Elk Rapids Township Planning Commission
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April 4, 2006

The Regular Monthly Meeting of the Elk Rapids Township Planning Commission was called to order by Chairman, Emile Sabty, on Tuesday, April 4, 2006, at 6:30 PM, at the Government Center, 315 Bridge Street, Elk Rapids, MI. Present: Emile Sabty, Renee Mischel, Shen Smith, Wm. Larson, Brian Altonen, and Jim Lundy. Absent: Don Glowicki, Jr. A quorum was established. Also Present: Len Harrett, Brian Wegener, and Patrick Brady.

Minutes: The minutes of February 7th & March 7th were reviewed. A motion was made by Jim Lundy, 2nd by Wm Larson, to approve as published. **MOTION CARRIED: Y-6 N-0**

Public Forum: No input from the public was received.

PUBLIC HEARING: ELK RAPIDS TOWNSHIP ZONING ORDINANCE – PROPOSED TEXT AMENDMENT Chapter 13, Section 13.02 – PD Zone.

Emile Sabty opened the public hearing and provided copies of the published ordinance proposed amendments to the Township Zoning Ordinance for the record (Printed Town Meeting Newspaper – March 16 & March 31):

Planning Commission approved Zoning Ordinance text changes made to Chapter 13 "P-D" – PLANNED DEVELOPMENT ZONE, for clarity. New text Highlighted; deleted text ~~strike through~~.

Amendments to Section 13.02-A and Section 13.03:
Section 13.02 - USE REGULATIONS AND PROCEDURE

A. The owner of any parcel of land which is situated in an area which is not substantially fully developed, or of fully developed land on which it is proposed to raze buildings and redevelop may make application to the Planning Commission for a change of zoning to the "P-D" Zone. Such application shall be made under the provisions of Chapter 17. The applicant must own all the land for which the application is made and the proposed development must be planned and developed as one cohesive development.

Section 13.03 - TIME LIMIT ON CONSTRUCTION, REVERSION AND REZONING TO FORMER CLASSIFICATION
Every application for P-D together with all recommendations made under Chapter 17, when approved by the Planning Commission and adopted by the Township Board, either as submitted or resubmitted in modified form shall constitute a binding agreement by the applicant that the use permitted under this Chapter shall be made, completed and operated as shown on the development plan as part of the project in accordance with the provisions of this Chapter and that the area which has been zoned P-D shall lose that status and revert to and be resumed to its former zoning classification upon the happening of ~~any of~~ the following ~~events~~:

A. If the construction of the approved buildings and improvements shall not be undertaken within one (1) year of the rezoning or within such additional time extension as may be authorized by the Planning Commission.

~~B. If, as a result of voluntary sale or conveyance, or any other transfer of ownership whatsoever, the area shall cease to be held, in its entirety, in single or common ownership.~~

No correspondence or public input was received. A motion was made by Renee Mischel, 2nd by Shen Smith to close the public hearing. **MOTION CARRED: Y/6, N/0**

Following discussion on the proposed amendment, a motion was made by Renee Mischel, 2nd by Wm Larson to approve the proposed zoning ordinance text amendment for Section 13.03. **MOTION CARRIED: Y/6, N/0**

UNFINISHED BUSINESS: 18' HEIGHT RESTRICTION ON ACCESSORY BUILDINGS ON UNDER SIZED LOTS: Emile Sabty reported on a note received from Antrim County Planning Commission regarding the proposed 18' height restriction for accessory buildingS for under-sized lots within the Township. After discussion, a motion was made by Wm Larson, 2nd by Renee Mischel to recommend to the Township Board that they approve the 18' height restriction on accessory buildings within the under sized lots. **MOTION CARRIED: Y/4, N/2** by Roll Call Vote: Renee Mischel – Yes, Wm Larson – Yes, Shen Smith – Yes, Emile Sabty – Yes, Jim Lundy – No, Brian Altonen – No.

MASTER PLAN REVIEW: Brian Wegener presented an introduction to the Elk Rapids Township Master Plan which received favorable comment from the Planning Commission.

U.S.-31 CORRIDOR ZONE: Discussion regarding the US-31 Corridor Plan which provides for deeper setbacks from the highway right-of-way, mixed-use, and additional landscaping requirements now needs to be incorporated into the Ordinance as a US-31 Corridor overlay zone for the west side of US-31 from Townline Road to the Village Limits. Renee Mischel reported that she has the original study and will provide copies for the Planning Commission prior to the next meeting. A copy will be sent to Williams and Works so they can start work on the overlay text for the Ordinance. The May meeting will concentrate on the Maps and Section 2 of the Master Plan.

Master Plan Scenic Highways: Shen Smith questioned if the Planning Commission was interested in continuing the protection of Elk Lake Road through the revised Master Plan. She indicated that the prior Master Plan proposed North Bay Shore Drive and Elk Lake Road as roads of interest and roads that would need special criteria to protect the scenic and rural nature of these two roads. Discussion that North Bay Shore Drive is currently completely built out and there are no protective measures that can be taken at this time for that road, but Elk Lake Road only contains approx 8 residences in the two miles of Township road. This area could be overlaid to provide for a deeper setback from the road right of way from 50 feet to 65 feet on each side of the road taking into consideration any future expansion of the highway. The suggested additional 15' setback on each side of the highway would provide for a more orderly roadway with any future highway expansions. Discussion was undertaken regarding the replanting of maple trees that originally lined Elk Lake Road from Williamsburg into Elk Rapids. The remaining trees are currently being killed off by road salt, and old age attrition as Elk Lake Road has widened since the original planting of them on 20' centers. Shen Smith feels the Township should be taking steps for the future by replanting, and replacing the maples along the Elk Lake Road Corridor.

Wm Larsen will put together a list of suggestions for Planning Commission consideration regarding methods to continue to preserve Elk Lake Road as a Scenic Highway.

As there was no further business at this time, a motion was made by Renee Mischel, 2nd by Jim Lundy to adjourn. MOTION CARRIED: Y/6, N/0. Meeting was adjourned at 8:33 PM.

Respectfully submitted,

Shen Smith
Secretary