

SPECIAL MEETING OF THE EAST BAY CHARTER TOWNSHIP  
PLANNING COMMISSION  
Tuesday, March 12, 2009 6:30 p.m.  
East Bay Charter Township Hall  
1965 N. Three Mile Road  
Traverse City, MI 49686

**Present:** Planning Commission Members Judy Nemitz, Jim McDowell, Robert Tubbs, Tracey Bartlett, Mike Nickels and Mindy Walters

**Absent and Excused:** Ted Hentschel

**Also Present:** Recording Secretary, Anne Wendling; Zoning Staff, Tina Allen; Planner Jay Kilpatrick

Four (4) guests were in attendance.

1. **Call to Order:** Chairman Nickels called the meeting to order at 6:30 p.m.
2. **Roll Call:** Roll was called by the Recording Secretary.
3. **Review for Conflict of Interest:** There were no conflicts of interest reported among members present. The Chair noted that member Hentschel was appropriately not in attendance as the hearing on tonight's agenda related to property owned by his family.
4. **Approval of the Agenda:** A motion was made by Tubbs and seconded by Nemitz to approve the agenda as presented. The motion carried unanimously.
5. **Public Input:** Doug Mansfield thanked PC members for support at recent MTA meeting. Another member of the public voiced support for the project to be heard this evening.
6. **New Business**

**A. Public Hearings:**

**Application submitted by Hentschel Properties, LLC for Site Plan Approval (SPR 2-09) to construct a hardware store at 963 East Hammond Road, on a new parcel of approximately 1.5 acres involving #28-3-219-035-00; -031-00; -034 and -030-10**

Doug Mansfield spoke on behalf of the Hentschel family and their proposed development. The new hardware store will be 16,000 sq feet and will resolve many old noncompliance issues in regards to zoning. Mansfield discussed and reviewed the proposed project with members of the planning commission. Mansfield stated that the Hentschels have reviewed all engineer and planner suggestions and the changes are built into the proposed project. Mansfield said that he would like the fire department review looked at closely because it seems that a hydrant would simply add cost to the project. If a hydrant is not mandated by the fire department, Mansfield believes that one should not be built into the project. The proposed building will have a sprinkler system for fire suppression. Planner Jay Kilpatrick commented on his memo dated February 13, 2009 and said that the proposed project meets all standards required by the zoning ordinance. He commented that the developers are doing things on the site that could otherwise only be done with a PUD. Kilpatrick commented on all of his recommended conditions for approval including landscaping, parking and signage. Condition #8 regarding the Hammond Road driveway was discussed as a possible problem and commissioners pondered about moving that driveway further west.

Chair Nickels opened the public hearing at 6:55pm. One gentleman commented that the project should be a PUD. Mansfield addressed the comments made by the gentleman as did Planner Kilpatrick. Mansfield believes that his clients are showing goodwill by offering and allowing all cross easements. Commissioner Tubbs asked what would be different if this project were treated as a PUD. Kilpatrick said that different village center design standards would be enforced and there would be no practicality in the matter since developers may be forced to excavate and start over. Another member stated that the proposed project was a win win situation. Chair Nickels closed the public hearing at 7:10pm.

Commissioners discussed the proposed project and had concerns regarding the Hammond Road entrance, truck maneuvering room, the propane tanks, rear loading docks, signage, the various off-site improvements and easements or agreements and existing wells on the property. Commissioners also wanted another condition added that would ensure that the HVAC on the roof be screened from all sides.

*McDowell made a motion to approve Site Plan Approval (SPR 2-09) submitted by Hentschel Properties, LLC to construct a hardware store at 963 East Hammond Road, on a new parcel of approximately 1.5 acres involving #28-3-219-035-00; -031-00; -034 and -030-10 with conditions set forth in a memo dated February 13, 2009 as written by Jay Kilpatrick*

*and with #10 added which states "The HVAC units located on the roof must be screened from all sides." Condition #8 regarding the Hammond Road driveway is also stricken from the record and replaced with a condition which reads "Bollards will be placed adjacent to propane tanks for protection." Tubbs supported the motion and the motion carried unanimously.*

**9. Old Business:** None

**10. Adjournment:** Chairman Nickels adjourned the meeting at 7:55 pm.