



# Wexford Joint Planning Commission

c/o Cherry Grove Township  
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May 11, 2022

## STAFF REPORT/SITE PLAN REVIEW/SPECIAL LAND USE

### 1. Application

Applicant:	<b>Kern, Gary</b> 400 W. John Street Mesick, Michigan 49668
Owner(s):	SAME AS APPLICANT
Site Address, And Proposed Location	710 W. Wexford Avenue - Buckley, Michigan 49620 Parcel ID# 2411-06-2405 Hanover Township
Zoned:	COMMERCIAL / Rural Residential
Site Plan:	Attached

### 2. Development Proposal

- 2.1 Property Description – Parcel ID# 2412-18-1201, **Hanover Township**  
PAR COM AT W 1/4 COR OF SECTION 6; TH E 1233.68 FT TO POB; TH N 675 FT; TH E 350 FT;  
TH S 675 FT; TH W 350 FT TO POB. --5.42 A. M/L-- SUB TO & TOG W/ EASMT HNR. SEC. 6  
T24N R11W -BUCKLEY-
- 2.2 Action Report – The Applicant(s) are requesting to establish a property restoration and carpet cleaning service involving the construction of a new building (and accessory

building) otherwise listed under major group [56] in the North American Industry Classification System (NAICS).

2.3 Article 55, Section 5503.F lists NAICS major group code [56]: based upon the representations of the applicant, staff further defines (a majority) of their specific use under sub group, **NAICS Code 561740** – carpet cleaning and general property restoration.

2.4 Current Narrative:

1. The Planning and Zoning Administrator was contacted early on in the process inquiring about the steps needed to operate the requested special land use in Hanover Township. Advice regarding the process was given to the applicant.
2. The applicant presented at the February 7<sup>th</sup>, 2022 meeting of the Hanover Township Board per Article 86, Section 8604.B
3. A preliminary site plan was received for review approximately 30 days prior to the scheduled April 25<sup>th</sup>, 2022 meeting of the WJPC.
4. The WJPC at their April 25<sup>th</sup>, 2022 meeting postponed the scheduled public hearing requesting additional site plan information.
5. New publication of a public hearing was scheduled for May 7<sup>th</sup>, 2022 – 16 days prior to the May 23, 2022 WJPC meeting
6. New 300’ notices were mailed out via US Mail on May 6th, 2022

3. Standards for Site Plan Review with Staff Comments and Recommendations

3.1 According to WJZO Article 9411 – The following standards shall be used by the Planning Commission to review site plans.

1. Does the site plan show that “all *applicable* regulations of this Ordinance” both “generally to all districts,” and to the “specific zoning district” (C-Commercial) as being complied with?

**GENERAL REGULATIONS (Article 10)**

Staff has determined that the following denoted General Regulations may be generally applicable to the subject property: (*see commentary below*)

<b>1003</b>		<b>1012</b>		<b>1031</b>		<b>1050</b>	<b>Y</b>	<b>1054</b>	<b>Y</b>	<b>1070</b>	<b>Y</b>	<b>1074</b>	
<b>1004</b>		<b>1013</b>	<b>Y</b>	<b>1040</b>		<b>1051</b>	<b>Y</b>	<b>1060</b>	<b>Y</b>	<b>1071</b>		<b>1080</b>	
<b>1010</b>	<b>Y</b>	<b>1020</b>	<b>Y</b>	<b>1041</b>		<b>1052</b>		<b>1061</b>	<b>Y</b>	<b>1072</b>	<b>Y</b>	<b>1081</b>	
<b>1011</b>		<b>1030</b>		<b>1042</b>		<b>1053</b>		<b>1062</b>	<b>Y</b>	<b>1073</b>		<b>1082</b>	

***Staff Commentary related to ‘applicable’ General Regulations***

1010: **Water Supply and Sewage Facilities**- Proposed locations for both the water supply well and the septic system are shown on the site plan – subject to final design standards to be approved by the District 10 Health Department and as noted in the Impact Assessment Statement.

1013: **Surface Runoff** - Retention areas have been provided for surface water runoff and noted in the Impact Assessment Statement.

1020: **Waste Accumulation and Outside Storage** -An enclosed dumpster has been shown on the site plan located at the rear of the subject use.

1050: **Driveway Design**- No new driveway is being proposed. The proposed interior access is existing and shown on the site plan. The design meets the minimum criteria of Article 10, Section 1050.

1051: **Driveway and Curb Cuts** – Because another driveway is NOT being proposed and because the location is on a state trunkline – these provisions for driveway spacing are not applicable. MDOT approved via email dated April 13<sup>th</sup>, 2022.

1054: **Vehicular Parking Space, Access and Lighting**-The new ‘proposed’ use has no specified number of parking spaces. Based upon the representations of the applicant, adequate on-site parking has been provided for employees, equipment, and any anticipated (minimal) customer load including one space required for loading. The supplemental materials contained within the provided Impact Assessment Statement clearly demonstrates acceptable on-site lighting. On-site parking lot lighting shall be in compliance with Article 10, Sections 1054 and 1061

1060: **Signs**-There is one proposed entry sign and a stop sign that shall comply with Article 10, Section 1060 of the Wexford Joint zoning ordinance.

1061: **Outside Lights**-The site plan detail included in the Impact Assessment Statement clearly indicates proposed lighting. Any installed lighting shall comply with Article 10, Section 1061

1062: **Landscaping Standards** – Landscaping shown on site plan as specified and as noted in the Impact assessment Statement.

1070: **Height** – The heights of the principal and accessory buildings are within ordinance standards (50’ Commercial per 1070.A)

1072: **Location of Accessory Buildings and Structures** – The proposed Accessory / Storage building is appropriately located on the property with adequate setbacks.

2. Have “all utility easements” been “distributed on site in a manner which is least harmful to surrounding properties?” And, are all “electric, telephone, and coaxial cable and other lines” to be located (if not already located) underground?

***Staff Comments and Recommendations: The electrical service is shown on the site plan as above ground. Although a discussion with the applicant to place utilities underground has occurred, staff hereby specifically waives this requirement***

3. Are all “water lines, sewer lines,” and “all provisions of surface water drainage” approved by respective agencies?

***Staff Comments and Recommendations: The ‘proposed’ well and septic system is subject to approval prior to the issuance of any Land Use (zoning) Permit that will authorize construction. The site plan shows surface water drainage and retention in lieu of any storm water management ordinance within our jurisdiction. The typography of this parcel has been utilized to direct surface water to on-site retention areas.***

5. Standards for Special Use Permit with Staff Comments and Recommendations

4.1 According to WJZO Article 8609 – The following standards shall be used by the Planning Commission to review Special Use Permits.

1. Is the use reasonable and designed to protect the health, safety, and welfare of the community?

***Staff Comment and Recommendations: The proposed use is listed as a special use in the respective zoning district. If all other regulatory entities offer approval, then the use should not present any health, safety, or welfare issues.***

2. Is the use consistent with the intent and purpose of the district?

***Staff Comment and Recommendations: The use is listed as a ‘special’ use in the subject zoning district. Any ‘concerns’ should be mitigated through the review and approval process by the Wexford Joint Planning Commission.***

3. Is the use compatible with adjacent land uses?

***Staff Comment and Recommendations: In Michigan, Zoning must be based on a plan (part of the Master Plan). The uses (both Permitted and Special) that are listed in the Commercial zoning district (Article 55 of the Wexford Joint Zoning Ordinance) in which this property is located are contemplated as being compatible when and if certain provisions are complied with. The site plan, statements of the applicant, and special use process for the requested use are to be reviewed for compatibility.***

Is the use designed to ensure that the public services and facilities are capable of accommodating increased loads caused by the land use or activity?

***Staff Comments and Recommendations: The increased impact should be easily absorbed as the proposed use is directly accessed via an interior existing arterial road directly connected to an existing driveway on a state trunkline. This new use is not of a nature that solicits drive in business on a regular basis as most work of a service nature is performed off-site.***

*The applicant has adequately demonstrated their intent to comply with applicable provisions of Article 10, General Regulations.*

**Recommendation #1 – Approval of Site Plan**

*“Staff believes that the applicant narrative, impact assessment statement, and site plan have demonstrated compliance with the purpose and intent of the zoning ordinance and it is recommended that the Site Plan of Applicant be approved upon independent findings of the Planning Commission.”*

**Recommendation #2 – Approval of Special Use**

*“The Zoning Administrator recommends the Special Use Permit be approved upon independent findings being documented by the Planning Commission as is suggested above in 4.1.”*

Respectfully submitted for Planning Commission consideration,



Planning and Zoning Director