

RAY TOWNSHIP PLANNING COMMISSION
MEETING MINUTES
TUESDAY, DECEMBER 14, 2021 AT 7:00 P.M.
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Location: Ray Township Hall
64255 Wolcott. Ray, MI 48096

Present: Tom Penzien, Chairman
Justin Lease, Vice-Chair
Randy Forro, Secretary
Members: Lori Lascoe
John Zoccola
Betty Youngblood

Absent: Justin Marberg

Also Present: Stephen Cassin, Township Planner.
Attendance record on file

1. CALL TO ORDER – PLEDGE OF ALLEGIANCE AND ROLL CALL.

Chairman Penzien called the meeting to order at 7:00 p.m. The Pledge of Allegiance was recited. Lascoe, Marberg, Lease, Forro, Zoccola, Youngblood and Penzien were present.

2. APPROVAL OF MINUTES – October 12, 2021 as presented.

MOTION by Forro supported by Lease to approve the October 12, 2021 minutes as presented.
MOTION carried.

3. APPROVAL OF AGENDA-

MOTION by Lascoe supported by Zoccola to approve the agenda as presented.
MOTION carried.

4. SCHEDULED PUBLIC HEARINGS – None

5. NEW BUSINESS – None

6. OLD BUSINESS – Tabled from October 12, 2021 Meeting

a. Special Land use to allow outdoor storage of commercial vehicles in the R-1 (Agricultural-Residential) District. According to Ray Township Zoning Ordinance 36, Section 403, H, Commercial Vehicle Storage and X, Storage of Commercial Vehicles may be permitted as a Special Land Use in the R-1 (Agricultural-Residential) District. Parcel ID 21-05-36-100-020, North Avenue, Tyler Velger, Applicant.

Penzien asked if Mr. Velger was present in the audience?
Velger advised yes.

Penzien stated this is a request for a Special Land Use (SLU) to refresh the boards memory, Asked Cassin to provide his findings and comments.

Cassin stated that the applicant is proposing to complete the project in phases. This phase (Phase 1) will be on the part of the parcel that is West of the Stark drain. Any other development beyond this phase (Phase 1) will require another application for Special Land Use approval and another public hearing. Cassin read his findings and recommendation to the board.

GENERAL INFORMATION

Zoning: Residential Transitional
Location: East side of North Avenue, between 26 and 27 Mile Roads
Property ID #: 21-05-36-100-020
Project Name: Velger Recreational Vehicle Storage (Phase 1)
Applicant: Tyler Velger
Review Date: December 4, 2021
Project Name: Velger Recreational Vehicle Storage (Phase 1)
Applicant: Tyler Velger
Review Date: December 4, 2021

PROPERTY CHARACTERISTICS

The applicant desires to developed a recreational vehicle storage facility. Phase 1 will provide for approximately 115 vehicle storage spaces, 46 of which are covered. In addition, a small 400 square foot office building with 8 parking spaces is proposed near the entrance off North Avenue. Also, a 720 square foot storage building is shown along the north property line. The entire development will be enclosed by an 8’ high chain link privacy fence. The property is currently vacant.



Aerial View of Subject Property



View of Property Looking Northeast

COMPLIANCE WITH THE ZONING ORDINANCE

Section 503 of the Ray Township Zoning Ordinance allows outdoor commercial vehicle storage as a Special Land Use within the district.

The ordinance also requires compliance with several other standards, which are detailed below:

Dimensional Requirements

	Required	Proposed	Compliant
Front Yard Setback (North Avenue)	110'	110'	✓
Rear Yard Setback	30'	850+'	✓
Side Yard Setback(s)	15'	15'	✓
Height	35'	18'	✓

Parking Requirements

	Required	Proposed	Compliant
Standard Parking Spaces	8	8	✓
Barrier Free Parking Spaces	1	2	✓
Maneuvering Lane Minimum Width	24'	24'	✓
Parking Space Size	10' x 20'	10' x 20'	✓

Landscaping Requirements

	Required	Proposed	Compliant
Parking Area Landscaping	Yes	2	✓
Frontage Landscaping	1 tree per 25' of frontage	41	✓

GENERAL COMMENTS

The site plan meets all zoning ordinance requirements.

SPECIAL LAND USE REQUIREMENTS

In addition to compliance with the above referenced requirements, the Planning Commission prior to granting Special Land Use approval, must also find that each of the following special land use standards are met.

- The proposed special land use will be of such location, size, and character that it will be harmony with the appropriate and orderly development of the area.
The adjacent area is master planned and zoned for industrial type uses.
- The use will be of a nature that will make vehicular and pedestrian traffic no more hazardous than is normal for the district involved.
The proposed use is not expected to generate excessive traffic.
- The proposed use will be designed so that the location, size, intensity, site layout and periods of operation, eliminate excessive nuisances to surrounding areas.
The proposed use is not expected to create nuisances to surrounding properties.
- The proposed use will be such that the location and height of buildings or structures will not interfere or discourage appropriate development in the area.
The proposed use is consistent with the development trends of the area.
- The proposed use is so designed, located, and proposed to be operated that the public health, safety, and welfare will be protected.
The proposed use is in compliance with township ordinances.
- The proposed use will not cause substantial injury to the value of other property in the area.
The proposed use is consistent with the development trends of the area.

RECOMMENDATION

Based on the above findings, I recommend approval of Phase 1 of the Special Land Use subject to:

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1. Compliance with all Township engineering, building, assessing, and fire department requirements, and all Macomb County requirements relative to roads, drainage, and septic.

Cassin noted that a recent consent judgment has been settled for a parcel in the same area.

Penzien stated all correspondence will be read into the record.

Lease read comment from Township Engineer, Lou Urban, AEW dated November 15, 2021 into the record.

Forro read comment from Ray Township Building Official, Dennis LeMieux dated November 15, 2021 into the record.

Lascoe read comment from Ray Township Fire and Rescue, Fire Marshal, Harold DeMan dated November 29, 2021 into the record.

Zoccola read comment from Ray Township Fire and Rescue, Fire Marshal, Harold DeMan dated November 29, 2021 into the record.

Penzien welcomed Betty Youngblood to the planning commission.

Youngblood read correspondence from resident Larry Gregory, received December 14, 2021 into the record.

Penzien stated all correspondence has been read and asked if there are any comments from the public at this time to please step to the podium and provide your name and address for the record.

Diane Gleason, 58800 Indian Trail asked if there is any way to deny the approval? Prefer to keep Ray rural, already have industrial at 27 & North Avenue.

Michael Miracle, 58203 Omo Rd, asked if the fence has been changed from vinyl to cyclone? What about trees? Ordinance Section 216 lists the requirements and states that all vehicles must be solely owned by the property owner.

Cassin advised those conditions do not apply. RVs are recreational vehicles.

Miracle stated some RV's weigh 24,000 pounds.

Cassin stated that condition applies in residential districts for Semi's and commercial vehicles not recreational vehicles.

Tom Simasko, 58185 North Avenue, stated he wants confirmation that no commercial vehicles are allowed, no semi storage?

Matt Stone, 58655 Omo Rd, stated I live due East of the site and asked that any lighting be kept as dim as possible. The biggest problem with this will be the drainage, asked the applicant to please consider somewhere else. Asked if anyone on the Planning Commission has any information on the stop work order that was placed on site?

Lascoe stated the Stop Work Order was posted by the Macomb County Department of Public Works.

Velger stated the Stop Work Order has been addressed.

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Penzien stated the Planning Commission must review this, all correspondence has been read and Mr. Cassin's review has been read.

Lease asked Cassin if there is any limitation to the size of the buildings? Does the acreage rule apply to this?

Cassin stated nothing can get any bigger than what is shown on the site plan and the acreage rule does not apply to this.

Penzien asked if the fence is 6ft or 8ft?

Velger stated he will provide whatever height and material the Planning Commission requires.

Cassin stated the fence height and material was mentioned in the last meeting and was corrected on the site plan.

Velger stated it is on every page.

Penzien asked what is required?

Cassin stated 6 ft is the minimum, the engineering comment indicates an 8 ft fence.

Penzien asked Velger if he has all the comments and can you meet all the requirements?

Velger stated he can meet all the requirements.

Lascoe stated she does not agree with 24-hour access in an R-1 district. The Township recommended the hours of operation from 7:00AM to 10:00 PM for the recent consent judgment.

Lascoe further stated she would like to recommended the same hours for this. If the applicant wants 24 hours access he can come in and request to rezone this to industrial. 24 hours a day is not in harmony with residential.

Penzien stated if this was zoned industrial, he could run 24 hours.

Zoccola asked if this would be a manned site or will customers have key cards? There is a concern for someone having to back onto the road if there is no access.

Lascoe stated he can request to rezone it.

Zoccola asked about well and septic permits or will he have to do water storage due to the difficulty of a well in the area?

Velger stated he has applied.

Cassin stated that will be up to the Macomb County Health Department.

Cassin stated that Rezoning and Special Land Use provide different options to the Township and the Applicant.

Special Land Use gives the Planning Commission more discretion. Rezoning gives the applicant the option to do what is permitted under the ordinance with site plan approval.

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Penzien stated the Planning Commission has to review the Master Plan every five years. The East side of North Avenue between 26 Mile Road and 27 Mile Road was previously zoned IR (Industrial-Residential), it was rezoned back to R-1 (Residential-Agricultural) when the last review of the Master Plan was completed. It is hard to get well and septic in the area.

Zoccola stated residential is difficult in this area.

Penzien stated the Planning Commission has this Special Land Use (SLU) request for a business, does it need to have 24-hour access? The use fits the ordinance with an (SLU).

Zoccola stated this use is viable, it is not viable for residential, but could possibly put a home there in the future.

Cassin stated if public sewer and water were available the density for homes would be higher.

Zoccola stated this is not usable as residential, all the septic systems would have to be engineered and wells are tough in this area.

Lease stated any development of the parcel will have to deal with the Stark Drain.

Penzien stated there are concerns about 24-hour access.

Lease stated the Planning Commission has to take the recent consent judgment into consideration.

Penzien stated the applicant could request to rezone the parcel.

Lascoe stated the applicant still has that option.

Lease stated the parcel was zoned I-R and the Planning Commission spent hours on this area.

Zoccola stated this is a low-density area, not concerned with the controlling the time, don't want to put people at risk by limiting access.

MOTION by Penzien supported by Zoccola to approve Phase One (1) of the Special Land Use, at Parcel ID # 21-05-36-100-020, North Avenue to allow outdoor storage of recreational vehicles as submitted on site plan and conditioned on meeting compliance with all Township engineering, building, assessing, and fire department requirements, and all Macomb County requirements relative to roads, drainage, well and septic and compliance with all written comments and correspondence. Tyler Velger, Applicant.

FOR THIS MOTION: YES: Penzien, Zoccola, Youngblood, Forro

NO: Lascoe, Lease

MOTION carried.

7. PRESENTATION – None

8. REPORT OF THE BOARD REPRESENTATIVE:

Lascoe reported the parking lot addition was suppose to be completed before Thanksgiving, but there have been some drainage issues. There will be 37 additional parking spaces when it is completed.

The Senior drive up luncheon had a large turnout.

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9. REPORT OF THE ZONING BOARD OF APPEALS REPRESENTATIVE:

Penzien stated there was a ZBA meeting for a parcel split, required a variance to be compliant with the ordinance. The variance was approved.

10. CORRESPONDENCE –

11. PLANNING CONSULTANTS REPORT – nothing to report at this time.

12. PUBLIC COMMENTS

13. ADJOURNMENT.

**MOTION Lascoe supported by Lease to adjourn the meeting at 7:41 p.m.
MOTION carried.**

Tom Penzien, Chairman

Randy Forro, Secretary

Date

Respectfully submitted,
Lisa Hall, Recording Secretary