

## Planning Commission Meeting

May 24<sup>th</sup>, 2016

The Gladwin City Planning Commission met in regular session on May 24, 2016. The meeting was called to order by Chairperson Darlington at 5:15 p.m. followed by the Pledge of Allegiance.

Commissioners present: Darlington, Wendell, Wenzel, English, Povey, Stout and David. Clayton entered the meeting at 5:33pm.

Absent: None.

Also present: Zoning Administrator Bernadette Weaver, Nancy Bodnar, Darlene Jungman, Bill Von Matt, Bonnie Wolohan, Charles Wolohan, Mike Carpenter, Scott Nelson, and Dave Pettersch.

Minutes of March 22<sup>nd</sup> and April 26<sup>th</sup> were presented for approval. Wendell noted date of the March minutes need correction changing the year from 2015 to 2016. Motion by Povey, support from Stout to approve minutes with the one correction. All Ayes. Motion Carried.

The first item was a request from Rare Holdings for a special use approval to build a gas station/convenience store at the corner of W M-61 and M-18. This is an allowable use in that zoning district but does require a special use permit. A motion was made by Stout with support from Povey to adjourn the regular meeting and go into the scheduled public hearing for the proposed special use.

All ayes. Motion Carried.

Carol Darlington: This is the special use public hearing for the Beacon and Bridge review, so we are going to go into our public hearing, I have to have a motion. Support by Lori (Stout), support by Travis (Povey) to go into a public hearing on the Beacon and Bridge review, all those in favor say aye, all of those opposed? Motion carried. Okay (Bernie), do you want to read it for us please?

Bernadette Weaver: Gladwin City, Section 1, Township 18 North, Range 2 West, Part of the Northwest one-quarter of the Southwest one-quarter commencing South 0 degrees 3 minutes 30 seconds West 50 feet and South 87 degrees 48 minutes East 50 feet to the Point of Beginning thence South 87 degrees 48 minutes East 177.19 feet along the South line of Highway M-61 thence South 0 degrees 3 minutes 30 seconds West 170 feet thence South 87 degrees 48 minutes East 128.02 feet thence along a 1092.14 foot radius curve to the left having a central angle 9 degrees 8 minutes 59 seconds and a chord bearing and distance of South 46 degrees 23 minutes 44 seconds West 174.22 feet thence along a 1092.14 foot radius curve to the left having a central angle of 10 degrees 48 minutes 30 seconds and a chord bearing and distance of S 36 degrees 24 minutes 59 seconds West 205.72 feet thence North 89 degrees 56 minutes 30 seconds West 57 feet thence North 0 degrees 3 minutes 30 seconds East 467.36 feet along the East line of Highway M-18 to the Point of Beginning. Said parcel contains 1.83 acres more or less. Subject project would be located at the corner of Highway M-18 and M-61 and would be West and South of Central Michigan Credit Union located at 1291 W. Cedar Avenue.

The applicant is seeking permission to construct the subject gas station / convenience store at the above-described premises in accordance with Section 414 of the Gladwin City Zoning Ordinance. The public hearing is being held pursuant to Section 701(3.) of the Gladwin City Zoning Ordinance. The

public hearing will take place Tuesday, May 24, 2016 at 5:15 p.m. or as soon thereafter as the agenda will allow at Gladwin City Hall, 1000 West Cedar Avenue, Gladwin, Michigan 48624 in accordance with Public Act 210 of 2006 as amended. Persons not able to attend may submit written comment by 4:00 p.m., May 24, 2016 addressed to Gladwin City Hall % Zoning Administrator, 1000 West Cedar Avenue, Gladwin, Michigan. Notices were sent April 28<sup>th</sup> and published May 4<sup>th</sup> in the Record and three letters were received.

Mike Carpenter: I am Mike Carpenter with Rowe Professional Services here tonight with Scott Nelson from Rare Holdings LLC. As was discussed we are proposing a gas station/convenience store at the corner of M-61 and M-18, which does require a special land use. The gas station is proposed with four pumps on M61 frontage, we are proposing to utilize the existing shared entrance off M-61 and we will be constructing/ installing a new entrance on M-18 which is permitted by Michigan Transportation. The change referenced would be a change in the drainage, the plan that we had submitted initially discharged storm water from the site, this way, generally drains towards Cedar Court, Cedar Court to M-61. Some of the site does drain into M-61. We were taking the water to Cedar Court, after it gets the chance to be stored and managed in a detention area to the south. After a fair amount of discussion with the city and MDOT we were able to flip flop the drainage and take it back to the corner of M-61 and directly into the storm sewer. So instead of taking the long way around, we are able to take it the shortest route, and we have the ability to physically do that. It's going to be tight but we can do it. This is the change that was referenced. The other thing that needs to be added to the site plan, which we can talk about when it's appropriate, is landscaping and the trees. It was something that Bernadette and I talked about early on, and due to the site's uniqueness in its location, it has a lot of frontage for a little bit of acreage, and the trigger for the amount of street trees is based on the frontage and your ordinance, and of course there are a few existing streetscape trees out front so I have a proposed idea we can talk about for when it's appropriate.

Carol Darlington: So we have the flashfloods every once and a while around here, and so we get that sudden heavy downpour, not the traditional rain overnight. What do you see happening with what you have proposed?

Mike Carpenter: It's designed and what the design criteria is based on is what's referred to as a "100 Year Storm Event" and that is the governed by MDOT, and I shouldn't say it is the most restrictive, there are certain circumstances where it could be more restrictive, but if we were out more in a township, or draining out into a road drain for the County Road Commission or a natural drainage way we may only be required to do a 10 year management plan. So MDOT requires us to analyze a 10 year, 50 year and a 100 year and we have to basically follow the most extreme of those three, which is always going to be the 100 year plan. So that way as the discharge can't keep up, the water will back up into the storm sewer and surcharge into this area, till such time that the rain event stops, and then it can work its way out.

Ed English: So there won't be any sewers next to the pumps draining into that sort of thing too?

Mike Carpenter: Well yes, there are storm sewers around the perimeter of the parking lot, so as it rains the water will go into the storm sewers, the storm sewers by gravity will come up to here, but this is only a fall pipe, which is the restriction. As this pipe can't keep up with the water coming at it, it will back up and it will be temporarily stored in this area, so as it can catch up again, it gravities back out.

Travis Povey: So there's a curb on that backside to keep it from going into the Credit Union?

Mike Carpenter: Correct, it will be curb and gutter all the way around, as a matter of fact this berm will be higher than this catch basin, other than I have to let that area drain. This berm is proposed through here as a visual berm and will have some trees along it as well.

Darlene Jungman: How high is that berm? Bernie and I have a house out there.

Mike Carpenter: That berm is proposed, it's unique because the road is high, so the height of the berm will be relative to the height of the property, and it is 3 feet higher than the road, and will be about the same elevation as the property goes on up towards M-61.

Carol Darlington: So you're going to berm it that high physically, like a dirt berm? Now you're going to do planting on top of that correct?

Mike Carpenter: Correct.

Carol Darlington: Are you doing evergreen type of plantings, or what were you thinking?

Mike Carpenter: Well I was thinking that, based on that frontage it's 100 and some shrubs and 70 trees or something like that. To my understanding, based on my understanding of the ordinance, 58 trees and 144 shrubs based on 175 feet of frontage for a less than 2 acre parcel, but if we are looking at it, half of the parcel isn't really being utilized, other than we are going to make it look nice and store some water on it temporarily. So what I was looking at and had sketched out would be to put roughly 25 pine trees along this berm; and that would equate to 2 rows of trees one the berm, and one down at 30 feet apart, and the next row would be staggered, so they will be 15 feet staggered. If you get the pine trees too close together they will die and you will be able to see right through them, so you have to find that balance of getting them in there to do their job, but not getting them so close that there no longer effective. So out of the 58 trees we are going to put a double row in through the whole stretch and that only adds up to 25. You can see my dilemma of, "Oh my, where am I going to put all of these trees?" The other dilemma is near the Credit Union at the back, is some existing streetscape trees, and what I was thinking and proposing based on conversations with Bernadette is to take this scheme, turn it, and come down M-18. Instead of getting so many trees in there that it becomes a wall, which is obviously not favorable to the gas station and I don't think that was the intent on your streetscape. So I was looking at using these trees which are roughly 30 feet on center, so we will put another one in, we will come in on the gas station property, these are in the right of way, but we are required to put in a 10 foot buffer anyway and we will start every 30 feet and put in trees down through there which adds up to 14. So that's what I was thinking there, and I have a sketch if anyone would like to see it. As far as trying to deal with the required shrubs, in between the trees in this area, along here which is technically not along the street we could put in some shrubs if that would be amenable. But again I'm looking at 144 shrubs going, I don't know where to put them.

Darlene Jungman: Is this place going to have a truck stop where the trucks are going to be running, because my son works nights and sleeps during the day?

Mike Carpenter: No, this site is not suitable for many trucks, first off a fuel truck will be coming through a couple times a week to drop off fuel, and we tried to put this driveway further south but MDOT has their rules and regulations. We have to zig zag the fuel truck as it is, there will be diesel dispensers on

the outside but the clients intended would be diesel pickups, small delivery trucks, campers, pickups pulling campers, or motorhomes but we are not proposing anywhere to stage trucks. I'm sure if anybody needed to park there overnight I'm sure the employees would ask them to leave at some point. So there are no provisions for that, and like I said the site isn't geared for that just because of the uniqueness of it, and that wasn't the target market for it.

Carol Darlington: Lighting was the other thing that is in question?

Mike Carpenter: Lighting initially was going to be canopy lighting and building lighting only and I may have to defer to Mr. Nelson, we are working on a very similar project in Lapeer and are adding lighting to that project. So that isn't something we have fully discussed, if we are going to add more lighting. Maybe the ordinance does require more lighting than what we were thinking too.

Carol Darlington: Just to keep in mind that the same home owners are concerned that your lighting stays on your property and doesn't go onto their property.

Mike Carpenter: Right. Correct me if I'm wrong...it will appear that we were focusing more on the entrance. I think the discussion what that you have to light the entrances, so I would believe that the lighting focus would be on the frontage and not on the back of the store, wall packs on the building will be down shielded and will cover the back of the building. So if we do add some lighting we will keep that in mind, we are not planning on putting the lights like on the expressway. That's not what we are proposing.

Carol Darlington: Just so that you have these things in mind as you are doing your final drawings.

Mike Carpenter: My intent is to treat this as much as I can as a yard that doesn't need to be viewed, in other words we're not looking for the gas station to be viewed from this angle. I hate to use the word rear yard but it kinda is but we're going to try and screen it off.

Travis Povey: How deep is that drainage area in the back? My concern is that in the event of the rainy season, are you going to have any sort of fence around it?

Mike Carpenter: I hadn't planned on it, the original design would be a very gentle sloped area, and the area is way bigger than what I need to store water. The design has changed a little bit, we actually have to store a little more water. But in the 100 year event I think it was only 1.5 ft deep. So it's not very much water. However, physically how deep it is, my inlet/outlet is around 819 and this berm was going to be around 824, there's a 3 or 4 foot drop down there but this elevation up here, is only 822. So the water in theory will never get much more than 822 ½, and it's going to run out M-61 just by the way the site is designed. So I'm designing in this small and vertical envelope.

Ed English: Will it be paved?

Mike Carpenter: No. A lot of detention facilities are just mowed, and flat, so they stay wet and all of that kind of stuff. Because this area was so big, the original design was to out a little more slope in the bottom so that it would drain better, and then flatten out the side slopes a little more. Traditionally if were on the 1 and 6 side slope, fencing isn't typically required, and I didn't see anything in the ordinance where it was.

Darlene Jungman: Where will the dumpster be?

Mike Carpenter: Well that is a good question, the Credit Union dumpster is right here, so I said fine, let's put ours right there. I just need to get into and out of it. Unfortunately that is in our front yard. We really have three front yards and a side yard so finding a location for that has been challenging, but keep in mind that we have discussed pine trees through here and we have arborvitaes wrapping around the enclosure. Which I think the Credit Union has something, we are proposing gates which will point out towards the building.

Charles Darlington: Okay someone has a question.

Darlene Wolohan: We live across from the Credit Union and their lighting is crooked, and it's the city that requires that it be subdued and down and lessened as night progresses, and which they definitely do a good job. Another question, are Gladwin city sewers capable of handling run off from the tar and blacktop in storm sewers?

Mike Carpenter: We are actually discharging into a storm sewer that's owned and operated by Michigan Transportation and this water is all heading into their drainage system, eventually it pumps down into their cul de sac, into a culvert, and it gets into their system and it goes into the river near there it ultimately goes to. The Michigan Dept. of Transportation has allowed us to tap a very small pipe to control the rate of discharge. Storm sewers are all sized and designed on the rate of water. How much is coming. So what we have to do is as the water is coming onto our site and can't get off we have to provide someplace for it to be temporarily stored, and then as the sewer can handle it, it eventually works its way out.

Darlene Wolohan: The DEQ is aware of the runoff because that's the Cedar River Water Shed? The DEQ, are they involved?

Mike Carpenter: No, not to my knowledge.

Travis Povey: I'm guessing the small pipe is for some sort of spill, that they would be able to control the amount?

Mike Carpenter: Good question. On this 4 inch pipe there will be a valve and it's called a gate valve, which comes up and down. It takes a lot of turns and a lot of pressure to do that. We are proposing what's called a plug valve, and it's basically a ball it's solid, and you turn it 90 degrees and the water can come through. We will put an operator stand there and a wheel so it's always there, if the tanker comes in and spills fuel or something happens at the pump the employees can come out and turn the wheel off to shut the valve which stops the discharge and keeps it on site. Furthermore, in our catch basins we will install a product called EnviroHood, this goes into the drainage structure and basically forces anything to go down into the water. The way the catch basin is designed is you have a pipe coming in and out and you have depth underneath of that pipe, and that's where your leaves, your dirt and trash all collect. These EnviroHoods are designed to block it so that the water has to go down, under, and then come back up. So it still houses a place for dirt and debris to collect but your fuel gas, and oil float. So they stay up on top and they can't get out. So if we did have a spill, that spill would initially be captured in the catch basins as a first defense, and the second defense would be to shut off the valve, and then hope it's not a 100 year flood in the meantime. They can have a containment come in and take care of the spill. This spill we are talking about would be a catastrophic spill, your everyday spill will have a floor dryer right on site. Unless it happens to be raining really hard at that exact moment, an everyday spill

wouldn't make it to a catch basin. But it is a parking lot so it will have some oils, and dripping oils that will get into the catch basins.

Carol Darlington: Are they periodically cleaned?

Mike Carpenter: Yes, at some point the debris will plug these up if they are not maintained and at some point water won't get out.

Dee Jungman: What is the hours for this Place?

Mike Carpenter: Its 24 hours.

Dorothy Wolohan: Liquor Sales?

Scott Nelson: There will be beer and wine but of course there is licensing process we have to go through for that, which involves the City Council.

Charles Wolohan: Can I make a comment? You want to shoot that water across the road to the right?

Mike Carpenter: Yes this is the start of the system, the system starts here and goes east.

Charles Wolohan: So that's gutters?

Mike Carpenter: No, there's actually a storm sewer pipe.

Charles Wolohan: But the ditch itself goes left, going across our residence, going down, and across our farm going to the river.

Mike Carpenter: It could, I know that this storm system goes to the east. The storm goes east, and the curb and gutter goes east and south.

Charles Wolohan: Well, I've seen it flowing, so I know where it's going.

Dee Jungman: If this is approved when will construction start?

Mike Carpenter: The construction is planned for this fall, if it all goes well, that is the plan. There is potential it could slip to the following year, we still have a few people to get permits from.

Travis Povey: When is your projected opening date?

Scott Nelson: 90 days after construction starts.

Carol Darlington: Okay I think you have answered the concerns, we have other steps like you said and other things to go through. The buffering, the lighting, and some of the runoff are some of the things you have already talked about; the noise, that type of thing you have addressed.

Mike Carpenter: Does what I proposed in way of trees and shrubs seem reasonable to the Planning Commission?

Carol Darlington: I think it seems very reasonable and I'm not speaking for everybody else, but that berm and the staggering of the amount of trees is adequate for, in my opinion, for the houses and what's going to happen there. We don't expect you to plug trees in everywhere to meet that maximum requirement, we're looking at how's it going to look, how's it going to work, and is it going to be feasible

for the community and for the owner. So sticking with landscape along the front on "61" and wrapping that around "18" that seems very appropriate. We want it to look the same as the rest of our community, and the berm and some others to make it pleasing and around the dumpster, obviously. That number of 100 and something would not be appropriate.

Mike Carpenter: That's why I called Bernadette when I was looking at the amount of trees, thinking they are going to laugh us out of here because it will look funny!

Carol Darlington: Thank you for answering our questions, if there are no more I would entertain the idea that we would go back into our regular session and close our public hearing.

Motion by Commissioner Stout, supported by Commissioner Povey to close the public hearing and reconvene regular meeting. All ayes. Motion carried. Darlington noted that Planning's role is to make a recommendation to the City Council and that will occur at the next regular Planning Commission meeting.

A site plan from the Gladwin County Road commission was presented by David Pettersch. The new building for storage of salt and sand will be 144 feet X 100 feet, and 54 feet high. It was determined that the building will not interfere with airport traffic and all loading and unloading for both products will be done inside the building. The Zoning Board of Appeals had granted the height variance last week. Motion by English, support by Clayton to approve site plan. All ayes. Motion carried.

Bill Von Matt updated the Commission that he will be requesting that the entire parcel for his firewood sales be rezoned C-2. The back of the property is quite low and will not be able to be developed. After discussion a motion was made by Stout with support by Povey to set the public hearing for the next regularly scheduled meeting in June. All ayes. The request, if approved, would also call for a change to the Master Plan. The City Council will be required to do two readings before taking any action on the ordinance change.

Weaver updated the Commission on three actions taken. At the Hall-Kotokovich Funeral home a back patio was covered. The Free Methodist Church is replacing a carport and there is a new 10x14 pavilion being erected at Antler Arms.

There was discussion regarding the Brook's drainage matters. The zoning administrator was instructed to pursue matters farther to determine the problem. Weaver also passed out an article from the Mclean and Eakin Bookstore in Petoskey regarding internet shopping and the possible implications for land use planning.

There being no further business the meeting was adjourned at 6:20pm.

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Joan David, Secretary