

City of Pottersville Planning Commission Meeting

January 25, 2022 - 6:00 p.m. – Pottersville City Hall, 319 N. Nelson Street

Call to Order: Brandy Miller, Zoning Administrator, called the meeting to order at 6:00 p.m.

Pledge: Pledge of Allegiance was recited by all.

Roll Call: Present: Mark Swanson, Tim Maynard, Jon McNett, and George Kepler.
Absent: Bob Nichols

Staff: Brandy Miller

Agenda: A motion was made by **Commissioner Maynard** to approve the January 25, 2022 agenda as printed. **Commissioner McNett** supported. All in favor. Motion carried.

Elections: Ms. Miller opened elections for officers of the Planning Commission.

Ms. Miller called for nominations for Chair of the Planning Commission. **Commissioner Maynard** nominated Commissioner Swanson as Chair. **Commissioner McNett** supported. Hearing no other nominations, **Commissioner Maynard** moved to approve Commissioner Swanson as Chair of the Planning Commission. **Commissioner Kepler** supported. All in favor. Motion carried.

Commissioner Swanson took over the responsibilities of chairing the Planning Commission Meeting at 6:04 p.m.

Commissioner Swanson called for nominations for Vice-Chair of the Planning Commission. **Commissioner Swanson** nominated Commissioner Maynard as Vice-Chair. Hearing no other nominations, **Commissioner Swanson** moved to approve Commissioner Maynard as Vice-Chair of the Planning Commission. **Member Maynard** supported. All in favor. Motion carried.

Commissioner Swanson called for nominations for Secretary of the Planning Commission. **Commissioner Swanson** nominated Commissioner McNett. **Commissioner Maynard** supported. Hearing no other nominations, **Commissioner Maynard** moved to approved Commissioner McNett as Secretary of the Planning Commissioner. **Member Swanson** supported. All in favor. Motion carried.

Member Swanson moved to close elections. **Member Maynard** supported. All in favor. Motion carried.

Minutes: A motion was made by **Commissioner Maynard** to approve the November 22, 2021 meeting minutes as printed. **Commissioner McNett** supported. All in favor. Motion carried.

Public Comments: None

Public Hearing of Applications:

Cambria Ridge Site Condominium Development on parcel 700-023-400-051-05 which is located off Sunset Drive, Potterville, Michigan.

Staff Report: Ms. Miller Williams & Works review of the proposed plan and staff comments into record. In addition, Ms. Williams read a memo from Westview Capital. LLC into record.

The Planning Commission held discussion regarding Williams & Works memo item Subdivision Control Ordinance Design Standards, Item 8 Lots: **Commissioner Swanson** recommended driveways for units 7, 8, 13, 30, and 51 should be required to come off from the new proposed roads rather than Sunset Drive, and that the driveways not be located within fifty feet of the Sunset Drive Right-of-Way.

The Planning Commission held discussion regarding Williams & Works memo item Subdivision Control Ordinance Design Standards, Item 5 Pedestrian ways: Mr. Mike West of Westview Capital LLC stated the sidewalks will be installed unless not permitted by weather. He stated the sidewalks not located within a proposed construction area for a home will be constructed when the road is constructed. The Planning Commission discussed requiring a cash bond for sidewalks that are not able to be installed at the time of completion of the home due to weather to be submitted to the city prior to final inspection. The cash bond shall be at unit price per square foot plus thirty percent or per contract submitted plus thirty percent. In addition, a written affidavit stating the required sidewalk will be installed within six months is also required to be submitted with the cash bond.

The Planning Commission held discussion regarding Williams & Works memo item Subdivision Control Ordinance Design Standards, Item 10 Public sites and open spaces: **Commissioner Swanson** stated he would like the mail box for each home to be located on the properties for the homes. Mr. West stated this may require a letter from the City of Potterville as they have run into issues in the past. Ms. Miller there are issues with the location of mail boxes on private roads, but not for roads that are turned over to the local jurisdiction. Ms. Miller stated she would write a letter if one is needed.

In regards to the Master Deed, Ms. Miller stated the submitted Master Deed is a draft, it is not specific to the proposed development. She stated the developers are aware a Master Deed specific to the proposed development will need to be submitted for review by the City of Potterville's Attorney prior to the Planning Commission's review of the final plan.

Mr. West stated the proposed mowed pathway will be a delineated physical area, could be a split rail fence; the final design will be shown on the final plan.

Commissioner Swanson invited any public to speak in favor or in opposition to the application.

Favor: Mr. Brian and Mrs. Bara Russell, 4690 E, Gresham Highway, Benton Township. Mr. Russell stated the proposed development backs up to their property. He stated his main concern is trespassing. He asked how the preservation of the property would work and who is responsible for the sidewalks, and storm systems, the homeowners? Mr. Russell stated he will mark his property.

Opposed: None

Mr. West in response to Mr. Russell explained the proposed units and common areas of the proposed development. He stated there is shared ownership in the common areas, should would allow for passive recreation. He stated some of the areas on the property that have been

already cleared are for the soil boring sites. Mr. West explained the short term and long term funds that are required to be held by the homeowner's association.

Public comment closed: 7:18

The Planning Commission held discussion regarding Williams & Works memo item Site Plan Review Standards, Item 9: **Commissioner Swanson** asked Mr. West if street lights are proposed for the development. Mr. West stated he believes they will be included, but is unsure where or how many; typically, they are located at the entrance, middle, and end of the development. The Planning Commission held a discussion; they requested that the proposed lights be shown on the plan with the specifications of the proposed lighting. The Planning Commission requested that the proposed lighting match the existing street lighting located on Sunset Drive. The Planning Commission stated the matching of the lights is a request, not a requirement.

The Planning Commission held discussion regarding the utilities, specifically, the lack of easements for the city to inspect or maintain. Mr. West stated on page C-3 of the plans, there are storm sewer lines proposed on the back of units 36-30, they are identified as ST on the plans. Mr. West stated that there will be an agreement with the Eaton County Drain Commissioner for maintenance of the lines, ponds and basins. **Commissioner Swanson** asked if the proposed storm sewer lines are intended to collect sump pump discharge. Mr. West stated he is not sure if that is proposed. Ms. Miller stated the city is concerned about not having access to the proposed utilities in the event the Drain Commissioner is not available to take care of an issue. She stated there was a rain event this past spring/summer that the city could not properly address due to lack of easements.

Commissioner Maynard moved to recommend Council approve the preliminary site condominium development known as Cambria Ridge with the following conditions and requirements:

1. The proposed final Master Deed and Condominium Bylaws shall be submitted to the Zoning Administrator prior to submittal of the final plans. This is to allow time for the city attorney to review and make comments on the documents prior to the Planning Commission reviewing the final plan.
2. The preliminary plans with all requirements of the Planning Commission are required to be submitted to the Zoning Administrator for administrative approval prior to review of City Council.
3. The Planning Commission recognizes the practical difficulties of the property in relation to existing contours, and wetlands. The Planning Commission approves the use and length of the proposed cul-de-sac roads as shown on the preliminary plans
4. All sidewalks shall be shown on the preliminary plan with proposed construction details, including a cross section.
5. The proposed walk way delineation shall be shown on the preliminary plan with construction details.
6. The equivalent area of wetland disturbance shall be shown on the final plan. Prior to submittal of the final plans to the city, the developer shall obtain the written proof of submittal of the final plans to Michigan Department of Environment, Great Lakes, and Energy and Eaton County Drain Commissioner's Office; proof shall be in the form of a confirmation letter from each department.
7. On the final plans, utilities should be relocated to allow adequate spacing. Road profile views need to include storm sewers and dimensions should be included on the final plans to verify proper spacing between utility lines.

8. The preliminary plan shall be updated to correct the road section to match the Eaton County Road Commission standards of 1.5" MDOT Mix 36A Top, and 2.5" MDOT Mix 13A Leveling Course. A 4" edge drain should also be included.
9. Prior to submittal of the final plans to the city, the developer shall obtain the written approval of the final plans from Benton Township Fire Department and Eaton County Central Dispatch to ensure the safety of the public. For sufficient fire protection, the developer may be required to add more fire hydrants; the water main extensions should be modeled to check for adequate fire flow at the dead ends.
10. Driveways for proposed units 7, 8, 13, 30, and 51 are required to be located off from the new proposed roads and shall be setback a minimum of fifty feet from the Sunset Drive Right-of-Way.
11. All proposed side walks are required to be constructed prior to final building inspection unless delayed by weather. Side walks not proposed in home construction areas shall be constructed at the time the road is constructed. If there is a delay in sidewalk construction due to weather, cash bond for sidewalks that are not able to be installed at the time of completion of the home due to weather to be submitted to the city prior to final inspection. The cash bond shall be at unit price per square foot plus thirty percent or per contract submitted plus thirty percent. In addition, a written affidavit stating the required sidewalk will be installed within six months is also required to be submitted with the cash bond.
12. All mail boxes are required to be located at the unit. The proposed mailbox clusters shall be removed from the preliminary plan.
13. Street lights shall be shown on the preliminary plan, at a rate of minimum industry standards as required by consumers energy. Specification of the proposed lights shall also be shown on the plan. It is requested, but not required that the proposed lights match the existing lights off Sunset Drive.
14. The preliminary plans shall show City of Potterville easement access to all proposed utility areas located on the proposed units and common areas.

Commissioner McNett supported. A roll call was taken with four (4) voting aye and none (0) voting nay. Motion carried.

Old Business: None

New Business: None

Reports: Ms. Miller gave a brief update regarding the updating of the Zoning Ordinance. The Planning Commission discussed the potential of reducing the required setbacks for properties located off from Lansing Road due to the size of the right-of-way and dissolving the B-3 General Highway Business Zoning District.

Public Comment: None

Upcoming Cases: Ms. Miller informed the Planning Commission they do not have any cases to hear at their February 15, 2022 meeting. **Commissioner Swanson** cancelled the February 15, 2022 Planning Commission meeting due to lack of business.

Motion to Adjourn: Commissioner Maynard moved to adjourn the January 25, 2022 Planning Commission Meeting. **Commissioner Kepler** supported. All in favor. Motion carried. Meeting adjourned at 8:41 p.m.