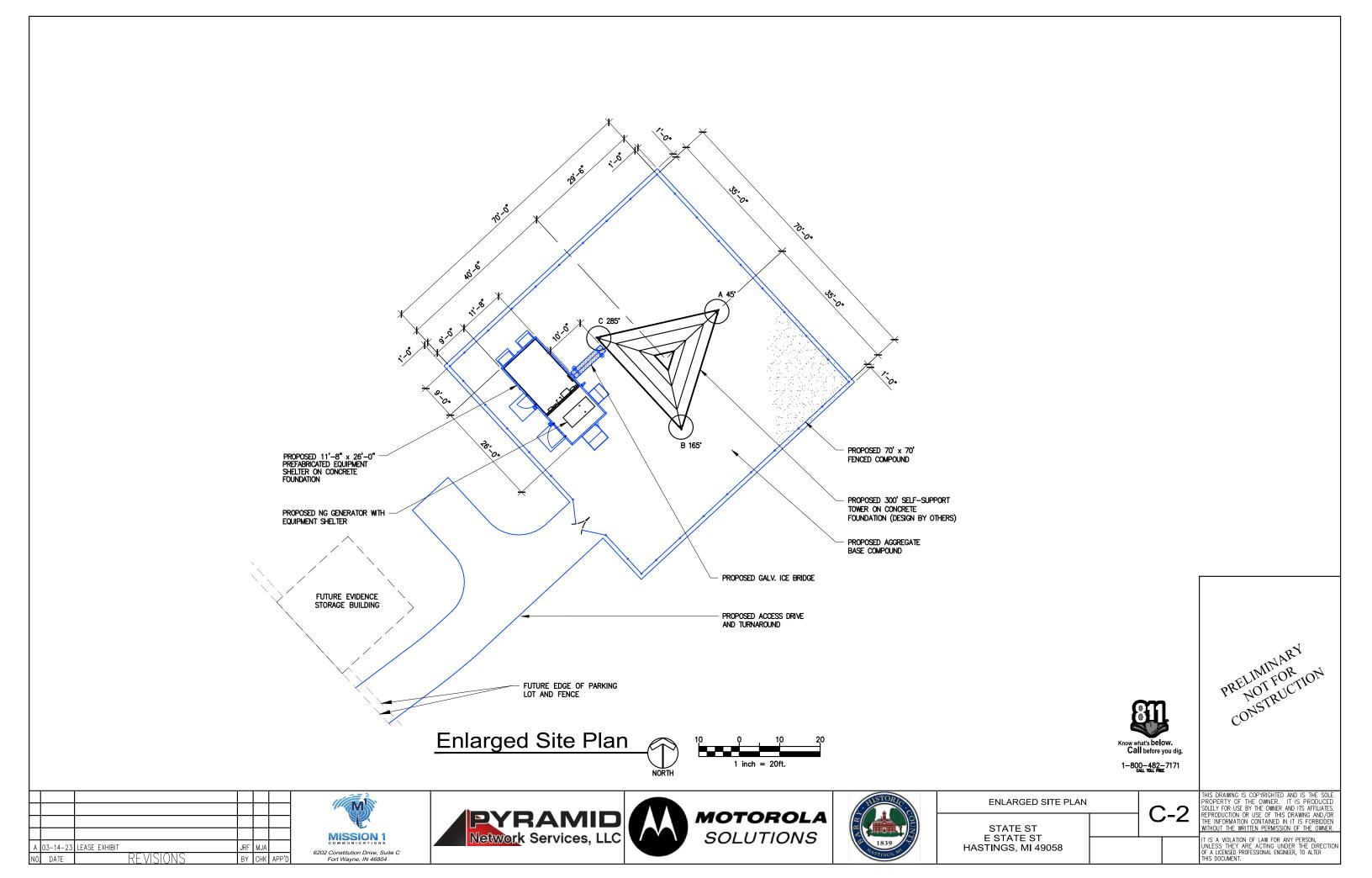


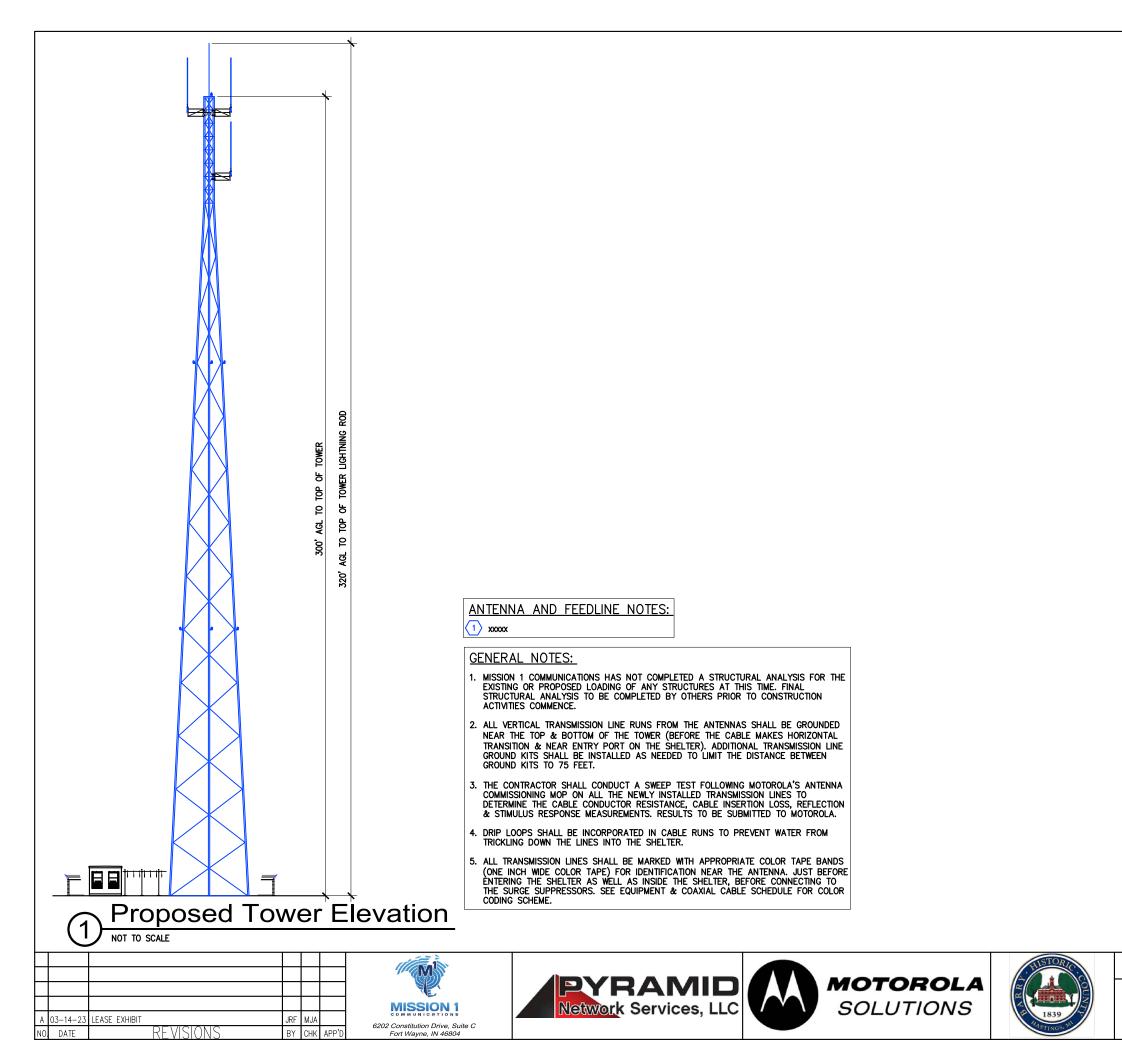
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SITE LOCATION PLAN

THIS DRAWING IS COPYRIGHTED AND IS THE SOLE PROPERTY OF THE OWNER. IT IS PRODUCED SOLELY FOR USE BY THE OWNER AND ITS AFFILIATES. REPRODUCTION OR USE OF THIS DRAWING AND/OR THE INFORMATION CONTAINED IN IT IS FORBIDDEN WITHOUT THE WRITTEN PERMISSION OF THE OWNER. IT IS A VIOLATION OF LAW FOR ANY PERSON, UNLESS THEY ARE ACTING UNDER THE DIRECTION OF A LICENSED PROFESSIONAL ENGINEER, TO ALTER THIS DOCUMENT.







STA E ST/ HASTING

			PRELIMINARY PRELIMINARY NOTFOR CONSTRUCTION CONSTRUCTION
PROPOSED TOWER ELEVATIO	DN AND		THIS DRAWING IS COPYRIGHTED AND IS THE SOLE
ANTENNA LOADING INFORM		C-3	PROPERTY OF THE OWNER. IT IS PRODUCED SOLELY FOR USE BY THE OWNER AND ITS AFFILIATES. REPRODUCTION OR USE OF THIS DRAWING AND/OR THE INFORMATION CONTAINED IN IT IS FORBIDDEN
STATE ST E STATE ST HASTINGS, MI 49058			THE INFORMATIVE CONTAINLY IN THIS FOODDELY WITHOUT THE WRITTEN PERMISSION OF THE OWNER. IT IS A VIOLATION OF LAW FOR ANY PERSON, UNLESS THEY ARE ACTING UNDER THE DIRECTION OF A LICENSED PROFESSIONAL ENGINEER, TO ALTER THIS DOCUMENT.

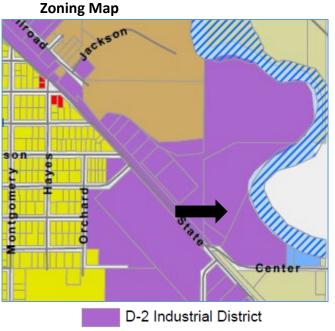
MCKENNA



May 1, 2023

Planning Commission City of Hastings 201 East State Street Hastings, MI 49058

Applicant:	Barry County
Subject:	911 Tower – Antenna and tower exceeding a height of 35 ft
Request:	Special Use Permit/Site Plan Review
Location:	1037 East State Street BLK
Zoning:	D-2 Industrial District

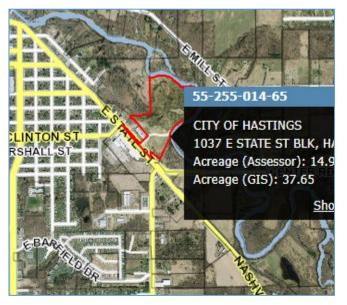


A-O Apartment & Office Building District

Application Overview:

The proposed project elements include:

- A 15-acre largely vacant site provided approximately 1000 ft frontage on E. State Street (south lot line) and frontage along the Thornapple River (north lot line).
- 300 ft self-support tower; 12 ft x 26 ft prefabricated equipment shelter; 70 ft x 70 ft fenced compound; and related access drive and turn-around.



O 269.382.4443 F 248.596.0930 MCKA.COM

- Current use city-owned parking lot; future site of public safety building and related access drives/parking area.
- The proposed 'antenna and tower' is a 'Special Use' within the D-2 District pursuant to Sections 90-578 (a) and 90-553 (c), Zoning Ordinance.

□ Site Plan Review:

Section 90-579 D-2 District Regulations

	Permitted/Required	Proposed
Min Lot Size	None	Approximately 15 acres
Min Lot Width	None	Varies
Min Setbacks	See Section 90-1085	See Below
Max Building Height	40 ft	<40 ft
Max Lot Coverage	40%	<1%
Landscaping	Landscaping per Article XII required where D-2 District abuts the A-O District (west boundary)	Existing vegetative land cover proposed to be retained

Section 90-1085 Wireless Communication Towers and Antennas Exceeding 35 Feet

Application Requirements:

The following additional information is required, **unless specifically waived by the Planning Commission:**

- Location justification Written materials which document the need for the proposed location.
- Ownership interest The nature and extent of the applicant's ownership or lease interest in the property, building or structure upon which the facilities are proposed for placement.



- Co-Locations Documentation that the applicant has investigated the potential of co-location with other wireless communication service providers or owners of wireless communications support structures located in Hastings or neighboring communities and which may meet the coverage needs of the applicant. The documentation must include written evidence that the applicant has had direct communication and response regarding the potential for co-location with the owners/operators of such other wireless communications support structures. All applications for construction of a wireless communications support structure will be required to provide plans for future co-location with other owners/operators at a fair and reasonable rental rate.
- Engineering certification and plans A statement that the proposed wireless communications equipment and wireless communications support structure will be installed in accordance with the manufacturer's specifications and applicable city codes. A set of drawings sealed by a professional engineer for the installation of the wireless communications equipment and wireless communications support structure shall also be provided
- A description of the tower maintenance program.
- A decommissioning plan explaining the process to be undertaken by the applicant for tearing down the tower and removing all tower equipment, materials and structures and restoring the site so it can be used by a use permitted in that zoning district.
- Security measures including emergency contact personnel.
- Liability Documentation that indemnity and insurance coverage exist for the wireless communications equipment and wireless communications support structure in the event that damage or personal injury occurs or the provider abandons the structure. The specific dollar amount of the indemnity and insurance coverage shall be approved by the city and the cancellation of such policy shall not be effective without the approval of the city.



Performance Standards:

Required	Proposed
Tower setback from all lot lines equal to the	450+ ft (E. State Street)
height of the tower (300 ft) or as modified by	130 ft – east
the Planning Commission, but not less than the	382 ft – west
D-2 District setback requirements	200+ ft – north (Thornapple River)
Compliance with applicable state construction	Confirmation required
and electrical codes; local building permit	
requirements; manufacturer installation	
requirements	
Only tower lighting required by FAA allowed;	Confirmation required
shall be shielded to reduce glare	
Written documentation of compliance with	Required
Michigan Airport Zoning Act and Michigan Tall	
Structures Act	
Decommissioning Plan – per Subsection e.	Required
Tower permanently secured to stable foundation	Confirmation required
No display, advertising or graphic representation	None proposed
on tower/equipment allowed	
Grounding to protect against damage from	Confirmation required
lightning	
Located to avoid interference with reception in	Confirmation required
nearby residential areas	
Incorporate color scheme which reduces visual	Confirmation required
impact	
Fully enclosed by fence and secure gate; fence	Compliance noted; confirmation of proposed
height as determined by Planning Commission	type/height of fencing required
May be allowed on same site as another	Existing shared use – parking lot; Future shared
principal use.	use – public safety building
Equipment building	12 ft x 26 ft (312 sq ft) prefabricated equipment
	building; concrete foundation
Width and surface of access road/turnaround;	Confirmation required
proof of access easement	



- 1. Will the proposed tower be harmonious and appropriate in appearance with the existing or intended character of the general vicinity and not change the essential character of the area in which it is proposed?
 - The subject site and surrounding area are within the D-2 District, a district intended to *'facilitate the development of more intensive industrial enterprises'*. Further, the subject site is identified as the 'future site' of a public safety facility . . and adjacent uses are industrial in nature.
 - Required compliance with Section 90-1085 *Wireless Communication Towers and Antennas Exceeding 35 Feet* will further ensure compatibility with the character of the area.
- 2. Will the proposed tower be served adequately by essential public facilities and services, such as highways, streets, pedestrian ways, police and fire protection, drainage structures, refuse disposal, water and sewer?
 - The subject site is provided frontage on a primary corridor and necessary accessibility; other public services (sewer, water, refuse disposal, sidewalks, etc.) will not be required.
 - Required compliance with Section 90-1085 *Wireless Communication Towers and Antennas Exceeding 35 Feet* will further ensure adequate service by public facilities.
- 3. Will the proposed tower involve uses, activities, processes, materials and equipment, or conditions of operation that will overly detrimental to any persons, property or the general welfare?
 - Section 90-1085 Wireless Communication Towers and Antennas Exceeding 35 Feet specifically addresses separation, lighting, safety, visual impact, security and construction/installation integrity.



- Required compliance with Section 90-1085 *Wireless Communication Towers and Antennas Exceeding 35 Feet* will ensure public health, safety and welfare are secured.
- 4. Will the proposed tower be in accordance with the intent of the D-2 District and Master *Plan*?
 - The Purpose Statement of the D-2 District notes the district is: intended to facilitate the development of more intensive industrial enterprises; limited in availability; and, primarily restricted to industrial uses.
 - Compliance with Section 90-1085 *Wireless Communication Towers and Antennas Exceeding 35 Feet* will suggest an overall consistency with the intent and built environment of the D-2 District.

Summary of Findings:

- The proposal is supported by the special land use standards of Section 90-1049, assuming compliance with the provisions of Section 90-1085 Wireless Communication Towers and Antennas Exceeding 35 Feet.
- The proposal is <u>generally</u> consistent with the standards applicable to a 'wireless communication tower', however, **submission of the required documents/information will be necessary to determine full compliance with Section 90-1085** *Wireless Communication Towers and Antennas Exceeding 35 Feet.*
 - The Planning Commission may waive any of the document/information requirements noted above.
 - The Planning Commission may modify the setback requirement to allow the proposed setbacks that are less than 300 ft (equal to tower height) if it is determined that *'the lesser setback will not threaten adjoining properties/roadways.*



Application for Planning Commission City of Hastings Hastings, MI 49058 269-945-2468
Applicant Name: Jykes JEUDIFEP E JANDEL Address: JIIT S Michigan Aug JASTINGS Address: JIIT S Michigan Aug JASTINGS Telephone: JEANJEL (City, State, Zip) (Business) (Business) (Cellular) Email: JENNIE porcebinclassics.com Applicants Interest in Property: OWNERS
Owners Name (If Different From Above): Request: Rezoning Special Use Permit Site Plan Review PUD Other: Other:
Legal Description: BEG AT A PT 37 FT S OF SW CORNER OF LOT 1351 FOR POB, TH S 154 FT, TH E 49.5 FT TH S 22 FT, TH E 128 FT TO A PT 33 FT E OF THE CENTERLINE OF THE FORMER C,K & S RR R/W ,TH NE'LY 178.5 FT ALONG A LINE 33 FT E OF THE RAILROAD R/W CENTERLINE TH W 207.88 FT TO POB. CITY OF HASTINGS.
Current Zoning: <u>R-5</u> Applicable Fees: <u>Proposed Zoning</u> : <u>R-2</u>
Applicants Signature:
(Title)
Application Number:

CITY OF HASTINGS 201 E STATE STREET HASTINGS MI 49058-1954

Receipt No: 1.	139404	Apr 6, 2023
Randel Sykes		
BEIG) Applicat	R SERVICES - APPLICATION FEE (IE ion for Planning Comission Randel Sykes 00 Application Fees	350.00
Total:		350.00
CHECK Payor	Check No: 2369 Randel Sykes	350.00
Total Applied:		350.00
Change Tende	red:	.00

04/06/2023 11:00 AM

Green Development Ventures, LLC 2186 East Centre Avenue Portage, MI 49002

April 26, 2023

Mr. Dan King, Director Planning and Zoning Department City of Hastings 201 E. State Street Hastings, Michigan 49058

Re: Conditional Rezoning Application – South Approximate 8.6 Acres of 1107 N. Ferris Avenue (Parcel #08-55-055-079-02)

Dear Mr. King,

Attached please find a Conditional Rezoning Application for the South approximate 8.6 acres of 1107 N. Ferris Avenue (Parcel #08-55-055-079-02). The application packet includes the following documents:

- Rezoning Application Review Fee Check (\$350)
- Application for Planning Commission Rezoning (signed by Applicant)
- Letter of Authorization from Current Owners (Paul and Kelli Teunessen)
- Conditional R-2 Rezoning Proposal/Narrative with Voluntarily Offered Conditions
- Legal Description of Proposed Rezoning Area and Site Layout Plan

We look forward to discussing this proposal with the City and request a public hearing be scheduled for the June 5, 2023 Planning Commission meeting to formally consider this Conditional Rezoning Application.

If you have any questions or require additional information, please contact me at your earliest convenience.

Sincerely,

174

Michael West, AICP Land Planning Project Manager Green Development Ventures, LLC 2186 East Centre Avenue Portage, Michigan 49002 (269) 365-8548 mwest@allenedwin.com

HASTINGS HASTINGS MICHICAN	pplication for Planning Commi City of Hastings Hastings, MI 49058 269-945-2468	ssion Hastings on the Thormapple
		Date: <u>April 26, 2023</u>
Applicant Name: Green Develop	oment Ventures, LLC (M	
Address: 2186 East Centre A		e, Michigan 49002
(Street) (269) 365-8548		(City, State, Zip)
(Business) mwest@allenedwin.co	m	(Cellular)
		ter of Authorization attached)
Owners Name (If Different From Above):	Paul and Kelli Teune	essen
Request: Rezoning (condition Site Plan Review Other:	PUD	Plat or CondoPUD Phase Approval
Address of Property:	erris Avenue (Parcel # th Approximate 8.6 ac:	
Legal Description: See attache	d legal description ar	nd Site Layout Plan
Current Zoning: R-1, One Family	Proposed Zoning:	R-2, One Family (conditional)
Applicable Fees: \$350.00		
Applicants Signature:	Wal	Land Planning Project Manager (Title)
Staff Signature:		(Title)
Application Number: Filing Date: Fees Paid: To Clerks Office On:	Date of Meeting: Board Action:	

March 30, 2023

Dan King, Community Development Director Community Development Department City of Hastings 201 E. State Street Hastings, Michigan 49058

Re: 1107 Ferris Street (Parcel #08-55-055-079-02, 10.2 Acres)

Dear Mr. King,

We own the 10.2 acre parcel located at 1107 Ferris Street (Parcel #08-55-055-079-02) in the City of Hastings, Barry County, Michigan. We confirm that Green Development Ventures, LLC/Allen Edwin Homes has authorized consent to submit for municipal approvals and permits (site condominium subdivision, utility permits, etc.) that may be required for the development of the subject parcel.

Feel free to contact us with questions or concerns.

Sincerely,

essen (Mar 31, 2023 13:15 EDT)

Paul and Kelli Teunessen 1270 Norway Avenue Hastings, MI 49058 Phone: <u>kteunessen@yahoo.com</u>

Proposed Conditional R-2 Rezoning Request (Green Development Ventures, LLC) 4-26-23

1107 N. Ferris Avenue South Approximate 8.6 Acres of Parcel 08-55-055-079-02 City of Hastings, Michigan

Green Development Ventures, LLC is requesting a Conditional Rezoning of the South approximate 8.6 acres of 1107 N. Ferris Avenue (Parcel 08-55-055-079-02). A legal description and Site Layout Plan which describes this proposed rezoning area is attached with this application. The subject property is currently vacant and zoned R-1, One Family Residential. A Conditional Rezoning from R-1, One Family Residential to R-2, One Family Residential is requested for a specific single family detached and two family attached residential development project, to be called Brittney Estates North, which is voluntarily offered as conditions of the application. The specific conditions of this development project are described below and illustrated on the attached Site Layout Plan.

Proposed Development/Voluntarily Offered Conditions of Rezoning: The Conditional R-2 Rezoning request proposes to construct the Brittney Estates North site condominium subdivision as depicted on the attached Site Layout Plan with the following voluntarily offered conditions ions:

- 1) The land shall be developed as a site condominium subdivision with extensions of N. Ferris Avenue and Williams Street.
- 2) The site condominium subdivision will include a total of 18 units with 5 units dedicated to single family detached homes and 13 units dedicated to two family dwellings (duplexes).
- 3) All units will meet the minimum lot area and width standards for the R-1, One Family Residential zoning district which are 9,990 square feet and 75 feet of lot width (single family dwellings) and 13,000 square feet and 99 feet of lot width (two family dwellings/duplexes).
- 4) All units will meet the minimum building setback standards for the R-1, One Family Residential zoning district.
- 5) All dwellings constructed shall be connected to the public sanitary sewer and public water supply system.
- 6) Sidewalks shall be installed along both sides of the streets.

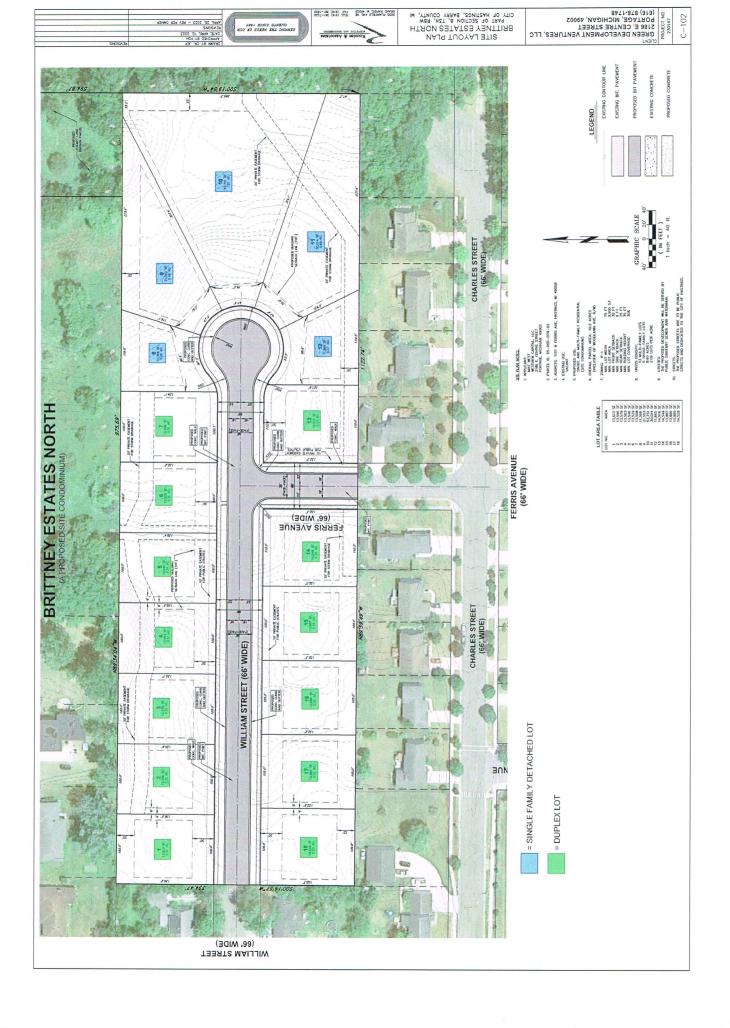
Sincerely,

Mal That

Michael West, AICP Land Planning Project Manager Green Development Ventures, LLC 2186 East Centre Avenue Portage, Michigan 49002 (269) 365-8548 mwest@allenedwin.com

Legal Description of Proposed Rezoning Area (South Approximate 8.6 Acres of 1107 N. Ferris Avenue)

Part of the Southeast 1/4 of Section 8, T3N, R8W, City of Hastings, Barry County, Michigan, Described as: Commencing at the East 1/4 Corner; thence N89°34'04"W 1517.47 feet along the East-West 1/4 line of said Section; thence S00°19'54'W 475.83 feet to the Point of Beginning; thence S00°19'54"W 332.59 feet, thence N89°39'49"W 147.05 to the Northeast Corner of Lot 17, Brittney Estates Plat; thence N89°39'49"W 975.70 feet along the North line of said Brittney Estates Plat to a point on the North-South 1/4 line of said Section, also being the East line of Aben Johnsons Addition No 2; thence N00°19'57"E 334.47 feet along said 1/4 line to the Northeast Corner of Lot 72 of Aben Johnsons Addition No 2; thence S89°34'04"E 1122.75 feet to the Point of Beginning.



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May 1, 2023

Subject: Text Amendment – Board of Appeals (Variances)

- Amend Sec 90-87 to better align the variance criteria with established case law and improve clarity and consistency of application.
- Amend Sec 90-87 to recognize that conditions may be attached to a variance and provide explanation and parameters for any such conditions.

Existing Text

Sec 90-87 Variances Prohibited

No variance in the provisions or requirements of this chapter shall be authorized unless the board finds from reasonable evidence that such variance will not be of substantial detriment to adjacent property and the surrounding neighborhood; will not impair the public health, safety, welfare or the intent and purpose of this chapter; and that at least two of the following conditions exist:

- a) That there are exceptional or extraordinary circumstances or conditions applying to the property in question or to the intended use of the property that do not apply generally to other properties in the same zoning classification.
- b) That such variance is necessary for the preservation and enjoyment of a substantial property right similar to that possessed by other properties in the same zoning district and in the vicinity, provided that the possibility of increased return shall not be deemed sufficient to warrant a variance.
- c) That the condition or situation of the specific piece of property or the intended use of the property for which the variance is sought is not of so general or recurrent a nature as to make reasonably practical the formulation of a general regulation for such conditions or situation as part of this chapter.

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Sec 90-87 Variance Standards and Conditions

The Zoning Board of Appeals shall have the authority to grant nonuse variances related to dimensional requirements of the Zoning Ordinance or to any other nonuse-related standard in the Ordinance where there are practical difficulties in the way of carrying out the strict letter of this Ordinance so that the spirit of the Ordinance shall be observed, public health and safety secured, and substantial justice done.

- (a) Standards: In determining whether practical difficulties exist, the Zoning Board of Appeals shall consider the following factors:
 - 1) That the variance will not permit the establishment within a zoning district of any use which is not allowed as a permitted or special land use within the district.
 - 2) That compliance with the strict letter of the Zoning Ordinance would unreasonably prevent the owner or occupant of the property from using the property for a permitted purpose, or would render conformity with the Zoning Ordinance unnecessarily burdensome.
 - 3) That a grant of the variance applied for would do substantial justice to the applicant as well as to other property owners in the surrounding area or, in the alternative, that a lesser relaxation than that applied for would give substantial relief to the owner or occupant of the property involved and be more consistent with justice to other property owners.
 - 4) That the hardship asserted by the applicant by way of justification for a variance is due to unique circumstances of the property.
 - 5) That the hardship asserted by way of justification for the variance is not self-created.
 - 6) That, in granting a variance, the Zoning Board of Appeals is ensuring that the spirit of the Zoning Ordinance is observed, public safety secured, and substantial justice done.
- (b) Conditions: The Zoning Board of Appeals may attach conditions or limitations upon a variance, where such are necessary to insure that public services and facilities affected by a requested variance and the associated land use or activity will be capable of accommodating increased service and facility loads caused by the variance and associated land use or activity, and to protect the natural environment and conserve natural resources and energy, and to insure compatibility



with adjacent uses of land, and to promote the use of land in a socially and economically desirable manner. Prior to attaching a condition or limitation to a variance, the Zoning Board of Appeals shall also specifically determine the following:

- (1) That the condition or limitation is designed to protect natural resources, the health, safety and welfare and the social and economic well-being of those who will use the land use or activity associated with the variance under consideration, residents and land owners immediately adjacent to the land use or activity, and the community as a whole; and,
- (2) That the condition or limitation is related to the valid exercise of the police power, and purposes which are affected by the proposed variance; and,
- (3) That the condition or limitation is necessary to meet the intent and purpose of the zoning ordinance, is related to the standards established in the ordinance for the variance under consideration and associated land use or activity, and is necessary to ensure compliance with those standards.

Any such conditions and limitations may impose greater or more restrictions and requirements than are included in this Ordinance generally, and may include the provision of reasonable financial security to guarantee performance. Violation of any such conditions or limitations shall be deemed a violation of this Ordinance.



City of Hastings Planning Commission <u>Work Tasks for 2023</u> STATUS REPORT FOR MAY 2023

- 1. Continue to work with Hastings Charter Township, Rutland Charter Township and others in regional growth planning and management efforts.
- 2. Review the Court Street PUD using hypothetical build out scenarios.
- 3. Consider actions strategies as identified in the Master Plan to accomplish specific desired outcomes within commercial and residential zoning districts.
 - Provide for a wide variety of housing types, sizes, and densities.
 - Maintain existing housing stock and infrastructure.
 - Encourage residential development within areas targeted for growth and investment.
 - Provide for land use options/incentives designed to encourage reuse of vacant buildings and infill development.
- 4. Consider zoning amendments related to the M-37 Access Management Plan.
- 5. Monitor plan to construct sidewalks and trail system throughout the City of Hastings.

- Ongoing. City seeking funding where available.

- 6. Consider changes to the infrastructure requirements to accommodate denser or more traditional residential development.
- 7. Consider development of "Complete Streets" ordinance or policy.
- 8. Consider the following principles to align with Blue Zones Activate Program:

- Offer incentives or expedited approvals for the following Blue Zone principles:

 Locate new development adjacent to existing infrastructure
 Create a mixed-use community
 Build pedestrian amenities (sidewalks, lights, benches, etc) on both side of the streets
 Provide public facilities for physical activity such as shared-use paths or trails
 Create bike lanes and bike parking
 Create opportunities for resident interaction
 Create mid-block cross walks for traffic calming
 - 9. Review Sec. 90-973 Signs in the B-1, B-2, B-3, B-4, and B-6 districts (as related to portable sidewalk ground signs).
 - 10. Consider development of a Planned Residential District zoning classification to allow for higher density housing through smaller lot sizes and smaller dwelling square footage requirements.
 - 11. Continue path to Redevelopment Ready Communities (RRC) certification by reviewing zoning related codes and procedures.
 - 12. Review Section 90-929 Supplemental Parking Requirement in Residential Zones and other pertinent sections relating to the parking of semi-tractors, semi-trailers, and vehicles with two or more rear axles.
 - 13. Consider Mobile Food Vehicles ordinance for the regulation of food trucks.

- Ordinance #614 Adopted on April 24, 2023.

- 14. Review and consider adding text regarding green infrastructure components.
- 15. Review subdivision text regarding street width.
- 16. Review text regarding Adult Day Care Homes, Adult Foster Care Family Home, Adult Foster Care Large Group Home, etc.

-Ordinance #611 Adopted on March 13, 2023.

17. Review Article 90-XII Landscaping Section 90-1010 for permitted trees that are an invasive species.

Site Plan Tracker

Project Name and Address	App and fees paid	Site plan and prints to staff	PC Agenda Date	PC Decision	Conditions for completion	COI
Meadowstone Mobile Home Park 1812 Lavender Drive	1.14.20	1.14.20	2.3.20	Approved	PED X Insulation from roadway Natural feature buffer	
EWB Properties, LLC 400 and 410 W. State Street	2.7.20	2.7.20	3.2.20	Approved	Stormwater runoff compliance	
Hastings Pro Auto Service 229 N. Broadway	10.25.21	10.25.21	3.7.22	Approved	Dumpster enclosure Sidewalk installation Fire Dept. review of traffic circulation	
Meadowtone Mobile Home Park 1812 Lavender Drive	1.13.22	1.13.22	5.2.22	Approved	Refuse disposal enclosure Landscaping Driveway width Elevations to be reviewed for façade Sidewalk installation prior to COI	
EWB 400 W. State Street	7.14.21	7.14.21	6.6.22	Approved	Monument sign on State - Removal Illumination must meet standards	
City of Hastings Parking Lot 8	8.19.22	NA	NA	Administrative	Fencing details Parking space width compliance Canopy tree type compliance	

Site Plan Tracker

Project Name and Address	App and fees paid	Site plan and prints to staff	PC Agenda Date	PC Decision	Conditions for completion	COI
Serenity Village	9.28.22	9.28.22	11.7.22	Approved	Landscaping	
700 East Woodlawn					Off Street Loading	
					Ped. Access from sidewalk	

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May 1, 2023

Subject: Text Amendment – Tractor, Trailer & RV Parking

• Findings:

- There is currently no zoning district in the City that allows for the 'outdoor parking or storage of semi-tractors, semi-trailers, or vehicles with 2 or more rear axles' as a principal use.
- Single rear axle trucks can include large trucks such as dump trucks, box trucks, utility trucks and tow trucks . . and are currently allowed to park in residential driveways.
- RVs of significant size (36 ft in length) . . are currently allowed to park on residential properties in unlimited quantity and for an unlimited duration.

• Conclusions:

- Allow for principal use parking lots to be established so as to provide an alternative to on-site parking for residents and address current parking practices of concern; assess whether the parking alternative results in a decrease in on-site parking.
- Amend the Zoning Ordinance to establish a 'parking lot for the overnight parking of semitractors, semi-trailers, vehicles with 2 or more rear axles, large single rear axle trucks, and recreational vehicles on a short-term basis' as a <u>special land use</u> within the D-1 and D-2 Industrial Districts, with related parking lot design standards.

• Proposed Amendments:

Sec 90-1 – Definitions

Add: Large single rear axle truck means a type of large truck that has a single frame and uses only one drive axle in the rear and can include, but is not limited to, a straight (box) truck, tow truck, dump truck, and utility/service truck.

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Sec 90-553 – Special Uses (D-1 District)

Add: (g) Parking lots for the overnight parking of semi-tractors, semi-trailers, vehicles with 2 or more rear axles, large single rear axle trucks, and recreational vehicles on a short-term basis, subject to compliance with the parking lot requirements established by Sec 90-920.

[Sec 90-920 – Parking Lot Requirements]

- a) Off-street parking areas shall be effectively screened on any side that adjoins or faces premises situated in any residential district or institutional premises, by a screening of evergreen hedge or other natural landscaping. If owners of adjacent residential properties request in writing, this screening shall be done by a solid uniformly painted fence or wall not less than four or more than six feet in height maintained in good condition.
- b) All off-street parking areas shall have an asphalt or concrete surface, which shall be graded and drained to dispose of all surface water and prevent drainage onto abutting properties. All drainage plans shall be approved by the director of public services.
- c) Any lighting fixtures used to illuminate off-street parking areas shall be arranged to reflect the light away from adjoining residential properties, institutional premises or roadways.
- d) Any access drive serving a parking lot shall be at least 55 feet from the intersection of two streets. This distance shall be measured from the right-of-way line of that street parallel with the driveway to the closest edge of the driveway.
- e) The planning commission may, in its discretion, vary this requirement after consideration of the following criteria:
 - 1) Volume of traffic on adjacent streets.
 - 2) Type of traffic control measure at nearby intersection (i.e., traffic signal or signs).
 - 3) Size of parking area.
 - 4) Whether or not on-street parking of vehicles is permitted on adjacent streets.
 - 5) Safe sight distance from intersection.
- f) The off-street parking area, driveways, signs, lighting and landscaping shall be subject to the approval of the planning commission to ensure its adequacy in relation to the traffic safety, protection of adjacent property, and its compliance with the provisions of this article.



Sec 90-929 – Supplemental Parking Requirements in Residential Zones

- a) All driveways and parking areas in residential districts, including areas used to access parking spaces, shall be constructed of stable materials designed and maintained to support parked vehicles, including, but not limited to, bituminous material, brick pavers, gravel, concrete, or crushed stone. Parking on bare dirt, mud, grass, debris, refuse and other unstable material in any yard is prohibited. All driveways and parking areas shall be maintained in good condition and any rutting or deformation of the drive or parking surface shall be promptly repaired.
- b) Parking spaces and driveways on residential properties used for residential purposes shall not occupy in excess of 40 percent of the width of the front yard at any point within such front yard as measured from property line to property line. In the event that drive areas used exclusively to turn vehicles around are present, such turn-around drives shall not occupy in excess of 60 percent of the width of the front yard.
- c) Parking in the following areas shall be prohibited:
 - 1) between the curb and the sidewalk
 - 2) between the curb and the right-of-way line
 - 3) on any curb lawn of any public street
 - 4) on driveway approaches within the public right-of-way
- d) The outdoor parking or storage of semi-tractors, semi-trailers, or vehicles with two or more rear axles in residential areas is prohibited.
- e) The outdoor parking or storage of semi-tractors, semi-trailers, or vehicles with two or more rear axles on any streets, alleys, or public ways within the City is prohibited, except when actively loading or unloading.
- f) The outdoor parking or storage of semi-tractors, semi-trailers, or vehicles with two or more rear axles in any other area is prohibited except:
 - 1) Where such parking is necessary in connection with construction activity actually occurring on the property pursuant to a valid and current building permit.



- 2) For a period of up to 3 hours, or longer as permitted by the Chief of Police, for the purpose of loading or unloading materials, supplies, or inventory to be used in connection with the business activity occurring on the property. Such vehicles and attachments may not be parked for the purpose of storing such materials, supplies, or inventory.
- 3) Where such vehicles are being offered for sale by a licensed dealership.
- 4) Where such vehicles are customarily used in connection with the business where the vehicles are parked.
- 5) In approved parking lots for overnight parking on a short-term basis.
- g) The outdoor parking or storage of any unattached trailers or other recreational vehicles or equipment as defined in Section 90-1, on any streets, alleys, or public ways within the City is prohibited. No vehicle with a trailer, recreational vehicle, or similar appurtenance shall be parked on any streets, alleys, or public ways within the City for a period of more than 12 hours.



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May 1, 2023

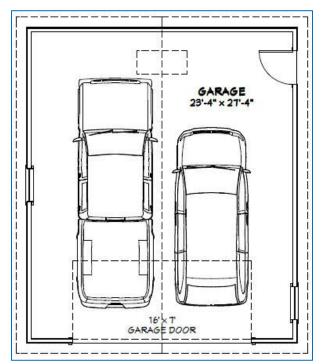
Subject: Residential Driveways

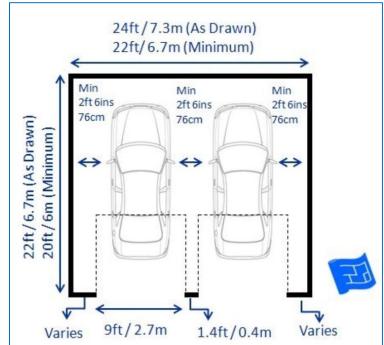
Standard Double Car Driveways

Double car driveways can be between 20 and 24 feet wide. A driveway width of 20 feet provides enough space for two cars to pass, but not quite enough room for parking side-by-side and opening doors. If you need space for parking two cars, consider making your driveway 24 feet wide.



Standard 2-Car Garage/Garage Door Dimensions





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A 20 ft wide driveway could adequately serve a single 16 ft wide 2-car garage door or 2 1-car garage doors – each 9 ft wide (total of 20 ft).







A 24 ft wide driveway (preferred for side-by-side parking) would allow the driveway to extend the width of a standard 2-car garage . . which provides room for pedestrian movement in/out of the cars without walking in the yard/landscaping.





