

MINUTES  
LONG LAKE TOWNSHIP PLANNING COMMISSION  
LONG LAKE TOWNSHIP HALL  
8870 NORTH LONG LAKE ROAD  
TRAVERSE CITY, MI 49685

TUESDAY, MARCH 22, 2011 (REGULAR MEETING)

1. CALL TO ORDER – 6:00 P.M.
2. ROLL CALL – Commission members Tobin, Witkop, Verschaeve, Humitz, Hoffman, and Cuthbert were in attendance. Marsh was excused. Also in attendance were the Township Planner and the Zoning Administrator.
3. APPROVAL OF AGENDA – Chairman Cuthbert stated that items 9 A and B and item 10 A were being pulled from the agenda. The Township Planner does have pictures to show the commission on the topic of coverage ratios.  
  
Moved by Hoffman supported by Witkop to approve the agenda as amended.  
Motion carried.
4. CONFLICT OF INTEREST STATEMENT (Declare and cite agenda item.) - Commission member Tobin stated that she does not have a conflict of interest but that she does take her animals to Long Lake Veterinary.
5. APPROVAL OF MINUTES: FEBRUARY 22, 2011 (REGULAR MEETING) – Moved by Hoffman supported by Witkop to approve the minutes of the February 11, 2011 meeting. Motion carried.
6. BRIEF PUBLIC COMMENT (Any person may speak for up to 3 minutes.) - Mark McKellar, Vice-Chair of the Road Commission introduced himself.
7. POSTPONED BUSINESS: None
8. PUBLIC HEARINGS:
  - A) CLU 03-11-02 AND SPR 03-11-02, LACROSS ENTERPRISES LLC (OWNER), 9929 NORTH LONG LAKE ROAD, TRAVERSE CITY, MI 49685, REQUEST FOR A CONDITIONAL LAND USE APPROVAL AND A SITE PLAN REVIEW TO EXPAND AN EXISTING VETERINARY CLINIC WITH A BUILDING ADDITION OF 3,513 SQUARE FEET, PER THE

REQUIREMENTS OF ARTICLE 15 – LOCAL BUSINESS DISTRICT, SECTION 15.2.4, CONDITIONAL USES, ARTICLE 19 – CONDITIONAL USES, SECTION 19.53, VETERINARY ESTABLISHMENT, ARTICLE 24 – SITE PLAN REVIEW, OF THE LONG LAKE TOWNSHIP ZONING ORDINANCE #109, AS AMENDED.

PROPERTY DESCRIPTION: PROPERTY ID. NO. 28-08-016-020-10, T27N R12W, LONG LAKE TOWNSHIP, GRAND TRAVERSE COUNTY, COMMONLY ADDRESSED AS 9929 NORTH LONG LAKE ROAD, TRAVERSE CITY, MI 49685. THIS PARCEL IS LOCATED IN A LB-LOCAL BUSINESS DISTRICT.

**OPEN PUBLIC HEARING:**

1) PRESENTATION OF REQUEST, AS RECEIVED BY STAFF

The Township Planner reviewed the request stating that Long Lake Veterinary would like to add a rehab facility and boarding to their current operation. She stated that boarding is now a conditional use in this district and recommended approval with conditions.

2) REVIEW AND RECOMMENDATION BY PLANNER

The Township Planner stated that boarding is now a conditional use in this district and recommended approval with conditions.

3) COMMENTS AND EXPLANATIONS BY APPLICANT

Jeff LaCross stated that most of the clinics deliveries are by UPS and that once a week a larger truck does deliver 5-10 bags of dog food. He stated that the new operation will not require additional deliveries than the current operation.

4) QUESTION/DISCUSSION BY COMMISSIONERS

There was discussion regarding medical waste, pocket pets, Wings of Wonder, noise studies and the performance of the products they are using for sound reduction.

5) OPEN PUBLIC HEARING TO PUBLIC COMMENT (Any person may speak for up to 3 minutes) **6:26 PM**

Shirley Mesch thanked Long Lake Veterinary for being part of the community and thanked the commission for addressing the issue of boarding. She inquired as to whether the clinic would be using any radioactive treatment, whether they had any intentions of leasing space to

another veterinarian, how the outdoor “bathroom” area would be handled, and whether the clinic would be staffed 24/7. She also asked questions regarding rehab equipment and noise.

Mark McKellar spoke regarding the differences between Cherry Bend’s boarding facility and what Long Lake Veterinary is proposing. He stated that Cherry Bend’s facility is a pole building in a densely populated area. Long Lake Veterinary is in a very wooded area and that the materials they will be using are made for sound reduction.

- 6) CLOSE PUBLIC HEARING TO PUBLIC COMMENT **6:37 PM**
- 7) DELIBERATION BY COMMISSIONERS – There was further discussion regarding the materials being used for noise reduction.
- 8) DISPOSITION BY THE COMMISSIONERS; APPROVE, APPROVE WITH CONDITIONS AND/OR RECOMMENDATION, POSTPONE, DENY. ALL STATED WITH FINDINGS OF FACT, CONDITIONS AND RECOMMENDATIONS.

The Planning Commission having considered the Application, and Exhibits, and the Planning Commission having reached a decision on this matter, states as follows:

#### **GENERAL FINDINGS OF FACT**

1. The property is located in the C-1 Local Business Commercial zoning district.
2. Site plan and conditional land use approval is required for the expansion of a building for a veterinary clinic in the C-1 Local Business district as required by Section 15.2.4 of the Long Lake Township zoning ordinance.
3. The Planning Commission finds that all dimensional standards of the C-1 Local Commercial district are met under the proposal.
4. The Planning Commission finds that the district regulations of Section 15.4 are met under the proposal.

Moved by Tobin supported by Verschaeve to approve the General Finding of Fact. Motion carried.

#### **FINDINGS OF FACT UNDER SECTION 24.5 OF THE ZONING ORDINANCE**

**STANDARDS FOR GRANTING SITE PLAN APPROVAL.** Each Site Plan shall conform to the applicable provisions of this Ordinance and the standards listed below:

1. Arrangement of Structure. Site Plans shall demonstrate that buildings, parking areas, signs, walls, fences, and the like are designed to minimize

adverse affects on development users and the occupants of adjacent properties.

- a. The Planning Commission finds that this standard has been met in that the existing building and proposed expansion are designed to minimize impact on the surrounding uses.
2. Natural Features. Site Plans shall demonstrate that as many natural features as possible have been retained, particularly where such features provide a buffer between adjoining properties or assist in preserving the general appearance of the neighborhood or help control soil erosion or stormwater.
    - a. The Planning Commission finds that this standard has been met, as the excavation and tree removal necessary for the expansion of the building and parking area is limited and will still allow for natural buffers between this site and adjacent properties.
3. Vehicular and Pedestrian Traffic. Site Plans shall fully conform to the driveway and traffic standards of the Michigan Department of Transportation and the Grand Traverse County Road Commission. Further, the Site Plan shall demonstrate that there is proper relationship between existing and proposed roadways, parking areas, and that the safety and convenience of pedestrian and vehicular traffic has been assured. Manufactured housing communities, multifamily developments, shopping centers and/or office parks are not exempt from providing interior roads for vehicular and pedestrian access to abutting properties.
    - a. The Planning Commission finds that the applicant has submitted the site plan to the Rural Fire Department for its review of emergency access and to the Grand Traverse County Road Commission for review of the driveway.
    - b. The Planning Commission further finds that the amount of parking, and orientation of the parking areas and pedestrian circulation is adequate for the proposed use.
4. Public Safety. Site Plans shall fully conform to the applicable fire safety and emergency vehicle access requirements of the Grand Traverse County Construction Code.
    - a. The Planning Commission finds that the applicant has submitted the site plan to the Rural Fire Department for its review of emergency access and subject to their final review, this standard has been met.
5. Drainage. Site Plans shall fully conform to the Grand Traverse County Drain Commission standards.
    - a. The Planning Commission finds that this standard is met because the applicant has provided on site storm retention and has indicated that all applicable standards have been met subject to final approval by the Drain Commissioner.

6. Erosion. Site Plans shall fully conform to the Grand Traverse County Soil Erosion and Sedimentation Control Ordinance.
  - a. The Planning Commission finds that this standard is met because the applicant has indicated that all standards of the soil erosion control ordinance are met, subject to obtaining a final soil erosion permit.
7. Hazardous Waste Management. Site Plans shall demonstrate that reasonable precautions will be taken to prevent hazardous materials from entering the environment.
  - a. The Planning Commission finds that this standard is met because no hazardous substances will be used in conjunction with this use.
8. Public Health. Site Plans shall fully conform to the requirements of the Michigan Department of Public Health and the Grand Traverse County Health Department.
  - a. The Planning Commission finds that this standard has been met, as the applicant is working with all impacted agencies in the design of the water and septic systems.
  - b. The Planning Commission finds that the current medical waste disposal arrangements will continue and will continue to be in compliance with Department of Public Health requirements.
9. Statutory Compliance. Site Plans shall fully conform to all applicable state and federal statutes.
  - a. The Planning Commission finds that this standard is met, subject to receipt of copies of permits and reviews by all affected agencies.
10. Conformance with Township Master Plan. Site Plans shall fully conform to the land use policies, goals and objectives of the Long Lake Township Master Plan.
  - a. The Planning Commission finds that this veterinary clinic and ancillary uses are consistent with the policies for the area as stated in the Long Lake Township Master Plan.

**Moved by Witkop supported by Tobin to approve the Findings of Fact under Section 24.5 of the Zoning Ordinance. Motion carried.**

**General Standards for a Conditional Land Use Under Section 19.01.3**

1. A Conditional Land Use shall be harmonious with and in accordance with the goals, objectives and policies of the Township Master Plan.
  - a. The Planning Commission finds that this standard is met as the proposal is consistent with Goal 15 of the Master Plan, "*businesses in the Township will be clean and economically viable corporate citizens located in well defined commercial areas and the village centers in support of the Comprehensive Plan goals.*"

2. A Conditional Land Use shall be designed, constructed, operated and maintained in harmony with the existing or intended character of the general vicinity and that such a use will not change the essential character of the area in which it is proposed.
  - a. The Planning Commission finds that the uses in the vicinity include residences and other industrial and office commercial business. The Planning Commission finds that the use is consistent with the character of the general vicinity and will not change the character of the area.
3. A Conditional Land Use shall not be hazardous or disturbing to existing or future uses in the same general vicinity and in the community as a whole.
  - a. The Planning Commission finds that there are no noises, activities, or processes that will be conducted on site that are disturbing to the existing or permitted uses in the vicinity and that any potential noise associated with the use has been abated to the level practical.
4. A Conditional Land Use shall be served adequately by essential public facilities and services, such as highways, streets, police and fire protection, stormwater drainage, refuse disposal, water and sewage facilities and schools or persons or agencies responsible for the establishment of the proposed use shall be able to provide adequately for such services.
  - a. The Planning Commission finds that the use proposed will not require public services, schools, or roads in excess of that associated with other uses in the area.
  - b. The Planning Commission further finds that the use proposed is provided with adequate water and sewer and refuse disposal.
5. A Conditional Land Use shall not create excessive additional requirements at public cost for facilities and services and will not be detrimental to the economic welfare of the community.
  - a. The Planning Commission finds that the use will have negligible fiscal or economic impact on the Township or the community.
6. A Conditional Land Use shall not involve uses, activities, processes, materials and equipment or conditions of operation that will be detrimental to any person, property or general welfare by reason of excessive production of traffic, noise, vibration, smoke, fumes, glare or odors.
  - a. The Planning Commission finds that the proposed use will not involve any activities or materials that will be detrimental to the general welfare due to excessive traffic, noise, vibration, smoke, glare or odors because almost all activities will be conducted off site and the on site activities are not associated with these impacts.
7. A Conditional Land Use shall be designed, constructed and maintained so as to ensure that the environment shall be preserved in its natural state, insofar as practicable, by minimizing tree and soil removal, and by topographic modifications that result in maximum harmony with adjacent areas.

- a. The Planning Commission finds that this standard is met because the applicant proposes limited tree removal in order to maintain a natural tree buffer around the perimeter of the site.

**Moved by Tobin supported by Humitz to approve the Findings of Fact under Section 19.01.03 of the Zoning Ordinance. Motion carried.**

**Standards for a Veterinary Establishment under SECTION 19.53**

1. No outside burning, incineration or cremation.
  - a. The Planning Commission finds that this condition is met as the applicant does not propose these uses.
2. There shall be a buffer strip of not less than one hundred fifty feet from a primary structure in a Residential District.
  - a. The Planning Commission finds that this standard is met as the closest building in a residential district is located 170 feet to the closest point of the proposed building.
  - b. The Planning Commission further finds that there is a substantial natural buffer between the two buildings.
3. There shall be sufficient sound proofing to prevent any noise disturbance beyond the property boundaries.
  - a. The Planning Commission finds that this standard is met as the building will be soundproofed to the extent practicable including: 6" concrete walls, acoustic sound absorbing tiles, fully enclosed dog suites for boarded animals, complete separation of animals and other practices and to limit barking.
4. All hospitalized animals shall be housed entirely within the building.
  - a. The Planning Commission finds that this standard is met as all animals will remain entirely within the building with limited exceptions under supervision.
5. All services shall be performed entirely within the building.
  - a. The Planning Commission finds that this standard is met as all services will be performed entirely within the building.
6. Medical wastes shall be subject to the Medical Waste Law of the State of Michigan and to inspection by the Michigan Department of Public Health as that law requires. All other wastes shall be handled by leak-proof and odor proof containers removed not less than once per week.
  - a. The Planning Commission finds that this standard is met as the animal hospital currently disposes of its medical waste as required by state law. No new medical waste is associated with the expansion of this facility for rehabilitation and for boarding.



- i. The Planning Commission finds that this standard is met as no outdoor storage or display is proposed.
- d. Fences, walls and decorative fences, shall be subject to the requirements of Section 4.12.
  - i. Planning Commission finds that this standard is met as no fencing is proposed.

**Moved by Witkop supported by Humitz to approve the finding of Fact under Section 19.53 of the Zoning Ordinance. Motion carried.**

### **DECISION**

Upon motion, seconded and passed, the Planning Commission GRANTS the Applicant's requested site plan and conditional use approval for establishment of veterinary establishment, subject to the express conditions specified below.

### **CONDITIONS**

1. Concurrence by the applicant that deliveries will be either made outside of regular office hours or that all delivery vehicles can fit in regular parking spaces.
2. Total boarding to be limited to 14 dogs and 4 cats.
3. All animal and medical waste to be contained and disposed of in compliance with any applicable state public health laws.
4. All activities to be conducted indoors with the exception that limited supervised play may be permitted in a partially enclosed run attached to the east side of the building.
5. Compliance with the Township's water tank payment policy.
6. Subject to favorable review by all outside agencies and conditions of those approvals.

**Moved by Witkop supported by Humitz to approve with conditions. Motion carried.**

## **9. PENDING BUSINESS**

### **A) DISCUSSION ON COVERAGE RATIOS**

- 1) PRESENTATION BY STAFF – The Township Planner presented photos of homes with high coverage ratios in the township.
- 2) DISCUSSION BY COMMISSIONERS – There was discussion regarding platted lots, the high water mark and setbacks.
- 3) DECISION AND DIRECTION BY COMMISSIONERS TO STAFF

10. NEW BUSINESS - None
11. PUBLIC COMMENT (Any person may speak for up to 3 minutes) – Jeff LaCross thanked the Planning Commission.
12. REPORTS
  - A) PLANNERS MOMENTS – Access Management
  - B) PLANNER – Report submitted. She also reminded the commission of the April 7, 2011 joint meeting with the Township Board.
  - C) ZONING ADMINISTRATOR – Report submitted.
  - D) TOWNSHIP BOARD REPRESENTATIVE – Hoffman spoke regarding Road Maintenance, the Rural Fire presentation and stated that the board is working on the budget.
  - E) ZONING BOARD OF APPEALS REPRESENTATIVE - Humitz reported that the Zoning Board of Appeals approved a variance for Long Lake Grocery at the February meeting.
13. CORRESPONDENCE – None
14. COMMISSIONERS COMMENTS – Hoffman commended the Township Planner on her dedication for coming in to put the packets together with a burst eardrum.
15. ADJOURNMENT – Moved by Witkop supported Verschaeve to adjourn at 7:48pm.

JOY TOBIN, SECRETARY  
LONG LAKE TOWNSHIP PLANNING COMMISSION

LYNETTE FERMAN, RECORDING SECRETARY  
LONG LAKE TOWNSHIP PLANNING COMMISSION

NOTE: THESE MINUTES ARE SUBJECT TO AMENDMENT AND/OR CORRECTION PRIOR TO THEIR ADOPTION.