EMMET COUNTY
PLANNING COMMISSION REGULAR MEETING
THURSDAY APRIL 5, 2018
7:30 PM
EMMET COUNTY BUILDING
COMMISSIONER'S BOARDROOM
200 DIVISION ST
PETOSKEY, MI 49770

AGENDA

I Call to Order and Attendance

II Minutes of March 1, 2018

III Cases

CASE FROM PREVIOUS MEETING

1. PPUDF18-01 Robert Drost, Amendment to preliminary PUD, Final PUD & Site Plan Review, 2157 Howard Rd and adjacent parcel, Section 17, Bear Creek Township

NEW CASES

2. PPUDP18-01 Jack VanTreese for Maple River Resort LLC, Preliminary PUD- amendment (Rezoning), 3435 US 31 Highway, Section 22, Maple River Township

3. PSPR18-001 Phillip & Kristin Schaner, Site Plan Review - Amendment – 1256 N US 31 Hwy, Section 34

4. PSPR18-002 Dave Wilson for Northern Monument, Special Use Permit/Site Plan Review – Amendment, 1807 N US 31 Hwy, Section 26

5. PSPR18-003 Walt & Tracy Scheimann for Prime Diesel, Site Plan Review – Amendment, 2472 N US 31 Hwy, Section 25

IV Public Comments

V Other Business

1. Enforcement Report
2. Accessory Uses in FF-1 & FF-2
3. Wineries
4. Farm Labor Housing
5. Sand and Gravel workshop - summary
6. Annual Report

VI Adjournment
I Call to Order and Attendance
Chairman Eby called the meeting to order at 7:30 p.m. All members were present.

II Minutes of February 1, 2018
Scheel made a motion, seconded by Urman, to approve the minutes of the February 1, 2018 meeting as presented. The motion passed unanimously by voice vote of the members.

III Cases

1. Case PPUDF18-01 Robert Drost, AMENDMENT TO PRELIMINARY PUD, FINAL PUD, & SITE PLAN REVIEW, 2157 Howard Rd, Section 17, Bear Creek Township

Notice: A two-part request from Robert Drost for 1) amendment to the Preliminary Planned Unit Development (PUD) and 2) a Final PUD and Site Plan Review for 2157 Howard Road and an adjacent vacant parcel both located within Section 17 of Bear Creek Township. The property is zoned Planned Unit Development and includes tax parcels 24-01-19-17-100-019 and 100-005. The permitted uses include FF-1 Farm and Forest Principal and Special Land Uses, Storage Uses and Multiple Family Uses; the proposed uses are Storage on parcel 100-019 and Forest Product Processing on 100-005. Review is per Articles 8, 17, 20, 21, and 26 of the Zoning Ordinance.

Packet Items: Bear Creek Township minutes, 2/27/18 plans, photos, graphics

Salar presented this case. The preliminary PUD was approved by the Board of Commissioners. The request encompasses two parcels, approximately 22 acres. The location was shown on the PowerPoint. Access to the proposed storage units will be from Howard Road and access to the proposed tree processing location via River Road. The storage units are proposed to be 21 buildings, 90 units. Salar noted that the PowerPoint presentation notes 73 units. After discussion it was determined that this was likely a typographical error. New plans were emailed and passed out tonight. The revised drainage plan now meets ordinance standards and is divided into sections. The drainage plan was shown with two sections and the drainage paths were pointed out. The Road Commission has provided a letter regarding access to the River Road property. No new structures are proposed there. Information has been updated to show wood chipping occurring three times per year for a week per time. No hours of operation were noted. Salar stated that the height of the stockpiles are included on the revised plans.

Urman stated that the township reviewed the new plans for the first time at the meeting last night. Due to there being so much new information presented, they decided to table their decision for their next meeting. Mr. Dale Drier, representative for Mr. Drost, was present at the township meeting and is present tonight as well. Urman stated that it wasn’t fair to the board or to the applicant to try to review such new information. Both sites deviate from the original plans. The buildings have been reconfigured probably to get the drainage plan to work out. The parcel to the north of these parcels...
was also purchased by Mr. Drost and there was some discussion at the township meeting as to whether that parcel should be included in the PUD or not.

Mr. Drier stated that the northern parcel was purchased about 15 days ago. The intent is to move the shop and mechanics from the Cedar Valley Road parcel to this parcel. They would be putting doors both on the front and back of the existing storage building for ease of maneuvering. There would be no road around the building just a drive to move in and out. The property line is a few feet off of the west end of the building. The intended drive location was shown on the site plan.

Scheel stated that this parcel is correctly zoned for the use, (I-1, light industrial). Urman stated that the township also felt that this was a good fit for the use and works to help tie the drives together. He asked if this parcel should be put into the PUD or if it should be separate.

Mr. Drier stated that the trees for screening on the west and north would be Austrian pines, cedars, and spruce approximately 12-14’ in size (some larger) spaced 15-20’ on center. The plan will be updated to show the specifics. After the last meeting the size of the buildings were changed slightly. The changes in square footage of the buildings were based on the depth of the buildings changing from 70’ to 60’ on the backsides of units 10 and 15. The grades will be stabilized using a geo grid. The newest plan for the River Road property shows the storage of other materials. The township wanted more specifics on this. The large logs storage area would be 80x120’ with a maximum height of 8’, soil, rocks, and crushed stone 53x53’ with a maximum height of 12’, wood chips 75x50’ maximum 12’ in height. The drainage plan changes meet the requirements. Screening will be added along the south property line along the drive. The drive access on Howard Road should be able to have plants on the slope. Details of the planting plan can be provided if required. Dale Drier stated that the buildings will have 16’ side walls.

Eby asked Urman what the township’s thought process was to include the new parcel in the PUD. Urman stated that Denny Keiser, supervisor, thought that we may want to include it because of the road connector between the parcels. Eby stated that we would have to waive perimeter setbacks right away because the existing building would be within the setback. It is not an issue to add the parcel if there is a good reason. Scheel stated that he would be in favor of adding it as well if there was a good reason to do other than the parcels are owned by the same owner. They would have to go backwards and get a new approval for preliminary PUD from the Board of Commissioners. The property is zoned correctly for the proposed usage. The driveway helps the client but also helps the County with having less drives and is potentially safer. There have been no concerns pinpointed. Urman asked if there is a way to add this parcel without going back to preliminary review. Salar stated that she believes it would be a PUD amendment and would have to start at that point again. Urman stated that the applicant is working with the Road Commission come spring with the culverts, deceleration lanes, etc. This plan for the doors on the building will work well for their equipment. Neal asked what the applicant wants to do. Scheel stated that they would rather not be delayed further by having to go back to the Board but will do so if necessary. Scott stated that they would need to see the traffic circulation. How would this drive affect the drainage? This is a lot of hard surface being added and is adjacent to wetlands. Toni Drier (Planning Commissioner) stated that she wants to make sure that there is a stipulation of no gravel crushing listed in the permit stipulations if the current site plan is approved with the stockpiles. She stated that it may not be their intention to do so but would like to make sure that it is addressed and that it is in the agreement. Eby stated that we could just list a stipulation that states the stockpiles are for storage and distribution only with no processing allowed. Scheel asked what the width of the widest building will be now. Dale Drier stated that it was originally 70’ now will be 66’.

Hearing no public comment on this case, it was the consensus to return the case to Bear Creek Township for further review. This board will hear this case again on April 5, 2018.
IV Public Comments: None

V Other Business:

1. **Enforcement Report**- Distributed, no discussion.

2. **Accessory Uses in FF-1 & FF-2**- Salar pointed out the map on the wall that has been prepared as directed at the last meeting. Parcels are indicated at 20, 40, and 80 acres, public land is designated, and know wineries/farms are marked on the map. Salar stated that if others should be added we can make those changes. Scheel stated that he was talking about other zoning districts at the last meeting and is now backing off of this and feels that FF-1 and FF-2 are fine with him at this point. Scott questioned the need for a time limit on the decibel levels listed under ‘outside activities’ on the last draft. He stated that he is not sure why this needs to be delineated; it wasn’t done when discussing other noise producing activities. He also asked if there is a way to make the buildings no longer be farm buildings but rather fall under normal building codes. Can this be done? How? Scheel stated that we wouldn’t have the authority through this body but the building department and the building code would need to address this. We need to be careful not to overstep our authority and just direct staff to look at this issue and see if we have any authority first. Salar stated that these buildings would be dealt with as assembly uses through the building department. Scott asked if we authorize a use is there a way to make sure that building department review is triggered. Scheel stated that this should be an internal policy. Alexander asked about the timeframe in the draft of 10pm-8am; where did this come from and why are overnight hours being addressed? He can see events going later but not to 8am. He also stated that the bass from music outdoors or indoors will travel and won’t be registered by decibel meters. This opens up all sorts of issues.

David Coveyou stated that from a farmer’s perspective this is an important piece for farmers as 82% of farmers across country have to work off of the farm to support their farms. They would much rather be just farming but it is very difficult to make a living just farming. These venues do help continue farms and keep more open space through farming. In regards to the frequency limits on events Coveyou stated that farms will have to invest money to upgrade for these types of events. If they aren’t disturbing neighbors with noise they should not have limitations on frequency of events. He stated that sound levels may be the best way to do this but said that we shouldn’t make it unfair to the farms by requiring them to be quieter than other businesses. The Planning Commission should have the flexibility to adjust to each case that comes before them. There may be some properties that moving the use to the far corner of a farm would be a better option. He suggested that this flexibility be added.

MacInnis stated that people need to know out of habit and custom that you’re open. If we limit frequency and they are only open sometimes, they would have to spend lots of money advertising to tell people when they are actually open. The community wants predictability and they should be able to offer these events regularly enough so that the community knows that they are there. It will be an interesting balance. Neal stated that the original intent of this review was regarding social events that were loud and bothering neighbors. If we go into decibel measuring this eliminates the need for other requirements. If it is quiet and not above whatever decibel level is decided, then the minimum acreage, hour of operation, etc. should be off the table. If the County is really interested in getting into decibels for enforcement, then we should re-do this and scrap the historical requirements. Scott stated that frequency of events does affect things like traffic. Neal stated that there would be a substantial traffic difference between retail or someone having weddings every day. Scheel stated that decibels would simplify the review to traffic and parking. The technology is there. It may cost money but other locations use it appropriately; we should use science to our advantage. The decibel levels should be researched or look into hiring someone that has this information.

3. **Wineries**- Leland Township Ordinance was distributed in packets for review. No discussion.
VI   Adjournment
There being no other business Eby called the meeting adjourned at 8:42 pm.

James Scott, Secretary

Date
Yellow hi-lights indicate changes since previous Zoning Evaluation

**ZONING EVALUATION FORM**
Office of Planning and Zoning
Emmet County, MI

DATE: 03/12/2018 CASEx#: PPUDF18-01

APPLICANT: DROST ROBERT A & DIANA M TRUSTS

PROPERTY: 2157 HOWARD RD (01-19-17-100-019) & vacant parcel accessed via River Road (100-005)

TOWNSHIP: BEAR CREEK

REQUEST: Planned Unit Development – amend Preliminary Plan and Final

FACTS:
- The property had been zoned FF-1 Farm and Forest.
- The request includes two properties totaling 24.5 acres.
- The properties have frontage on both Howard and River Roads.
- The Preliminary PUD Plan was approved in 2017 and included multiple family dwellings, storage uses, and nursery uses in addition to the FF-1 district uses allowed by the Zoning Ordinance (see enclosed Plan).
- The Preliminary PUD has been modified and approved by the Board of Commissioners. Preliminary PUD now includes FF Uses and storage buildings only. Part two (now subject to review): seek approval of the Final Planned Unit Development Plan and site plan approval.
- The Emmet County Road Commission has approved the Howard Road access and River Road access (letter provided regarding River Road).
- There are no PUD modifications proposed/approved.
- Surrounding uses include former City of Petoskey landfill (capped) to the north; residence and non-conforming auto repair shop to the south; residential to the west (across Howard Road) and a residence to the east of the parcel accessed from Howard Road. The parcel along River Road is adjacent to an accessory building on industrially zoned property to the north and is across River Road from the rail road corridor and the City of Petoskey’s River Road park complex.
- Both properties are currently vacant, however, a Special Use Permit for a Temporary Forest Product Processing event has been approved for the Howard Road property. The property fronting on Howard Road was also approved for topsoil extraction and storage.
- The plan has been submitted to the Fire Chief for his review.

STAFF NARRATIVE:
The Preliminary PUD Plan was approved by the Planning Commission and Board of Commissioners in June 2017 as shown on the previously provided concept plan (dated Received
Feb 6 2017). The Planning Commission determined that the Final PUD Plan was not “…in basic accord with the approved Preliminary Development Plan…”? Section 17.01.6. The Preliminary PUD amendment was approved before proceeding to the Final PUD review. Once the Final PUD is approved, then Site Plan Review can be conducted.

The proposed Final PUD Plan eliminated the nursery use and the multiple family use. It expanded the storage building usage and added a Forest Product Processing site on the parcel accessed via River Road. The currently proposed plan has added stone and top soil storage to the River Road site. This is not consistent with Forest Product Processing and has not been approved. The use approved include FF uses and storage uses only.

Additional items needed for Final PUD review: “All arrangements for design, construction, maintenance, and operation of utility systems shall have been finalized, although working drawings need not be completed for this element.” Section 17.01.6.3. “The PUD’s ownership, management, and construction have been determined and documented, and where to be phased, a plan to demonstrate development continuity shall be presented.” Section 17.01.6.4. “Any existing or proposed deed restrictions, easements, or covenants pertinent to the project property shall be presented at this time…” Section 17.01.6.7.

Changes made include: addition of stone and top soil storage on River Road parcel, height modifications, number of storage buildings remains the same, however, reduction of storage units has decreased from 97 to 90. Proposal includes three weeks of log chipping per year (increased from one week). Details provided on landscaping plan (dated Feb 26, 2018). Building heights proposed at 16’ to side walls; 22.5’ maximum height (plan dated Feb 26, 2018).

**ZONING ORDINANCE STANDARDS:**
Planned Unit Development Standards apply – see Article 17 of the Emmet County Zoning Ordinance

Once the FINAL PUD is approved, then Site Plan Review Standards are reviewed:

**Section 20.05 Site Plan Review Standards**

The Planning Commission shall approve, or approve with conditions, an application for a site plan only upon a finding that the proposed site plan complies with all applicable provisions of this Ordinance and the standards and considerations listed below unless the Planning Commission waives a particular standard upon a finding that the standard is not applicable to the proposed development under consideration and the waiver of that standard will not be significantly detrimental to surrounding property or to the intent of the Ordinance.

**A. Compliance with District Requirements**

The site plan shall comply with the district requirements for minimum floor space, height of building, lot size, yard space, density and all other requirements as set forth in the Zoning Ordinance, unless otherwise provided.

There are no specific density standards for storage units, however, density standards for FF-1 (prior zoning district and surrounding zoning districts) is 1 unit per acre. The perimeter setback of the PUD has been maintained (50 ft.).

**B. Vehicular and Pedestrian Circulation**
Safe, convenient, uncontested, and well-defined vehicular and pedestrian circulation shall be provided for ingress/egress points and within the site. A pedestrian circulation system shall be provided and shall be as insulated as completely as reasonably possible from the vehicular circulation system. Drives, streets and other circulation routes shall be designed to promote safe and efficient traffic operations within the site and at ingress/egress points. The arrangement of public or common ways for vehicular and pedestrian circulation shall respect the pattern of existing or planned streets and pedestrian or bicycle pathways in the area. Streets and drives which are part of an existing or planned street pattern which serves the project area shall be capable of safely and effectively accommodating the traffic volume and pattern proposed by the project. Where possible, shared commercial access drives shall be encouraged. Parking is proposed in front of each building. No pedestrian use expected other than from a vehicle to the storage unit. (Additional standards removed from this report.)

C. Emergency Vehicle Access
All buildings or groups of buildings shall be so arranged as to permit emergency vehicle access by some practical means to all sides. The plan has been modified in response to the Fire Chief’s review.

D. Loading and Storage
All loading and unloading areas and outside storage areas which face or are visible from residential districts or public thoroughfares, shall be screened, by a vertical screen consisting of structural or plant materials of sufficient height to obscure the direct view from adjacent first floor elevations. The site plan shall provide for adequate storage space for the use therein. Extensive screening is proposed.

E. Snow Storage
Proper snow storage areas shall be provided so to not adversely affect neighboring properties, vehicular and pedestrian clear vision, and parking area capacity. Snow storage area appears to be adequate. Not identified on the plan.

F. Buffers
To provide reasonable visual and sound privacy, buffer techniques, screening, fences, walls, greenbelts, and landscaping may be required by the Planning Commission in pursuance of the objectives of this Section and/or as a condition of the establishment of the proposed use. Evergreen buffers proposed on north and west boundaries. Additional screening has been added from Howard Road and the southern property.

G. Drainage
Drainage Plan Provided – no cost estimates provided, does not include lower River Road portion of the development.
Storm water drainage plans shall address flows onto the site from adjacent sites and roads, storm water impact on the site (soils, impervious surfaces, potential impervious surface, retention ponds, detention ponds, and related management facilities as appropriate), and the storm water outfall, or flow control into adjacent drainage courses, ditches and the like.

The drainage plan shall indicate the manner in which surface drainage is to be disposed of. This may require making use of the existing ditches, natural watercourses, or
constructing tributaries, but shall not result in storm water that exits the detention pond and/or property site at an erosive velocity. Additional hard surfaces proposed for a site must provide for detention and/or retention. The minimum requirements for retention and detention facilities are as follows: For sandy sites the volume of retention and/or detention shall be equal to the volume of 1 and 1/2” of water depth multiplied by the area of additional hard surface. For all sites other than sand, the volume of the retention and/or detention shall be equal to the volume generated from 2” of water depth multiplied by the area of additional hard surface. Both detention and retention facilities must be designed to assure that water is released within 72 hours. Detention facilities are to have a pipe no larger than 4” exiting the ponds at a grade no greater than 1%.

All storm water drainage plans shall be sealed by a Michigan Registered Professional Civil Engineer. The Planning Commission may waive the requirement, defer the requirement, or determine that a fully engineered storm drainage plan is not necessary, or can be deferred to a future date. Improvement guarantees shall be required, unless waived by the Planning Commission, for all storm water drainage plans in the form and amount acceptable by the Planning Commission to guarantee completion of the project in accordance with the conditions of the zoning permit. The performance guarantee will be released upon final inspection and approval by the Zoning Administrator, and receipt of sealed as built plans for storm water drainage.

Storm water retention basins designed to keep a fixed pool of water shall include one or more of the following safety features: 1) safety ledge(s) at least (10) feet wide at the basin perimeter, 2) vegetation surrounding the basin to discourage wading, or 3) fencing to prevent unauthorized access to basin.

Sandy, for the purpose of this Section, shall be defined as soils that meet a percolation rate consistent with the Emmet County Sanitary Code of 0 to 15 minutes.

H. Spaces, Rights-Of-Way, Easements
Spaces, rights-of-way, easements, and related site plan elements needed to serve the proposed use or development for such services as fire protection, sanitary sewers, water supplies, solid waste, storm drainage systems, and related. None shown.

I. Waste Receptacles
Waste receptacle and enclosure requirements. None shown.

1. Receptacles, including waste receptacles, waste compactors, and recycling bins shall be designed, constructed, and maintained according to the requirements of this Section.

2. Waste receptacles, including dumpsters or compactors, shall be required for all nonresidential uses unless interior facilities are provided. The requirement to provide a waste receptacle may be waived by the planning commission if the applicant provides documentation that the development will not necessitate a waste receptacle.
3. All outdoor waste receptacles shall be enclosed on three (3) sides and screened. The enclosure shall be constructed of brick or decorative concrete material, consistent with the building materials of the principal building.

4. The enclosure shall also include a gate, made of wood or other high quality material, as determined by the planning commission, on the fourth side. If the waste receptacle is a dumpster it must have an enclosing lid or cover.

5. The enclosure shall have a minimum height of six (6) feet or one (1) foot above the height of the waste receptacle, whichever is greater, but may not be less than four (4) feet in height.

6. Waste receptacles and enclosures shall be located in the rear yard, not closer than three (3) feet from the rear lot line, or non-required side yard, unless otherwise approved by the planning commission and shall be as far as practical, but in no case be less than twenty (20) feet, from any residential district. If practical, the back side of the waste receptacle enclosure should be placed against the building. In this circumstance the wall may act as one (1) side of the enclosure.

7. Waste receptacles shall be easily accessed by refuse vehicles without potential to damage automobiles parked in designated parking spaces or interfering with the normal movement of vehicles on or off the site.

J. Mechanical or Electrical Equipment

Mechanical or electrical equipment requirements. None shown.

1. Ground mounted mechanical or electrical equipment, such as blowers, ventilating fans, and air conditioning units are permitted only in side yards or in the rear yard.

2. Mechanical or electrical equipment shall be placed no closer than three (3) feet to any lot line.

3. Any ground, building, or roof mounted mechanical or electrical equipment or utilities, including water and gas meters, propane tanks, utility boxes, transformers, elevator housings, stairways, tanks, heating, ventilation and air conditioning equipment (HVAC), and other similar equipment, shall comply with the following standards:

   a. All such equipment shall be screened by a solid wall, fence, landscaping, and/or architectural features that are compatible in appearance with the principal building.

   b. Roof mounted equipment shall not exceed a height of ten (10) feet above the surrounding roof surface. All roof mounted mechanical units must be screened so they are not visible from ground level, even if not specifically addressed as part of site plan review.
Draft Motions:

To deny PPUDF18-01, Robert Drost for a Final Unit Development on property located at 2157 Howard Road and a vacant lot fronting River Road in Section 17, Bear Creek Township, tax parcels 24-01-19-17-100-005 & 019, as shown on the Proposed PUD – Preliminary Development Plan dated Received Feb 26 2018 because the plan is consistent with the Preliminary PUD Plan, and with the surrounding FF-1 uses and (other reasons may be added here).

To postpone until the next regular Planning Commission PPUDF18-01, Robert Drost for a Final Planned Unit Development review on property located at 2157 Howard Road and a vacant lot fronting River Road in Section 17, Bear Creek Township, tax parcels 24-01-19-17-100-005 & 019, as shown on the Proposed Plan dated Received Feb 26, 2018 to allow additional time for review and the following (additional reasons may be added here).

To Approve PPUDF18-01, Robert Drost for Final Planned Unit Development and Site Plan Review on property located at 2157 Howard Road and a vacant lot fronting River Road in Section 17, Bear Creek Township, tax parcels 24-01-19-17-100-005 & 019, as shown on the Proposed PUD Plan dated Received Feb 26 2018 because the standards for the Preliminary and Final PUD have been met, and the uses include all previously approved uses, being FF-1 Farm and Forest uses, plus storage because the plan is consistent with adjacent land uses, the proposed uses are consistent with the rezoning and the PUD Preliminary Plan, there would be no adverse physical impact on surrounding properties and the standards of Article 17 and Section 20 have been met and approval includes all conditions as shown on the draft PUD Agreement dated March 12, 2018. (conditions or statement of facts may be inserted here).
PLANNED UNIT DEVELOPMENT AGREEMENT

PARTIES OF INTEREST
This Planned Unit Development (PUD) Agreement is an agreement between the following parties of interest, relative to a proposed storage building complex and forest products processing facility affecting Tax Parcels numbered 24-01-19-17-100-005 and 24-01-19-17-100-019. This agreement is based on the PUD Preliminary & Final Plans and supporting application documentation and site plan details. The parties of interest are:

Party No. 1  The Developer/Owner
Robert A & Diana M Drost
C/O Robert A & Diana M Drost Trusts
545 Bay St
Boyne City, MI 49712

Party No. 2  Emmet County
The County of Emmet
200 Division Street
Petoskey, MI 49770

It is understood the owner/developer may assign any and all rights or interests to a party or parties, but such assignments shall carry the terms of this PUD Agreement (or supplements which may be made to this agreement) as binding and running with the land. Owner/developer shall notify Emmet County of any such assignment.

PURPOSES
The purpose of this PUD Agreement is to obtain good faith performance and ensure that the development, as approved pursuant to the approved PUD Plan (Preliminary & Final, as amended), and subsequent Site Plan(s), are constructed and maintained in accordance with all of the approval motions and conditions of Emmet County. Both parcels shall be considered one development lot.

BACKGROUND
The developer, Robert A Drost received approval for a Preliminary Planned Unit Development (PUD) by the Emmet County Board of Commissioners on June 15, 2017. A revised Preliminary PUD was approved by the Emmet County Board of Commissioners on February 15, 2018.[DATE].

CONDITIONS
The following conditions and requirements shall run with the land, and as such are obligations upon the current owner(s) or such other persons and/or entities who remain or who subsequently become owners of any part or all of the subject land encompassed in the Preliminary and Final PUD Plans.

1. The Final PUD Plan dated DATE and approved by the Emmet County Planning Commission on DATE, as approved per Article 17 of the Emmet County Zoning Ordinance, are incorporated herein, with all notations and graphic illustrations contained thereon.

2. The uses approved for this PUD include all FF-1 and FF-2 Farm and Forest uses and storage buildings. The Final PUD includes storage uses and a forest products processing facility.
3. The PUD perimeter setback of 50 feet shall be maintained from all property lines except that the existing access drive from Howard Road may continue to exist at its currently approved location.

4. The use of landscaping shall be incorporated into the plans to screen the buildings from Howard Road. A detailed landscape plan shall be provided, and plants maintained such that they screen as intended. The buildings’ façades shall be built in accordance with the approved elevation drawings dated XXXXX on record as being part of the site plan approved. Minor deviations to the landscaping plan and building façades may be approved by the Zoning Administrator. Any modification determined by the Zoning Administrator not to be a minor deviation will be subject to Planning Commission approval.

5. In addition to the Landscape Plans approved by the Emmet County Planning Commission, the following shall be required to be shown on landscape plans at the time of submission of applications for Zoning Permits and installed in accordance with the following provisions:

   A. The plantings and other landscape features detailed on the approved drawings from the DATE Emmet County Planning Commission meeting and which are on record as being part of the site plan approved, must be installed as shown on the plans within six (6) months of the completion of any building.

   B. Any portion of the site disturbed by grading and on which no construction occurs during any six month period shall be planted with appropriate ground cover and properly maintained as approved by the Soil Erosion Control Officer.

   C. Perpetual maintenance of landscaping shall be provided and any dead or diseased materials shall be removed and replaced with similar types, species and sizes, as originally planted within six (6) months, weather permitting.

   D. Landscaping shall conform to, but may be more than, the landscaping shown on the approved PUD plan, and will be reviewed for approval at the time of Site Plan Review.

6. One freestanding sign and one wall mounted sign may be permitted in accordance with the Emmet County Zoning Ordinance standards.

7. Outdoor lighting shall conform to the Zoning Ordinance standards. All outdoor lights shall have a full cut-off design with horizontally aligned flush mounted lens, designed and/or directed away from all adjacent properties and uses and further shall not glare upon or interfere with persons and vehicles using public streets. All proposed outdoor lighting shall be approved by the Emmet County Sign & Lighting Committee.

8. All on-site electrical and communication conduits shall be placed in-ground rather than overhead.
9. Approval of the development by the local fire protection agency having jurisdiction must be demonstrated prior to issuance of a Certificate of Occupancy for any buildings.

10. The height of all buildings shall be permitted to be no greater than that depicted on the approved building elevation sketches submitted with the Final PUD Master Plan or subsequent approved site plans. No building shall exceed one single story. No building shall exceed the maximum permitted by the Zoning Ordinance.

11. The access drive to the storage buildings shall be managed with a gated entry which is open only to those with security to access the site. It shall not be open to the public. The gate shall be equipped as required by the Fire Chief. The gate shall be located such that no vehicles interfere with traffic flow on Howard Road.

12. Ongoing maintenance of the drainage system shall be the obligation and responsibility of the owner(s)/developer. A drainage system maintenance schedule shall be provided prior installation. The owner(s)/developer shall keep the drainage system and all on-site drainage areas and facilities in good operating condition. Any changes to the drainage system are subject to Zoning Administrator review.

13. No motor vehicle driveway access between the two parcels shall be permitted. The existing vegetation shall be maintained on the slope between the two tax parcels except as necessary to complete the drainage system as shown on the approved Final PUD Plan dated DATE.

14. Both access drives onto the property shall only be utilized upon approval by the road agency having jurisdiction.

15. The site shall be managed such that it complies with the Emmet County Soil Erosion and Sedimentation Control Ordinance, Ordinance No. 14-1.

16. Once the project is started, the Final PUD Plan as amended shall remain in effect for all areas of the plan.

17. Plans that deviate from the approved site plan will be considered revised site plans and will require approval by Emmet County Planning Commission.

18. Parking for the development shall be provided as shown on the approved site plan.

19. Right-of-ways and/or easements for non-motorized trails (as bikeways) shall be permitted on the Developer's or Owner's property and generally parallel public roads, or on separate adjacent parcels, in specific locations that are mutually agreeable to Emmet County and the Developer and may be permitted in the setback.

20. No uses, other than personal storage uses, are allowed within the storage buildings. Such storage may include vehicles, recreational vehicles, personal property, but shall not include bulk storage of fuel or any hazardous materials. No commercial activity of any kind is permitted within the storage buildings.
21. Forest products processing is permitted as shown on the approved PUD Plan on tax parcel 24-01-19-17-100-019 and includes the following:
A. Permitted in the areas identified only. Including stock piles and processing locations.
B. The wetland area identified on the Final PUD Plan shall be protected and any storage, fill, or use is permitted within the regulated wetland.
C. Existing vegetation shall be maintained in the 50 ft. perimeter setback to screen and buffer the use from adjacent properties.
D. No outdoor display or sales shall be permitted on the site. No public sales of firewood, wood chips, or other wood products shall be permitted on the site.
E. No equipment shall be stored on the site on a permanent basis and may only be permitted for periods not to exceed XX days.
F. Wood chipping/grinding on the site may be allowed three (3) one (1) times per year, not to exceed fifteen seven days per per calendar year. Wood chipping/grinding and other wood processing shall occur only between the hours of 8AM and 5PM Monday through Friday.
G. No burning is permitted on this site at any time.
H. Wood chip stock piles shall not exceed 800 yards. The height shall not exceed 30 feet and the area shall not exceed that which is shown on the approved site plan.

22. The PUD Project shall be constructed in phases or stages as described by the developer during the Public Hearings (east to west), and it is understood by this Agreement, that the parking, landscaping, and lighting elements of the plan may be constructed in proportion to the approved phases as defined on the Zoning Permit. The west property line screening shall be installed prior to occupancy of any of the storage buildings.

The Final PUD Plan as approved shall take immediate effect upon the execution of this PUD Agreement, to assure that all approval stipulations are, in fact, implemented and including the proper maintenance of all required and Owner provided landscaped areas, and all storm drainage systems.

CERTIFICATIONS

DEVELOPER OR OWNER: ROBERT A & DIANA M DROST TRUST

Robert A. Drost Witness Date

Diana M Drost Witness Date

EMMET COUNTY:

John Eby, Chair Witness Date

PUD Agreement February 2018 March 12, 2018 Page 4
Emmet County Planning Commission

William L Shorter, Chair
Emmet County Board of Commissioners

Witness

Date
Submitted To: Bob & Diane Drost  
Project: Bob & Diane Drost

Scope
We propose to furnish the following scope of work to complete the above mentioned project:

Detention Pond Excavation
This bid includes labor and materials to excavate 3 holding detention ponds equaling 15,300 CFT.

Description
Labor- Administrative
Labor- Foreman
Labor- Operator

Drain Pipe Installation
This bid includes labor and materials to install 2,228 ft of SDR drain pipe and 65 ft of hand core catch basins.

Description
Pvc SDR35 Cap 4"
Pvc SD Coupling 4"
Pvc SD Cross 4"
Pvc SD Elbow 4" 45d
Pvc SD Elbow 4" 22.5d
Pvc SD Elbow 4" 90d Long Turn
Pvc SDR35 Elbow 12" 90d
Fabric, Septic 36" x 1500'
Foam, Handi 880g Black Poly
Foam, Handi Cleaner
Glue, Ch Redhot Blue Glue
Grate 24" 6221M
Pipe Handcore 24"
Labor- Foreman
Labor- Operator
Labor- Trucking
Pipe SDR35 4" Perforated Pvc
Pipe SDR35 12"
Pipe SDR35 8"
Sand, Fill Sand
Stone, Drain Stone
Pvc Tee 4"
Pvc SD Wye 4"

2,033.52
24,557.27
Tree Clearing

Includes removing trees for drainage areas.

Description
Tree Removal

2,109.20
Total Price for Project

$28,899.99

Terms & Conditions

<table>
<thead>
<tr>
<th>Down Payment Request:</th>
<th>0% of total project price</th>
</tr>
</thead>
<tbody>
<tr>
<td>Amount of Deposit:</td>
<td>$0.00 to be received upon signing of contract</td>
</tr>
</tbody>
</table>

Accepted: Bob & Diane Drost

By: Drost Landscape, Inc.

Date

Date
REQUEST

PPUD18-001

A request by Jack VanTreese for Maple River Resort LLC for a Preliminary Planned Unit Development amendment at 3435 S US 31 Hwy in Section 22 of Maple River Township. The request includes four tax parcels: 24-09-14-22-200-004 zoned RR Recreational Residential and 24-09-14-22-200-002, 003 & 24-09-14-22-400-020 all zoned FF-1 Farm and Forest. The request is to allow B-2 uses on the RR parcel and FF uses on the remainder plus cabins, RV and mobile home parks, golf and other sports venues. The review will be per Article 17 and Section 27.11 of the Zoning Ordinance.

LOCATION
APPLICATION FOR ZONING ACTION
EMMET COUNTY OFFICE OF PLANNING, ZONING,
AND CONSTRUCTION RESOURCES
3434 HARBOR-PETOSKEY RD, SUITE E, HARBOR SPRINGS, MI 49740
PHONE: (231) 348-1735 FAX: (231) 439-8933 EMAIL: pzc@emmetcountv.org

FEB 14 2018

DATE RECEIVED

FEE

PLEASE MAKE CHECKS PAYABLE TO: EMMET COUNTY

Applicant's Name_JACK VAN TRESEE
Phone 231-347-3943

Applicant's Address_PO BOX 622 PETOSKEY, MI 49770

Applicant's Email Address_jack@jackvantriese.com

Owner's Name_MAPLE RIVER RESORT, LLC
Phone 231-838-5729

Owner's Address_3459 US 31 HIGHWAY, BRUTUS, MI 49716

Owner's Email Address_jack@jackvantriese.com

JOB SITE LOCATION:
Township: MAPLE RIVER Tax Parcel #: 24-09 - 14 - 22 - 200 - 002 003 004
Address: 3459 US 31 HIGHWAY, BRUTUS, MI 49716

ZONING REQUEST:
Planning Commission:
Special Use Permit □
Site Plan Review □
Planned Unit Development X
Zoning Map Change □
Zoning Text Change □

REQUIRED USE INFORMATION
Ground floor area main building: ________ Sq. Ft.
Floor Area accessory building: ________ Sq. Ft.
Lot/Parcel Size: 235± Acres ________ Sq. Ft.
Site/Plot Plan required* 2 full sized & 14 reduced sized (max 11”x17”) site plans required for Planning Commission cases.

 Describe Request:
TO BE REZONED TO P.U.D.

Date Submitted
Site Inventory □
Fire Dept Approval □

Date Submitted
Estimate Cost of Drainage improvements

Date Submitted
Soil Erosion Permit □
Wetlands Permit □

Date Submitted
Health Dept. Approval/ □
Road Commission/ □

Date Submitted
Sewer Taps □
MDOT Approval □

Date Submitted
Elevation Drawing □

Other:
As owner and/or applicant representing the owner, I do X authorize Emmet County (staff, appointed board, and/or commissioners, or committee members) to enter upon the subject property for purposes of making inspections related to the project or request identified in this application. If authorized, such inspections or site-walks shall be conducted at reasonable hours and times.

I certify that all the above information is accurate to my fullest knowledge:

JACK VAN TRESEE
Signature of Applicant

Printed Name of Applicant

Printed Name of Property Owner

*Required Signature of Property Owner

Date 2/14/18

Date 2/14/18
PUD USES

- Restaurants with or without drive through
- Banquet Halls, Weddings / Party Barn with outdoor live music
- Courses for: Golf, Foot golf, Disc golf
- Caterers / Food Service Contractors
- Resorts (for profits) including RV Park and Cabins
- Recreation Camps and Condominiums
- Retail Sales with Outside Display of Products
- Outdoor Recreation Facilities
- Resale Shops, Antique Shops
- Amusement Arcades and Mini-Golf
- Outdoor Sales of Furniture, Antiques, Cabins & Storage Barns
- Real Estate Sales / Professional Offices
- Microbreweries, Wineries, Distilleries
- Craft & Art Making
- Assembly of Wood Products & Small Buildings
- Mini - Warehouses
ZONING EVALUATION FORM
Office of Planning and Zoning
Emmet County, MI

DATE: 3/14/18 CASE #: PPUD18-001

APPLICANT: Jack VanTreese for Maple River Resort LLC

PROPERTY: 3435 US 31 Hwy

TOWNSHIP: Maple River

REQUEST: Planned Unit Development - Rezone

FACTS:
- The PUD rezone includes 4 parcels totaling approximately 216.9 acres.
- The two parcels (69.5 acres) fronting US 31 are zoned RR, Residential Recreation and the two parcels (147.7 acres) are zoned FF-1, Farm Forest.
- The surrounding zoning is predominantly Farm Forest, FF-1 with Business, B-2 and Residential, R-2 to the south and east.
- The proposal is to rezone the RR property to B-2 and FF-1 uses on the remainder of the property plus cabins, RV and mobile home parks, golf and other sports venues.
- This is a Preliminary PUD review-rezoning. The township approval is necessary. Final approval is by the Emmet County Board of Commissioners.
- If the Preliminary PUD is approved, then the applicant could proceed with a Final PUD Plan and Site Plan Review by the Planning Commission.
- Surrounding uses include residential and agriculture uses.
- The Emmet County Master Plan and Future Land Use Map show this area as rural residential.

ZONING ORDINANCE STANDARDS:

SEE PUD STANDARDS (10 pages)

27.11.1 Rezoning Standards

The Planning Commission shall review and apply the following standards and factors in the considerations of any rezoning request.

A. Is the proposed rezoning consistent with the current Master Plan?

B. Are all of the allowable uses in the proposed district reasonably consistent with surrounding uses?

C. Will there be an adverse physical impact on surrounding properties?

D. Have there been changes in land use or other conditions in the immediate area or in the community in general which justify rezoning?

E. Will rezoning create a deterrent to the improvement of adjacent property in accord with existing regulation?
F. Will rezoning grant a special privilege to an individual property owner when contrasted with other property owners in the area or the general public (i.e. will rezoning result in spot zoning)?

G. What is the impact on the ability of the County and other governmental agencies to provide adequate public services and facilities, and/or programs that might reasonably be required in the future if the proposed amendment is adopted?

H. A zoning ordinance amendment approved by the Planning Commission shall not increase any inconsistency that may exist between the zoning ordinance or structures or uses and any airport zoning regulations, airport layout plan, or airport approach plan.

Draft Motions:

To approve PPUD18-001, Jack VanTreese for Maple River Resort LLC for a Preliminary Planned Unit Development Rezoning on property located at 3435 US 31 Hwy, Section 22, Maple River Township, tax parcels 24-09-14-200-002, 003, 004 and 24-09-14-22-400-020 as shown on the Proposed PUD – Preliminary Development Plans dated Received February 14, 2018 because the standards for the PUD and a Rezoning have been met. The uses include all B-2 uses on the RR parcel and FF uses on the remainder plus cabins, RV and mobile home parks, golf and other sports venues (other conditions or statement of facts may be inserted here).

To deny PPUD18-001, Jack VanTreese for Maple River Resort LLC for a Preliminary Planned Unit Development Rezoning on property located at 3435 US 31 Hwy, Section 22, Maple River Township, tax parcels 24-09-14-200-002, 003, 004 and 24-09-14-22-400-020 as shown on the Proposed PUD – Preliminary Development Plans dated Received February 14, 2018 because B-2 uses are not consistent with the Emmet County Master Plan, B-2 uses are not compatible with current surrounding uses (other conditions or statements of facts may be inserted here).

To postpone until next regular Planning Commission meeting PPUD18-001, Jack VanTreese for Maple River Resort LLC for a Preliminary Planned Unit Development Rezoning on property located at 3435 US 31 Hwy, Section 22, Maple River Township, tax parcels 24-09-14-200-002, 003, 004 and 24-09-14-22-400-020 as shown on the Proposed PUD – Preliminary Development Plans dated Received February 14, 2018 based on the policy of the Planning Commission to allow additional time for rezoning reviews (additional reasons may be added here).
This map is for general reference purposes only. It is not intended as a replacement, a substitute for, or duplication of a survey.

1 in = 800 ft

Emmet County GIS
200 Division St
Petoskey, MI 49770
231.348.0631
November 2017
REQUEST

PSPR18-001

A request by Phil & Kristin Schaner for Site Plan Review-amendment to allow development of a hotel/motel/motor inn ("Lodge & Villas") on vacant property located at 1256 N US 31 Hwy in Section 34 of Bear Creek Township. The property is tax parcel 24-01-16-34-100-027 and is zoned R-2 General Residential. The Special Land Use was approved by the Planning Commission on November 3, 2016. Site Plan Review was approved with conditions on 11/2/2017. This request increases the number of rental units and is per Articles 5, 20, and 22 of the Zoning Ordinance.
APPLICATION FOR ZONING ACTION
ENMET COUNTY OFFICE OF PLANNING, ZONING,
AND CONSTRUCTION RESOURCES
3434 HARBOR-PETOSKEY RD, SUITE B, HARBOR SPRINGS, MI 49740
PHONE: (231) 348-1735 FAX: (231) 348-4992 EMAIL: pzc@enmetcounty.org

FEB 23 2018
DATE RECEIVED
$ FEE
50¢
PESR 18-001
APPLICATION #
FEB 23 2018
DATE PAID
PLEASE MAKE CHECKS PAYABLE TO: ENMET COUNTY

Applicant's Name PHILIP & KRISTIN SCHANER Phone 930-220-0630
Applicant's Address 4663 PLATEAU VIEW DR. NE GRAND RAPIDS, MI 49525
Applicant's Email Address dis0583@hotmail.com
Owner's Name SAME Phone
Owner's Address
Owner's Email Address

JOB SITE LOCATION:
Township: BEAR CREEK Tax Parcel #: 24-01-16-34-100-02-7
Address: 1256 N US-31 HIGHWAY

ZONING REQUEST:
Planning Commission:
Special Use Permit ☑
Site Plan Review ☐
Planned Unit Development ☐
Zoning Map Change ☐
Zoning Text Change ☐

REQUIRED USE INFORMATION
Ground floor area main building: __________ Sq. Ft.
Floor Area accessory building: __________ Sq. Ft.
Lot/Parcel Size: 2.28 Acres __________ Sq. Ft.
Site/Plot Plan required* 2 full sized & 14 reduced sized (max 11"x17") site plans required for Planning Commission cases.

Describe Request: Proposed Lodge & Villas

*Please attach site/plot plan to show: property; dimensions; front, rear, and side yard setbacks; streets, roads, and all buildings on the lot. Review Section 2405 of the Zoning Ordinance for Site Plan requirements.

Date Submitted Site Inventory Date Submitted

Date Submitted Fire Dept Approval Date Submitted

Date Submitted Wetlands Permit Date Submitted

Date Submitted Road Commission Date Submitted

Date Submitted MDOT Approval Date Submitted

Other:
As owner/and or applicant representing the owner, I do ___ do not ___ authorize Enmet County (staff, appointed board, or/and commissioners, or/and committee members) to enter upon the subject property for purposes of making inspections related to the project or request identified in this application. If authorized, such inspections or site walking shall be conducted at reasonable hours and times.

I certify that all the above information is accurate to my fullest knowledge:

Signature of Applicant Printed Name of Applicant Date

*Required Signature of Property Owner Printed Name of Property Owner Date

2-23-18 2-23-18
### SITE PLAN REVIEW CHECKLIST

**Subject Property Address:** 1256 N. US-31 HWY  
**Subdivision and Lot Number (If Applicable):**  
**Tax Parcel Number:** 24-01-16-34-100-027  
**Township:** BEAR CREEK  
**Proposed Use of Property:** COMMERCIAL VACATION  
**Proposed Number of Employees:**  

#### CHECKLIST

<table>
<thead>
<tr>
<th>Basic Map Information</th>
<th>Yes</th>
<th>No</th>
<th>N/A</th>
<th>Comments</th>
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</thead>
<tbody>
<tr>
<td>1 Proposed site location map (indicate sufficient area reference to locate site). May use plat map, Google map or other map to identify parcel.</td>
<td>✔️</td>
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<tr>
<td>2 Appropriate scale</td>
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<tr>
<td>3 Date, North Arrow, Street Names (existing and proposed right-of-ways).</td>
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<tr>
<td>4 Name, Address and Phone Number of person preparing plan</td>
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<tr>
<td>5 Property line dimensions</td>
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</table>

#### Basic Zoning Information

<p>| 6 Zoning setback lines - Building (including the eave) Setbacks: Front 20'0&quot; Side 20'0&quot; Rear/Water 0'0&quot; | ✔️ | | | |
| 7 Distance between buildings (nearest point to nearest point) | | | | |
| 8 Location of new buildings and general floor plan. Dimensions of bldg(s) = x Total sq. ft. = | | | | |
| 9 Proposed building elevations (to scale) Max. Height = | | | | |
| 10 All existing structures (labeled) within 100 feet of perimeter property lines | | | | |
| 11 Multiple housing units - Number of units = composition (efficiency, one bedroom, two, three) | | | | |
| 12 Surrounding zoning (properties immediate to subject site) | | | | |
| 13 Lot coverage of proposed buildings = 11.0% | | | | |</p>
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<thead>
<tr>
<th>Natural Features</th>
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<th>No</th>
<th>N/A</th>
<th>Comments</th>
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</thead>
<tbody>
<tr>
<td>14 Boundaries of existing natural features (trees, lakes, ponds, streams, rock</td>
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<tr>
<td>15 Has a wetland permit been applied for?</td>
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<tr>
<td>16 Existing topography</td>
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<tr>
<td>17 Soil analysis Is it in a Critical Dune Area?</td>
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<tr>
<td>18 Site Inventory provided?</td>
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<tr>
<td>19 Are there scenic view considerations?</td>
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### Drainage / Parking/ Roads

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<td>20 Access drives, internal roads (note public or private) service roads. Width</td>
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<tr>
<td>21 Loading/unloading, service areas</td>
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<tr>
<td>22 Sidewalks, paths, and trails (Internal and public within road right-of-ways).</td>
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<td>23 Acceleration/deceleration lanes</td>
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<tr>
<td>24 Road agency approval?</td>
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<tr>
<td>25 Parking areas (dimensioned typical parking space, maneuvering lanes)</td>
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<tr>
<td>26 Parking spaces required____, parking spaces actual____, Handicap parking location and number____</td>
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<tr>
<td>27 Required landscaping in parking areas</td>
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<tr>
<td>28 Snow storage/snow management plan</td>
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<tr>
<td>29 Dumpster location, screening indication</td>
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<td>30 Existing easements (utility, access) within site limits</td>
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<td>31 Location of Water/well, Sewer/septic, and stormwater</td>
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<tr>
<td>32 Site grading and drainage plan (on-site elevations for pavements, drives,</td>
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<tr>
<td>roads, parking lots, curbs, sidewalks and finished grades at building facades)</td>
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<tr>
<td>Attach a sealed Engineered Drainage Plan.</td>
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<td>33 Proposed retention/detention sedimentation ponds</td>
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<tr>
<td>Other Site Requirements</td>
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<td>N/A</td>
<td>Comments</td>
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<tr>
<td>-----------------------------------------------------------------------------------------</td>
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<tr>
<td>Proposed landscaping (required greenbelts, plant materials/size and type, fences, retaining walls, earthberms, etc.)</td>
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<tr>
<td>Location of outdoor lights, pole heights, bollards, building attached, luminary shielding techniques*</td>
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<tr>
<td>Location of sign(s)*</td>
<td>✔️</td>
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<tr>
<td>Site amenities (play area, pools, beaches, tennis courts, etc.)</td>
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<tr>
<td>Impact Statement attached?</td>
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<tr>
<td>Fire Department approval?</td>
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<td>UNDER REVIEW</td>
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<tr>
<td>Fire hydrants and fire vehicle access.</td>
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<td>Road Agency approval?</td>
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<td>Health agency approval?</td>
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<td>UNDER REVIEW</td>
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<td>Army Corps of Engineers approval?</td>
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<td>Michigan Department of Environmental Quality approval?</td>
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</tbody>
</table>

*Signs and lights will need to be approved by the Emmet County Sign and Lighting Committee.

ADDITIONAL COMMENTS:

Applicants Signature: [Signature]

Date: 2-2-18
IMPACT STATEMENT
FOR SITE PLAN REVIEW

APPLICANT'S
NAME: PHILLIP & KRISTIN SCHANER   CASE#: R508 18-001

PHONE
NUMBER: 952-220-0630   DATE: 2/23/18

PROJECT TITLE
PROPOSED LODGE & VILLAS

PROPERTY TAX ID
# 01-16-34-100-027   TOWNSHIP: BEAR CREEK

DIRECTIONS TO APPLICANT
BELOW ARE THE REQUIREMENTS TO CONFORM TO SECTION 20.04, IMPACT STATEMENT, OF THE EMMET COUNTY ZONING ORDINANCE #15.1. THESE ITEMS MUST BE ADDRESSED AND SUBMITTED WITH THE SITE PLAN AT LEAST 24 DAYS PRIOR TO THE PLANNING COMMISSION MEETING IN ORDER TO BE PLACED ON THE FOLLOWING MONTH'S AGENDA. (REGULAR MEETING DATE IS THE FIRST THURSDAY OF THE MONTH,) ITEMS LISTED ARE MINIMUM REQUIREMENTS, AND ADDITIONAL INFORMATION MAY BE SUBMITTED TO DESCRIBE THE PROJECT IMPACT.

1. PROJECT DESCRIPTION
Give a description of the proposed development including: Site area, number of proposed lots and/or units, population density, other pertinent population data, vehicle traffic, and related.

The proposal is for a lodge building and (10) villas for vacation rental type use. The property size is +/- 2.28 acres. There will be several full and/or part-time employees, and temporary jobs created for design professionals and construction contractors. There will not likely be school impact/additional students. There will be additional demand for sanitary service. There will be some additional traffic on local roads. Site drainage will be retained on-site. There will be no pollution, and minimal additional noise.
2. EXPECTED DEMANDS ON COMMUNITY SERVICES

Explain what the impact will be on the following community services and describe how services will be provided (if applicable):

a. Sanitary Services
   *Provided w/connection to adjacent sewer*

b. Domestic Water
   *To be provided w/well*

c. Traffic Volumes
   *Additional 10-15 cars per day*

d. Schools
   *None*

e. Fire Protection
   *None*

3. ENVIRONMENTAL IMPACTS

Include statements relative to the impact of the proposed development on (if applicable):

a. Soil Erosion
   *None*

b. Storm Drainage
   *Retained on-site*

c. Shoreline Protection
   *N/A*

d. Wildlife
   *Minimal impact*

e. Air Pollution
   *None*

f. Water Pollution
   *None*

g. Noise
   *None*
ZONING EVALUATION FORM
Office of Planning and Zoning
Emmet County, MI

DATE: 3/7/18

APPLICANT: Phil & Kristen Schaner

PROPERTY: 1256 N US 31 Hwy

TOWNSHIP: Bear Creek Township

REQUEST: Site Plan Review - Amendment

FACTS:
- The property is zoned R-2 General Residential.
- The property is approximately 2.25 acres in area.
- The undeveloped public road right-of-way that would have provided access to the property has been abandoned by the Emmet County Road Commission.
- The use proposed, villas and lodge, was approved in 2016 through Special Use Permit process in the category of hotels & motels & motor inns (attached or detached units). This use is a Special Use in the Zoning District, provided the standards of Sections 21.01 and 26.23 can be met.
- The site plan with 9 villas was reviewed and approved by the Planning Commission November 2017.
- The applicant is requesting to increase the number of villas from 9 to 10.
- The site has the Tannery Creek running through it on the west side.
- The site is partially wooded.
- Access is proposed via an easement access through Pirate’s Cove and the Burger King properties. Recorded easement provided.
- Setback standards appear to be met on the site plan.
- The proposal is for a lodge building which would include the owner’s residence plus 10 individual free standing buildings approximately 500 sq. ft. each.
- Adjacent uses include: Burger King/Pirate’s Cove/Pro Build to the north, golf course to the west, vacant land then hotel/motel to the east, vacant and single family residential to the south. The property borders B-2 to the north, R-2 to the east, and R-1 to the south and west.
- 12 required: 18 provided based on no meeting room or restaurant in lodge. The required parking for the use is 2 for the dwelling plus 1 for each sleeping room in the 10 buildings plus 1 per 150 sq. ft. of meeting room or restaurant. Floor plan doesn’t clearly identify uses within the lodge. Bike parking provided.
- Parking is in centralized area with pedestrian access provided to each unit.

Section 26.23 Motels, Tourist Homes, and Motor Inns

26.23.1 R-2
A. There shall be direct access to a County Primary road, city major street, village major street, or State Trunkline Highway, as opposed to a County local road, city minor street, village minor street, designated on the 1951 PA 51, as amended, (MCL 247-651 et seq.)
certification maps filed with the Michigan Department of Transportation.

Direct access will be provided via an easement from US 31 Hwy. Easement provided which satisfies Special Use Permit condition of approval.

B. The minimum lot width shall be one-hundred fifty (150) feet.  
This standard is met... the lot is 332.36' wide.

Parking requirements:  
The required parking for the use is 2 for the dwelling plus 1 for each sleeping room in the 10 buildings plus 1 per 150 sq. ft. of meeting room or restaurant. Floor plan doesn’t clearly identify uses within the lodge. Eighteen parking spaces provided, twelve required for the lodge as a dwelling only and the 10 rental units. Parking space size meets the Ordinance standards. Bicycle parking area is provided as required by the Ordinance. All other aspects of the current parking standards, snow storage, LID vegetated swale, etc. appear to be met.

Section 20.05 Site Plan Review Standards  
The Planning Commission shall approve, or approve with conditions, an application for a site plan only upon a finding that the proposed site plan complies with all applicable provisions of this Ordinance and the standards and considerations listed below unless the Planning Commission waives a particular standard upon a finding that the standard is not applicable to the proposed development under consideration and the waiver of that standard will not be significantly detrimental to surrounding property or to the intent of the Ordinance.

A. Compliance with District Requirements  
The site plan shall comply with the district requirements for minimum floor space, height of building, lot size, yard space, density and all other requirements as set forth in the Zoning Ordinance, unless otherwise provided.  
The setback standards show that they're met. The site should be staked and setbacks verified as the minimum setback standards are being proposed for all sides of the property. Height of lodge stated at 30 feet; heights of villas stated at 18 feet - meeting height standards.

B. Vehicular and Pedestrian Circulation  
Safe, convenient, uncontested, and well-defined vehicular and pedestrian circulation shall be provided for ingress/egress points and within the site. A pedestrian circulation system shall be provided and shall be as insulated as completely as reasonably possible from the vehicular circulation system. Drives, streets and other circulation routes shall be designed to promote safe and efficient traffic operations within the site and at ingress/egress points. The arrangement of public or common ways for vehicular and pedestrian circulation shall respect the pattern of existing or planned streets and pedestrian or bicycle pathways in the area. Streets and drives which are part of an existing or planned street pattern which serves the project area shall be capable of safely and effectively accommodating the traffic volume and pattern proposed by the project. Where possible, shared commercial access drives shall be encouraged.  
This standard appears to be met. Parking is in centralized area with pedestrian access provided to each rental unit. Signage will be needed at the highway so that users can identify the location for the lodging facility. Access easement proposed to be 40 feet wide.

1. Walkways from parking areas to building entrances

a. Internal pedestrian walkways shall be developed for persons who need access
to the building(s) from internal parking areas. The walkways shall be located within the parking areas and shall be designed to provide access from these areas to the entrances of the building(s).

b. The walkways shall be designed to separate people from moving vehicles.

c. These walkways shall have a minimum width of five (5) feet with no car overhang or other obstruction.

d. The walkways must be designed in accordance with the Michigan Barrier Free Design Standards.

e. These walkways shall be distinguished from the parking and driving areas by use of any of the following materials: special pavers, bricks, raised elevation or scored concrete. Other materials may be used if they are appropriate to the overall design of the site and building and acceptable to the review authority.

C. Emergency Vehicle Access
All buildings or groups of buildings shall be so arranged as to permit emergency vehicle access by some practical means to all sides.

*Plan provided to fire chief for review.*

D. Loading and Storage
All loading and unloading areas and outside storage areas which face or are visible from residential districts or public thoroughfares, shall be screened, by a vertical screen consisting of structural or plant materials of sufficient height to obscure the direct view from adjacent first floor elevations. The site plan shall provide for adequate storage space for the use therein.

*N/A*

E. Snow Storage
Proper snow storage areas shall be provided so to not adversely affect neighboring properties, vehicular and pedestrian clear vision, and parking area capacity. Snow storage provided adjacent to parking area with adequate area as required by parking standards.

F. Buffers
To provide reasonable visual and sound privacy, buffer techniques, screening, fences, walls, greenbelts, and landscaping may be required by the Planning Commission in pursuance of the objectives of this Section and/or as a condition of the establishment of the proposed use.

*Privacy fence proposed along north property line 6 ft. in height. Fencing shown along east and south property lines is cedar split rail fence. Recommend natural screening be maintained around east and south boundaries. Recommend natural vegetation be maintained along sixty foot Tannery Creek setback.*

G. Drainage
Storm water drainage plans shall address flows onto the site from adjacent sites and roads, storm water impact on the site (soils, impervious surfaces, potential impervious
surface, retention ponds, detention ponds, and related management facilities as appropriate), and the storm water outfall, or flow control into adjacent drainage courses, ditches and the like.

The drainage plan shall indicate the manner in which surface drainage is to be disposed of. This may require making use of the existing ditches, natural watercourses, or constructing tributaries, but shall not result in storm water that exits the detention pond and/or property site at an erosive velocity. Additional hard surfaces proposed for a site must provide for detention and/or retention. The minimum requirements for retention and detention facilities are as follows: For sandy sites the volume of retention and/or detention shall be equal to the volume of 1 and 1/2" of water depth multiplied by the area of additional hard surface. For all sites other than sand, the volume of the retention and/or detention shall be equal to the volume generated from 2" of water depth multiplied by the area of additional hard surface. Both detention and retention facilities must be designed to assure that water is released within 72 hours. Detention facilities are to have a pipe no larger than 4" exiting the ponds at a grade no greater than 1%.

All storm water drainage plans shall be sealed by a Michigan Registered Professional Civil Engineer. The Planning Commission may waive the requirement, defer the requirement, or determine that a fully engineered storm drainage plan is not necessary, or can be deferred to a future date. Improvement guarantees shall be required, unless waived by the Planning Commission, for all storm water drainage plans in the form and amount acceptable by the Planning Commission to guarantee completion of the project in accordance with the conditions of the zoning permit. The performance guarantee will be released upon final inspection and approval by the Zoning Administrator, and receipt of sealed as built plans for storm water drainage.

Storm water retention basins designed to keep a fixed pool of water shall include one or more of the following safety features: 1) safety ledge(s) at least (10) feet wide at the basin perimeter, 2) vegetation surrounding the basin to discourage wading, or 3) fencing to prevent unauthorized access to basin.

Sandy, for the purpose of this Section, shall be defined as soils that meet a percolation rate consistent with the Emmet County Sanitary Code of 0 to 1 1/2 minutes.

Sealed drainage plan provided. Estimated cost from engineer for drainage system = $3000.

H. Spaces, Rights-Of-Way, Easements
Spaces, rights-of-way, easements, and related site plan elements needed to serve the proposed use or development for such services as fire protection, sanitary sewers, water supplies, solid waste, storm drainage systems, and related.

Graphic and recorded easement provided.

I. Waste Receptacles
Waste receptacle and enclosure requirements

1. Receptacles, including waste receptacles, waste compactors, and recycling bins shall be designed, constructed, and maintained according to the requirements of this Section.

2. Waste receptacles, including dumpsters or compactors, shall be required for all nonresidential uses unless interior facilities are provided. The requirement to provide a waste receptacle may be waived by the planning commission if the applicant provides documentation that the development will not necessitate a waste receptacle.
3. All outdoor waste receptacles shall be enclosed on three (3) sides and screened. The enclosure shall be constructed of brick or decorative concrete material, consistent with the building materials of the principal building.

4. The enclosure shall also include a gate, made of wood or other high quality material, as determined by the planning commission, on the fourth side. If the waste receptacle is a dumpster it must have an enclosing lid or cover.

5. The enclosure shall have a minimum height of six (6) feet or one (1) foot above the height of the waste receptacle, whichever is greater, but may not be less than four (4) feet in height.

6. Waste receptacles and enclosures shall be located in the rear yard, not closer than three (3) feet from the rear lot line, or non-required side yard, unless otherwise approved by the planning commission and shall be as far as practical, but in no case be less than twenty (20) feet, from any residential district. If practical, the back side of the waste receptacle enclosure should be placed against the building. In this circumstance the wall may act as one (1) side of the enclosure.

7. Waste receptacles shall be easily accessed by refuse vehicles without potential to damage automobiles parked in designated parking spaces or interfering with the normal movement of vehicles on or off the site. See details regarding dumpster enclosure. It appears to meet the standards of this section and includes a roof over the trash receptacles.

J. Mechanical or Electrical Equipment
Mechanical or electrical equipment requirements.

1. Ground mounted mechanical or electrical equipment, such as blowers, ventilating fans, and air conditioning units are permitted only in side yards or in the rear yard.

2. Mechanical or electrical equipment shall be placed no closer than three (3) feet to any lot line.

3. Any ground, building, or roof mounted mechanical or electrical equipment or utilities, including water and gas meters, propane tanks, utility boxes, transformers, elevator housings, stairways, tanks, heating, ventilation and air conditioning equipment (HVAC), and other similar equipment, shall comply with the following standards:

   a. All such equipment shall be screened by a solid wall, fence, landscaping, and/or architectural features that are compatible in appearance with the principal building.

   b. Roof mounted equipment shall not exceed a height of ten (10) feet above the surrounding roof surface. All roof mounted mechanical units must be screened so they are not visible from ground level, even if not specifically addressed as part of site plan review.

This does not appear to be applicable.
Draft Motions:

To approve Case #PSPR18-001, Phil & Kirstin Schaner for Site Plan Review for a hotel/motel/motor inn on property located at 1256 N US 31 Hwy, Section 34, Bear Creek Township, tax parcel 24-01-16-34-100-027, as shown on the Site Plan and supplemental details regarding fences, trash storage container, and elevation sketches all dated Received Sept 8, 2017 and the Site Plan dated February 23, 2018 because the standards of Articles 5, 20, 21, and 26 have been met with the following conditions: that the parcel may not be reduced in lot width below 150 feet, the existing vegetation will be retained in the setback areas to the greatest extent possible, that the use of the lodge is limited to single family dwelling and the common area in the lodge may only be used as accessory to the residence and 10 villas and the meeting area will be limited to 900 sq.ft., that lights and signs be reviewed as required by the Zoning Ordinance, that a performance guarantee in the amount of $3,000 be provided as required for the drainage standards (Section 25.05 G), that the lodge roof run off goes into the catch basin, that the road be brought up to the Private Road standards and be hard surface as well as the sidewalks and parking be hard surface, that Sec. 2205 is adhered to and they will not create a public nuisance, that the applicant would be required to return to the Planning Commission for review of any additional uses, that the lot lines are clearly identified prior issuance of a zoning permit and that the Fire Department requirements be met (other conditions or statement of facts may be inserted here).

To deny Case #PSPR18-001, Phil & Kirstin Schaner for Site Plan Review for a hotel/motel/motor inn on property located at 1256 N US 31 Hwy, Section 34, Bear Creek Township, tax parcel 24-01-16-34-100-027, as shown on the amended Site Plan dated Received February 23, 2018 because (reasons must be added here).

To postpone Case #PSPR18-001, Phil & Kirstin Schaner for Site Plan Review for a hotel/motel/motor inn on property located at 1256 N US 31 Hwy, Section 34, Bear Creek Township, tax parcel 24-01-16-34-100-027, as shown on the revised Site Plan dated Received February 23, 2018 until the next regular Planning Commission meeting for the following reasons: to allow the applicant time to provide additional information.
REQUEST

PSPR18-002

A request by Dave Wilson for Northern Monument for a Special Use Permit and Site Plan Review at 1807 N US 31 Hwy in Section 26 of Bear Creek Township. The property is zoned B-2 General Business and includes tax parcels 24-01-16-26-300-040 & 300-042. The request is to amend the site plan and allow outdoor display and retail use per Articles 11, 20, 21 and 22 of the Zoning Ordinance.

LOCATION
APPLICATION FOR ZONING ACTION
EMMET COUNTY OFFICE OF PLANNING, ZONING,
AND CONSTRUCTION RESOURCES
3434 HARBOR-PETOSKEY RD, SUITE E, HARBOR SPRINGS, MI 49740
PHONE: (231) 348-1715 FAX: (231) 439-6933 EMAIL: COMMUNITY@EMMETCO.ORG

MAR 8 2018
DATE RECEIVED
APPLICANT #

FEE

PLEASE MAKE CHECKS PAYABLE TO: EMMET COUNTY

<table>
<thead>
<tr>
<th>Applicant’s Name</th>
<th>Applicant’s Address</th>
<th>Applicant’s Email Address</th>
</tr>
</thead>
<tbody>
<tr>
<td>NORTHERN MONUMENT</td>
<td>1807 US-31</td>
<td><a href="mailto:trocktc@comcast.com">trocktc@comcast.com</a></td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Owner’s Name</td>
<td>Owner’s Address</td>
<td>Owner’s Email Address</td>
</tr>
<tr>
<td>DAVE WILSON</td>
<td>2365 SOUTH AIRPORT RD, TC, MI 49684</td>
<td><a href="mailto:trocktc@comcast.com">trocktc@comcast.com</a></td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>JOB SITE LOCATION:</th>
</tr>
</thead>
<tbody>
<tr>
<td>Township: PEAR CREEK</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>ZONING REQUEST:</th>
</tr>
</thead>
<tbody>
<tr>
<td>Planning Commision:</td>
</tr>
<tr>
<td>Special Use Permit:</td>
</tr>
<tr>
<td>Site Plan Review:</td>
</tr>
<tr>
<td>Planned Unit Development:</td>
</tr>
<tr>
<td>Zoning Map Change:</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>REQUIRED USE INFORMATION</th>
</tr>
</thead>
<tbody>
<tr>
<td>Ground floor gross floor area:</td>
</tr>
<tr>
<td>First floor gross floor area:</td>
</tr>
<tr>
<td>Lot/Parcel Size:</td>
</tr>
<tr>
<td>Site/Plot Plan required*:</td>
</tr>
</tbody>
</table>

Date Submitted: Site Inventory: Date Submitted: Fire Dept Approval: Date Submitted: Wetlands Permit: Date Submitted: Road Commission: Date Submitted: MDOT Approval:

Other: |

As an owner and/or applicant representing the owner, I do/she shall authorize Emmet County (staff, appointed boards, joint committees) to consider, upon the subject property for purposes of making inspections related to the project or request submitted in this application. If authorized, such inspections or site checks shall be conducted at reasonable hours and times.

Signature of Applicant: Printed Name of Applicant: Date: William Marshall 3-6-18
SITE PLAN REQUIREMENTS
EMMET COUNTY PLANNING COMMISSION
3434 Harbor-Petoskey Rd, Suite E
Harbor Springs, MI 49740
231-348-1735
pzcr@emmetcounty.org

DIRECTIONS TO APPLICANT

The following items are needed to comply with the site plan requirements of the Emmet County Zoning Ordinance. All items should be submitted to the Emmet County Planning Department at least 24 days prior to the Planning Commission meeting in order to be heard at the Planning Commission meeting the following month. (Regular meeting date is the first Thursday of each month.)

2. Site Plan Review Check List in accordance with Article 20 of the Emmet County Zoning Ordinance. Applicable agency reviews as required.
3. Impact Statement for Site Plan Review.
4. Site Plans - (2) full sized and fourteen (14) reduced size (maximum 11"x17") copies of all maps or graphics. Digital format including data layers may be required, if deemed necessary by the Zoning Administrator.

IN ADDITION:
The applicant should distribute one copy of the completed plan to each of the following agencies (if required):

<table>
<thead>
<tr>
<th>AGENCY</th>
<th>ADDRESS</th>
<th>PHONE</th>
</tr>
</thead>
<tbody>
<tr>
<td>Health Department</td>
<td>3434 Harbor Petoskey Rd Suite A Harbor Springs, MI 49740</td>
<td>231-347-6014</td>
</tr>
<tr>
<td>Road Jurisdiction</td>
<td>2265 E. Hathaway Harbor Springs, MI 49740</td>
<td>231-347-8142</td>
</tr>
<tr>
<td>County Road Commission</td>
<td></td>
<td></td>
</tr>
<tr>
<td>OR</td>
<td>Gaylord Transportation Service Center 1088 M-32 East Gaylord, MI 49735</td>
<td>989-733-3832</td>
</tr>
<tr>
<td>State Highway Department</td>
<td></td>
<td>or 888-304-MDOT (6368)</td>
</tr>
<tr>
<td>Fire Department</td>
<td>(obtain from local source)</td>
<td></td>
</tr>
<tr>
<td>Soil Erosion Officer</td>
<td>3434 Harbor-Petoskey Rd Suite E Harbor Springs, MI 49740</td>
<td>231-439-8996</td>
</tr>
<tr>
<td>(If the building is within 500' of surface water or an acre or more of land is disturbed, including roads.)</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Affected Township</td>
<td></td>
<td></td>
</tr>
</tbody>
</table>
# SITE PLAN REVIEW CHECKLIST

**Case #:** PS PR 18-002  
**Date Received:** 2/26/18

**Subject Property Address:** 1807 US-31  
**Subdivision and Lot Number (If Applicable):**  
**Tax Parcel Number:** 24-________-________-________  
**Township:** Bear Creek  
**Proposed Use of Property:**  
**Proposed Number of Employees:** 1-2

---

## CHECKLIST

<table>
<thead>
<tr>
<th>Basic Map Information</th>
<th>Yes</th>
<th>No</th>
<th>N/A</th>
<th>Comments</th>
</tr>
</thead>
<tbody>
<tr>
<td>1 Proposed site location map (indicate sufficient area reference to locate site)</td>
<td>✓</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>May use plat map, Google map or other map to identify parcel.</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>2 Appropriate scale</td>
<td>✓</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>3 Date, North Arrow, Street Names (existing and proposed right-of-ways).</td>
<td>✓</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>4 Name, Address and Phone Number of person preparing plan</td>
<td>✓</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>5 Property line dimensions</td>
<td>✓</td>
<td></td>
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<td></td>
</tr>
</tbody>
</table>

## Basic Zoning Information

<p>| Zoning setback lines -Building (including the eave) Setbacks:                         | ✓   |    |     |          |
| Front _______ Side _______ Side _______ Rear/Water _______                             |     |    |     |          |
| 7 Distance between buildings (nearest point to nearest point)                        | ✓   |    |     |          |
| 8 Location of new buildings and general floor plan Dimensions of bldg(s) = ______ x  | ✓   |    |     |          |
| ______ Total sq.ft. = ________                                                      |     |    |     |          |
| 9 Proposed building elevations (to scale) Max. Height = _______                     | ✓   |    |     |          |
| 10 All existing structures (labeled) within 100 feet of perimeter property lines     | ✓   |    |     |          |
| 11 Multiple housing units -Number of units = ________, composition                   | ✓   |    |     |          |
| (efficiency, one bedroom, two, three)                                               |     |    |     |          |
| 12 Surrounding zoning (properties immediate to subject site)                        | ✓   |    |     |          |
| 13 Lot coverage of proposed buildings = ________                                    | ✓   |    |     |          |</p>
<table>
<thead>
<tr>
<th>Natural Features</th>
<th>yes</th>
<th>No</th>
<th>N/A</th>
<th>Comments</th>
</tr>
</thead>
<tbody>
<tr>
<td>14 Boundaries of existing natural features (trees, lakes, ponds, streams, rock outcroppings, severe topography, wetlands, woodlands, etc.).</td>
<td>✓</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>15 Has a wetland permit been applied for?</td>
<td></td>
<td>✓</td>
<td></td>
<td></td>
</tr>
<tr>
<td>16 Existing topography</td>
<td>✓</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>17 Soil analysis Is it in a Critical Dune Area?</td>
<td>✓</td>
<td></td>
<td></td>
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</tr>
<tr>
<td>18 Site Inventory provided?</td>
<td>✓</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>19 Are there scenic view considerations?</td>
<td>✓</td>
<td></td>
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</tbody>
</table>

<table>
<thead>
<tr>
<th>Drainage / Parking / Roads</th>
<th></th>
<th></th>
<th></th>
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</tr>
</thead>
<tbody>
<tr>
<td>20 Access drives, internal roads (note public or private) service roads. Width of Right-of-Way = ______</td>
<td>✓</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>21 Loading/unloading, service areas</td>
<td>✓</td>
<td>✓</td>
<td></td>
<td></td>
</tr>
<tr>
<td>22 Sidewalks, paths, and trails (internal and public within road right-of-ways).</td>
<td>✓</td>
<td></td>
<td></td>
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<tr>
<td>23 Acceleration/deceleration lanes</td>
<td>✓</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>24 Road agency approval?</td>
<td>✓</td>
<td>✓</td>
<td></td>
<td></td>
</tr>
<tr>
<td>25 Parking areas (dimensioned typical parking space, maneuvering lanes)</td>
<td>✓</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>26 Parking spaces required ______, parking spaces actual ______, Handicap parking location and number ______</td>
<td>✓</td>
<td>✓</td>
<td></td>
<td></td>
</tr>
<tr>
<td>27 Required landscaping in parking areas</td>
<td>✓</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>28 Snow storage/snow management plan</td>
<td>✓</td>
<td>✓</td>
<td></td>
<td></td>
</tr>
<tr>
<td>29 Dumpster location, screening indication</td>
<td>✓</td>
<td>✓</td>
<td></td>
<td></td>
</tr>
<tr>
<td>30 Existing easements (utility, access) within site limits</td>
<td>✓</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>31 Location of Water/well, Sewer/septic, and stormwater</td>
<td>✓</td>
<td>✓</td>
<td></td>
<td></td>
</tr>
<tr>
<td>32 Site grading and drainage plan (on-site elevations for pavements, drives, roads, parking lots, curbs, sidewalks and finished grades at building facades) Attach a sealed Engineered Drainage Plan.</td>
<td>✓</td>
<td></td>
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</tr>
<tr>
<td>33 Proposed retention/detention sedimentation ponds</td>
<td>✓</td>
<td></td>
<td></td>
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</tr>
<tr>
<td>Other Site Requirements</td>
<td>Yes</td>
<td>No</td>
<td>N/A</td>
<td>Comments</td>
</tr>
<tr>
<td>-------------------------</td>
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<tr>
<td>Proposed landscaping (required greenbelts, plant materials/size and type, fences, retaining walls, earthberms, etc.)</td>
<td></td>
<td></td>
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</tr>
<tr>
<td>Location of outdoor lights, pole heights, bollards, building attached, luminary shielding techniques*</td>
<td></td>
<td></td>
<td></td>
<td>No changes, not adding lights</td>
</tr>
<tr>
<td>Location of sign(s)*</td>
<td></td>
<td></td>
<td></td>
<td>Missing existing sign base</td>
</tr>
<tr>
<td>Site amenities (play area, pools, beaches, tennis courts, etc.)</td>
<td></td>
<td></td>
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<tr>
<td>Impact Statement attached?</td>
<td></td>
<td>✓</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Fire Department approval?</td>
<td></td>
<td>✓</td>
<td></td>
<td>Contact Fire Dept</td>
</tr>
<tr>
<td>Fire hydrants and fire vehicle access.</td>
<td></td>
<td></td>
<td></td>
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<tr>
<td>Road Agency approval?</td>
<td></td>
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<tr>
<td>Health agency approval?</td>
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<td>✓</td>
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<td>Contact Health Dept</td>
</tr>
<tr>
<td>Army Corps of Engineers approval?</td>
<td></td>
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<tr>
<td>Michigan Department of Environmental Quality approval?</td>
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</tr>
</tbody>
</table>

*Signs and lights will need to be approved by the Emmet County Sign and Lighting Committee.

**ADDITIONAL COMMENTS:**

We plan on displaying material in the existing areas per the attached map. We plan to use the existing sign base as well.

Applicants Signature: [Signature]

Date: 2-9-2018
IMPACT STATEMENT
FOR SITE PLAN REVIEW

APPLICANT'S
NAME NORTHERN MONUMENT CASE# PS PR 18-002

PHONE NUMBER 231-649-2832 DATE Feb 9, 2018

PROJECT TITLE
New business in existing building

PROPERTY TAX ID
#0169626300042 TOWNSHIP BEAR CREEK

DIRECTIONS TO APPLICANT
BELOW ARE THE REQUIREMENTS TO CONFORM TO SECTION 20.04, IMPACT STATEMENT, OF THE EMMET COUNTY ZONING ORDINANCE #15.1. THESE ITEMS MUST BE Addressed AND SUBMITTED WITH THE SITE PLAN AT LEAST 24 DAYS PRIOR TO THE PLANNING COMMISSION MEETING IN ORDER TO BE PLACED ON THE FOLLOWING MONTH'S AGENDA. (REGULAR MEETING DATE IS THE FIRST THURSDAY OF THE MONTH.) ITEMS LISTED ARE MINIMUM REQUIREMENTS, AND ADDITIONAL INFORMATION MAY BE SUBMITTED TO DESCRIBE THE PROJECT IMPACT.

1. PROJECT DESCRIPTION
Give a description of the proposed development including: Site area, number of proposed lots and/or units, population density, other pertinent population data, vehicle traffic, and related.

Northern Monument would like to move in to the existing building. We would like to have product displayed in the area highlighted on the map provided. The only change will be where customers park in the existing parking area per our map.
2. EXPECTED DEMANDS ON COMMUNITY SERVICES
Explain what the impact will be on the following community services and describe how services will be provided (if applicable):

a. Sanitary Services  
   NA
   No additional demands will be required by our business.

b. Domestic Water  
   NA

c. Traffic Volumes  
   NA

d. Schools  
   NA

e. Fire Protection  
   NA

3. ENVIRONMENTAL IMPACTS
Include statements relative to the impact of the proposed development on (if applicable):

a. Soil Erosion  
   NA
   No environmental impacts from our business.

b. Storm Drainage  
   NA

c. Shoreline Protection  
   NA

d. Wildlife  
   NA

e. Air Pollution  
   NA

f. Water Pollution  
   NA

g. Noise  
   NA
FACTS:
- The property is zoned B-2 General Business. Properties to the north, south and east are also zoned B-2.
- The property to the west is zoned R-2 General Residential.
- The property includes two tax parcels totaling 0.39 acres on the northeast corner of US 31 and Shaw Road.
- The request is to amend the site plan to allow outdoor display on the existing parking area.
- Four parking spaces required and 12 provided currently. Proposing to eliminate 5 parking spaces for monument display.
- Proposed display appears to be in the front setback area.
- No new buildings proposed.
- Using existing drive, Emmet County Road Commission/MDOT approval previously required.
- No new lighting requested.
- Proposing to use existing sign
- Snow storage/management not shown on plan.
- One letter of opposition received from “Concerned Citizens, Bear Creek Township Taxpayer”.
- Dumpster not located on site plan.

ZONING ORDINANCE STANDARDS:

Section 21.02 - Special Land Use Review Standards

In reviewing all requests for Special Land Uses the Planning Commission or Zoning Administrator shall require compliance with any of the following as may reasonably apply to the particular use under consideration (See also Article 20 and Section 21.01):

A. Non-detrimental impact upon the surrounding uses in the District, particularly as related to traffic generating potential, servicing by trucks, hours of operation and pedestrian traffic. A traffic impact study may be required by the Planning Commission

B. A large enough size of the parcel or project site to accommodate the use, its future expansion, customary accessory uses and on-site services (such as but not limited to sewage disposal and water supply).

C. Impact of the proposed use on the quality and quantity of water resources, domestic water supplies and capacity to absorb the anticipated sewage disposal demand.

No additional demands expected

D. Entrance drives to the use and off-street parking areas shall be no less than twenty-five (25) feet from a street intersection (measured from the road right-of-way) or from the boundary of a different Zoning District. Road agency review shall be required.

Using existing drive entrance

E. The use does not conflict with the principles, goals, or objectives of the County Comprehensive Plan.
Plan.
Outdoor storage/display is a Special Land Use in this zoning district. Retail sales is a permitted use.

F. Suitability of access to the use, assuring that minor residential streets are not used to serve uses that have larger area-wide patronage.
Existing drives to be used. Parcel fronts on US 31 Hwy and Shaw Road.

G. Allowance is made for vehicles to enter and exit the use safely and no visibility impediments to drivers are created by signs, buildings, land uses, plantings, etc.
Access from US 31 Hwy and Shaw Rd.

H. Open spaces and common areas, when offered by an applicant as an integral element of a Planned Unit Development or Special Land Use Project, may be required to be formally assured by one or more of the following instruments: Scenic Easement; Conservation Easement; Deed Restriction; or similar dedication mechanism.

The open space dedication instrument shall name the State, the County, a Local Unit of Government, or a land conservation/conservancy organization, as a party to the instrument, as determined to be most acceptable for the particular property and agency involved.

Section 20.05 Site Plan Review Standards

The Planning Commission shall approve, or approve with conditions, an application for a site plan only upon a finding that the proposed site plan complies with all applicable provisions of this Ordinance and the standards and considerations listed below unless the Planning Commission waives a particular standard upon a finding that the standard is not applicable to the proposed development under consideration and the waiver of that standard will not be significantly detrimental to surrounding property or to the intent of the Ordinance.

a) Compliance with District Requirements
The site plan shall comply with the district requirements for minimum floor space, height of building, lot size, yard space, density and all other requirements as set forth in the Zoning Ordinance, unless otherwise provided.

b) Vehicular and Pedestrian Circulation
Safe, convenient, uncontested, and well-defined vehicular and pedestrian circulation shall be provided for ingress/egress points and within the site. A pedestrian circulation system shall be provided and shall be as insulated as completely as reasonably possible from the vehicular circulation system. Drives, streets and other circulation routes shall be designed to promote safe and efficient traffic operations within the site and at ingress/egress points. The arrangement of public or common ways for vehicular and pedestrian circulation shall respect the pattern of existing or planned streets and pedestrian or bicycle pathways in the area. Streets and drives which are part of an existing or planned street pattern which serves the project area shall be capable of safely and effectively accommodating the traffic volume and pattern proposed by the project. Where possible, shared commercial access drives shall be encouraged.

1. Walkways from parking areas to building entrances
   a. Internal pedestrian walkways shall be developed for persons who need access to the building(s) from internal parking areas. The walkways shall be located within the parking areas and shall be designed to provide access from these areas to the entrances of the building(s).

   b. The walkways shall be designed to separate people from moving vehicles.

   c. These walkways shall have a minimum width of five (5) feet with no car overhang or other obstruction.
d. The walkways must be designed in accordance with the Michigan Barrier Free Design Standards.

e. The walkways shall be distinguished from the parking and driving areas by use of any of the following materials: special pavers, bricks, raised elevation or scored concrete. Other materials may be used if they are appropriate to the overall design of the site and building and acceptable to the review authority.

c) Emergency Vehicle Access
All buildings or groups of buildings shall be so arranged as to permit emergency vehicle access by some practical means to all sides.

No new buildings proposed.

d) Loading and Storage
All loading and unloading areas and outside storage areas which face or are visible from residential districts or public thoroughfares, shall be screened, by a vertical screen consisting of structural or plant materials of sufficient height to obscure the direct view from adjacent first floor elevations. The site plan shall provide for adequate storage space for the use therein.

Proposing to use existing loading area - not designated on plan.

e) Snow Storage
Proper snow storage areas shall be provided so to not adversely affect neighboring properties, vehicular and pedestrian clear vision, and parking area capacity.

Snow storage not shown on site plan.

f) Buffers
To provide reasonable visual and sound privacy, buffer techniques, screening, fences, walls, greenbelts, and landscaping may be required by the Planning Commission in pursuance of the objectives of this Section and/or as a condition of the establishment of the proposed use.

g) Drainage
Storm water drainage plans shall address flows onto the site from adjacent sites and roads, storm water impact on the site (soils, impervious surfaces, potential impervious surface, detention ponds, retention ponds, and related management facilities as appropriate), and the storm water outfall, or flow control into adjacent drainage courses, ditches and the like.

The drainage plan shall indicate the manner in which surface drainage is to be disposed of. This may require making use of the existing ditches, natural watercourses, or constructing tributaries, but shall not result in storm water that exits the detention pond and/or property site at an erosive velocity. Additional hard surfaces proposed for a site must provide for detention and/or retention. The minimum requirements for retention and detention facilities are as follows: For sandy sites the volume of detention and/or detention shall be equal to the volume of 1 and 1/2" of water depth multiplied by the area of additional hard surface. For all sites other than sand, the volume of the retention and/or detention shall be equal to the volume generated from 2" of water depth multiplied by the area of additional hard surface. Both detention and retention facilities must be designed to assure that water is released within 72 hours. Detention facilities are to have a pipe no larger than 4" exiting the ponds at a grade no greater than 1%.

All storm water drainage plans shall be sealed by a Michigan Registered Professional Civil Engineer. The Planning Commission may waive the requirement, defer the requirement, or determine that a fully engineered storm drainage plan is not necessary, or can be deferred to a future date. Improvement guarantees shall be required, unless waived by the Planning Commission, for all storm water drainage plans in the form and amount acceptable by the Planning Commission to guarantee completion of the project in accordance with the conditions of the zoning permit. The performance guarantee will be released upon final inspection and approval by the Zoning Administrator, and receipt of sealed as built plans for storm water drainage.

Storm water retention basins designed to keep a fixed pool of water shall include one or more of the following safety features: 1) safety ledge(s) at least (10) feet wide at the basin perimeter, 2) vegetation surrounding the basin to discourage wading, or 3) fencing to prevent unauthorized
access to basin.

Sandy, for the purpose of this Section, shall be defined as soils that meet a percolation rate consistent with the Emmet County Sanitary Code of 0 to 15 minutes.

No new impervious surface proposed.

h) Spaces, Rights-Of-Way, Easements

Spaces, rights-of-way, easements, and related site plan elements needed to serve the proposed use or development for such services as fire protection, sanitary sewers, water supplies, solid waste, storm drainage systems, and related.

i) Waste Receptacles

Waste receptacle and enclosure requirements

1. Receptacles, including waste receptacles, waste compactors, and recycling bins shall be designed, constructed, and maintained according to the requirements of this Section.

2. Waste receptacles, including dumpsters or compactors, shall be required for all nonresidential uses unless interior facilities are provided. The requirement to provide a waste receptacle may be waived by the planning commission if the applicant provides documentation that the development will not necessitate a waste receptacle.

3. All outdoor waste receptacles shall be enclosed on three (3) sides and screened. The enclosure shall be constructed of brick or decorative concrete material, consistent with the building materials of the principal building.

4. The enclosure shall also include a gate, made of wood or other high quality material, as determined by the planning commission, on the fourth side. If the waste receptacle is a dumpster it must have an enclosing lid or cover.

5. The enclosure shall have a minimum height of six (6) feet or one (1) foot above the height of the waste receptacle, whichever is greater, but may not be less than four (4) feet in height.

6. Waste receptacles and enclosures shall be located in the rear yard, not closer than three (3) feet from the rear lot line, or non-required side yard, unless otherwise approved by the planning commission and shall be as far as practical, but in no case be less than twenty (20) feet, from any residential district. If practical, the back side of the waste receptacle enclosure should be placed against the building. In this circumstance the wall may act as one (1) side of the enclosure.

7. Waste receptacles shall be easily accessed by refuse vehicles without potential to damage automobiles parked in designated parking spaces or interfering with the normal movement of vehicles on or off the site.

No dumpster shown on plan.

j) Mechanical or Electrical Equipment

Mechanical or electrical equipment requirements.

1. Ground mounted mechanical or electrical equipment, such as blowers, ventilating fans, and air conditioning units are permitted only in side yards or in the rear yard.

2. Mechanical or electrical equipment shall be placed no closer than three (3) feet to any lot line.

3. Any ground, building, or roof mounted mechanical or electrical equipment or utilities, including water and gas meters, propane tanks, utility boxes, transformers, elevator housings, stairways, tanks, heating, ventilation and air conditioning equipment (HVAC), and other similar equipment, shall comply with the following standards:
a. All such equipment shall be screened by a solid wall, fence, landscaping, and/or architectural features that are compatible in appearance with the principal building.

b. Roof mounted equipment shall not exceed a height of ten (10) feet above the surrounding roof surface. All roof mounted mechanical units must be screened so they are not visible from ground level, even if not specifically addressed as part of site plan review.

*No new mechanical or electrical equipment proposed.*

Draft Motions:

Motion to **approve** Case PSPR 18-002, Dave Wilson for Northern Monument, Special Use Permit and Site Plan Review for retail use and outdoor display on property located at 1807 N US 31 Hwy., Section 16, Bear Creek Township, tax parcel 24-01-16-26-300-040 & 300-042 based on the site plan and supporting materials dated March 8, 2018 for the following reasons: the plan meets the standards of the Zoning Ordinance and on condition that the outdoor display not exceed the area shown on the plan and that it be limited in height to less than three feet (*conditions or reasons may be added*).

Motion to **deny** Case PSPR 18-002, Dave Wilson for Northern Monument, Special Use Permit and Site Plan Review for retail use and outdoor display on property located at 1807 N US 31 Hwy., Section 16, Bear Creek Township, tax parcel 24-01-16-26-300-040 & 300-042 based on the site plan and supporting materials dated March 8, 2018 for the following reasons: (*conditions or reasons may be added*).

Motion to **postpone** Case PSPR 18-002, Dave Wilson for Northern Monument, Special Use Permit and Site Plan Review for retail use and outdoor display on property located at 1807 N US 31 Hwy., Section 16, Bear Creek Township, tax parcel 24-01-16-26-300-040 & 300-042 based on the site plan and supporting materials dated March 8, 2018 for the following reasons:
Department of Planning, Zoning and Construction Resources,
To all Concerned, We are against the proposal to OK Case# PSPR18-002,
Special use permit to allow display of monuments on US Highway 31 at
Shaw Rd.

For the following reasons. This would be a terrible eyesore to the community.
And everyone who passes this area on a daily basis. Not sure if anyone has seen the
monuments that were on display on Highway 68 in Alanson, It was an awful eyesore to
drive by. And these monuments were 75 yards off the road, This parcel is not even 30
yards deep. To have these monuments close to the road proposes a liability for everyone
driving by. This is not the parcel to display this type of commercial business. Were trying
to keep up the appearance of our highway north of town. This clutter and eyesore would
not be what were looking for at the proposed location. This application would have a
negative effect to all other businesses that are trying to keep up a clean and inviting
appearance to our wonderful and scenic area that we live in. We are asking, Please do not
allow this to happen at this location. We would be at meeting, However we will be out of
town, And can not attend either of the meetings.

Thank You,
Concerned Citizens,
Bear Creek Township Taxpayer
REQUEST

PSPR18-003

A request by Walt & Tracy Schiemann for Prime Diesel for a Site Plan Review amendment at 2472 N US 31 Hwy, Section 25, Bear Creek Township. The property is zoned I-1 Light Industrial and is tax parcel 24-01-16-25-101-008. The proposal is to demo an existing building and construct a new 60'x80' building for vehicle service with possible expansion of 30'x60'. The review is per Articles 14, 20, and 22 of the Zoning Ordinance.

LOCATION
**APPLICATION FOR ZONING ACTION**

EMMET COUNTY OFFICE OF PLANNING, ZONING, AND CONSTRUCTION RESOURCES

3434 HARBOR-PETOSKEY RD, SUITE E, HARBOR SPRINGS, MI 49740

PHONE: (231) 348-1735 FAX: (231) 439-8933 EMAIL: pzcem@emmetcounty.org

MAR 12 2018

DATE RECEIVED $100.00

DATE PAID

PLEASE MAKE CHECKS PAYABLE TO: EMMET COUNTY

---

Applicant's Name: **Prime Diesel**

Phone: 231 881-9597

Applicant's Address: **2472 US-31 N, Petoskey, MI 49770**

Applicant's Email Address: tracy@primedieselauto.com

Owner's Name: **Walt & Tracy Schismann**

Phone: 231 881-9597

Owner's Address:

Owner's Email Address:

---

**JOB SITE LOCATION:**

Township: **Bear Creek**

Tax Parcel #: **24-01-16-25-101-008**

Address: **2472 US-31 N Petoskey, MI 49770**

---

**ZONING REQUEST:**

- Planning Commission:
- Special Use Permit: □
- Site Plan Review: ✔
- Planned Unit Development: □
- Zoning Map Change: □
- Zoning Text Change: □

**REQUIRED USE INFORMATION**

- Ground floor area main building: __________ Sq. Ft.
- Floor area accessory building: __________ Sq. Ft.
- Lot/Parcel Size: __________ Acres: __________ Sq. Ft.

Site/Plot Plan required: *Please attach a site/plot plan to show:
property dimensions; front, rear, and side yard setbacks; streets, roads, and all buildings on the lot.
Review Section 2405 of the Zoning Ordinance for Site Plan requirements.

- 2 full sized & 14 reduced sized (max 11”x17”)
- site plans required for Planning Commission cases.

<table>
<thead>
<tr>
<th>Date Submitted</th>
<th>Date Submitted</th>
</tr>
</thead>
<tbody>
<tr>
<td>Elevation Drawing</td>
<td>Site Inventory</td>
</tr>
<tr>
<td>□</td>
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</tr>
<tr>
<td>Engineered Drainage Plan</td>
<td>Fire Dept Approval</td>
</tr>
<tr>
<td>□</td>
<td>□</td>
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<tr>
<td>Soil Erosion Permit</td>
<td>Wetlands Permit</td>
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<tr>
<td>□</td>
<td>□</td>
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<tr>
<td>Health Dept. Approval/ Sewer Taps</td>
<td>Road Commission/ MDOT Approval</td>
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<td>□</td>
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</table>

**Other:**

As owner/and or applicant representing the owner, I do □ do not □ authorize Emmet County (staff, appointed board, and/or commissioners, or committee members) to enter upon the subject property for purposes of making inspections related to the project or request identified in this application. If authorized, such inspections or sight walks shall be conducted at reasonable hours and times.

I certify that all the above information is accurate to my fullest knowledge:

**Walt W Schismann**

Signature of Applicant

Printed Name of Applicant: **Walt W Schismann**

Date: **3-12-18**

**Required Signature of Property Owner**

Printed Name of Property Owner:

Date:

**Note:**

*Required
# SITE PLAN REVIEW CHECKLIST

**Subject Property Address:** 2472 US-31 N, PETOSKEY, MI 49770  
Subdivision and Lot Number (If Applicable): **N/A**  
**Tax Parcel Number:** 24-01-16-25-101-00B  
Township: **BEAR CREEK**  
**Proposed Use of Property:** VEHICLE REPAIR  
Proposed Number of Employees: **8**

## CHECKLIST

<table>
<thead>
<tr>
<th>Basic Map Information</th>
<th>Yes</th>
<th>N/A</th>
<th>Comments</th>
</tr>
</thead>
<tbody>
<tr>
<td>1 Proposed site location map (indicate sufficient area to locate site) May use plat map, Google maps, or other map to identify parcel.</td>
<td></td>
<td></td>
<td>✓</td>
</tr>
<tr>
<td>2 Appropriate scale</td>
<td></td>
<td></td>
<td>✓</td>
</tr>
<tr>
<td>3 Date, North Arrow, Street Names (existing and proposed right-of-ways)</td>
<td></td>
<td></td>
<td>✓</td>
</tr>
<tr>
<td>4 Name, Address, and Phone Number of person preparing plan</td>
<td></td>
<td></td>
<td>✓</td>
</tr>
<tr>
<td>5 Property line dimensions</td>
<td></td>
<td></td>
<td>✓</td>
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</table>

## Basic Zoning Information

<table>
<thead>
<tr>
<th>Zoning setback lines - Building (including the eave) Setbacks: Front_______ Side_______ Side_______ Rear/Water_______</th>
<th></th>
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<th>✓</th>
</tr>
</thead>
<tbody>
<tr>
<td>7 Distance between buildings (nearest point to nearest point)</td>
<td></td>
<td></td>
<td>✓</td>
</tr>
<tr>
<td>8 Location of new buildings and general floor plan. Dimensions of building(s): =_______ Total sq. ft. =_______</td>
<td></td>
<td></td>
<td>✓</td>
</tr>
<tr>
<td>9 Proposed building elevations (to scale) Max. Height =_______</td>
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<td></td>
<td>✓</td>
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<tr>
<td>10 All existing structures (labeled) within 100 feet of perimeter property lines</td>
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<td></td>
<td>✓</td>
</tr>
<tr>
<td>11 Multiple housing units - Number of units =_______, composition (efficiency, one bedroom, two, three)</td>
<td></td>
<td></td>
<td>✓</td>
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<tr>
<td>12 Surrounding zoning (properties immediate to subject site)</td>
<td></td>
<td></td>
<td>✓</td>
</tr>
<tr>
<td>13 Lot coverage of proposed buildings =_______</td>
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<td></td>
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</table>

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<table>
<thead>
<tr>
<th>Natural Features</th>
<th>yes</th>
<th>No</th>
<th>N/A</th>
<th>Comments</th>
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</thead>
<tbody>
<tr>
<td>14 Boundaries of existing natural features (trees, lakes, ponds, streams, rock outcroppings, severe topography, wetlands, woodlands, etc.).</td>
<td>✓</td>
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<tr>
<td>15 Has a wetland permit been applied for?</td>
<td></td>
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<tr>
<td>16 Existing topography</td>
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<tr>
<td>17 Soil analysis Is it In a Critical Dune Area?</td>
<td></td>
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<tr>
<td>18 Site Inventory provided?</td>
<td>✓</td>
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<tr>
<td>19 Are there scenic view considerations?</td>
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<thead>
<tr>
<th>Drainage/Parking/Roads</th>
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</thead>
<tbody>
<tr>
<td>20 Access drives, internal roads (note public or private) service roads. Width of Right-of-Way =</td>
<td>✓</td>
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<tr>
<td>21 Loading/unloading, service areas</td>
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<tr>
<td>22 Sidewalks, paths, and trails (internal and public, within road right-of-ways).</td>
<td>✓</td>
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<tr>
<td>23 Acceleration/deceleration lanes</td>
<td>✓</td>
<td></td>
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<tr>
<td>24 Road agency approval?</td>
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<tr>
<td>25 Parking areas (dimensioned typical parking space, maneuvering lanes)</td>
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<tr>
<td>26 Parking spaces required _____, parking spaces actual _____ Handicap parking location and number _____</td>
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<td></td>
<td></td>
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</tr>
<tr>
<td>27 Required landscaping in parking areas</td>
<td></td>
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<tr>
<td>28 Snow storage/snow management plan</td>
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<tr>
<td>29 Dumpster location, screening indication</td>
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<tr>
<td>30 Existing easements (utility, access) within site limits</td>
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<tr>
<td>31 Location of Waterwell, Sewer/Septic, and stormwater</td>
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<tr>
<td>32 Site grading and drainage plan (on-site elevations for pavements, drives, roads, parking lots, curbs, sidewalks and finished grades at building facades). Attach a sealed Engineered Drainage Plan.</td>
<td>✓</td>
<td></td>
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<tr>
<td>33 Proposed retention/detention sedimentation ponds</td>
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<td></td>
<td></td>
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<tr>
<td>Other Site Requirements</td>
<td>Yes</td>
<td>No</td>
<td>N/A</td>
<td>Comments</td>
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<td>----------------------------------------------------------------------------------------</td>
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<tr>
<td>34 Proposed landscaping (required greenbelts, plant materials/size and type, fences, retaining walls, earthberms, etc.)</td>
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<tr>
<td>35 Location of outdoor lights, pole heights, bollards, building attached, luminary shielding techniques*</td>
<td></td>
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<tr>
<td>36 Location of sign(s)*</td>
<td>✔</td>
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<tr>
<td>37 Site amenities (play area, pools, beaches, tennis courts, etc.)</td>
<td></td>
<td></td>
<td></td>
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<tr>
<td>38 Impact Statement attached?</td>
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<td>39 Fire Department approval?</td>
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<td>PENDING</td>
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<td>40 Fire hydrants and fire vehicle access.</td>
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<td>41 Road Agency approval?</td>
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<td>42 Health agency approval?</td>
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<td>43 Army Corps of Engineers approval?</td>
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<td>44 Michigan Department of Environmental Quality approval?</td>
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*Signs and lights will need to be approved by the Emmet County Sign and Lighting Committee.

ADDITIONAL COMMENTS:

Applicants Signature: [Signature]

Date: 3-12-18
IMPACT STATEMENT
FOR SITE PLAN REVIEW

APPLICANT'S
NAME: WALT J. TRACY SCHIEMANN CASE# PSR-18-003

PHONE NUMBER 231-881-9599 DATE 3/9/18

PROJECT TITLE Prime Diesel

PROPERTY TAX ID
# Q1-16-25-101-008 TOWNSHIP Dear Creek

DIRECTIONS TO APPLICANT
BELOW ARE THE REQUIREMENTS TO CONFORM TO SECTION 20.04, IMPACT STATEMENT, OF THE EMMET COUNTY ZONING ORDINANCE #15.1. THESE ITEMS MUST BE ADDRESSED AND SUBMITTED WITH THE SITE PLAN AT LEAST 24 DAYS PRIOR TO THE PLANNING COMMISSION MEETING IN ORDER TO BE PLACED ON THE FOLLOWING MONTH'S AGENDA. (REGULAR MEETING DATE IS THE FIRST THURSDAY OF THE MONTH.) ITEMS LISTED ARE MINIMUM REQUIREMENTS, AND ADDITIONAL INFORMATION MAY BE SUBMITTED TO DESCRIBE THE PROJECT IMPACT.

1. PROJECT DESCRIPTION
Give a description of the proposed development including: Site area, number of proposed lots and/or units, population density, other pertinent population data, vehicle traffic, and related.

The proposal is for the removal of an existing building and the construction of a 60' x 80' building for vehicle service purposes (with a possible future 30' x 60' addition). The property size is +/- 1.48 acres. There are several existing full and/or part-time employees, and temporary jobs will be created for design professionals and construction contractors. There will not likely be school impact/additional students. There will not be additional demand for sanitary service. There will be no additional traffic on local roads. Site drainage will be retained on-site. There will be no pollution and no additional noise. The building will be accessible from all sides for fire trucks.
2. EXPECTED DEMANDS ON COMMUNITY SERVICES

Explain what the impact will be on the following community services and describe how services will be provided (if applicable):

a. Sanitary Services  NO ADDITIONAL

b. Domestic Water  N/A

c. Traffic Volumes  NO ADDITIONAL

d. Schools  NO IMPACT

e. Fire Protection  NO IMPACT

3. ENVIRONMENTAL IMPACTS

Include statements relative to the impact of the proposed development on (if applicable):

a. Soil Erosion  NONE

b. Storm Drainage  RETAINED ON-SITE

c. Shoreline Protection  N/A

d. Wildlife  N/A

e. Air Pollution  N/A

f. Water Pollution  N/A

g. Noise  NO ADDITIONAL
ZONING EVALUATION FORM
Office of Planning and Zoning
Emmet County, MI

DATE: 3/16/18                                    CASE #: PSPR 18-003

APPLICANT: Walt & Tracy Schiemann for Prime Diesel

PROPERTY: 2472 N US 31 Hwy

TOWNSHIP: Bear Creek

REQUEST: SITE PLAN REVIEW Amendment – Vehicle Service

FACTS:

- The property is zoned I-1, Light Industrial. Properties to the south are also zoned I-1.
- The property to the east is zoned F-1, Farm Forest.
- The property to the north and west are zoned B-1 Local Tourist Business & B-2, General Business
- The property is +/- 1.6 acres.
- The proposed use is vehicle service.
- Currently 3 buildings on site.
- Proposal is to demo one of the buildings and replace with 4800 sq. ft. building.
- The height of the building 15’ to the eave.
- Stormwater drainage plan provided meets the standards of the ordinance
- 28 parking spaces provided and designated on site plan as required.
- Fire Dept. has not yet provided feedback.
- MDOT has not yet provided feedback.
- Lighting review required when details provided. Plans indicate no parking lights, building mounted lighting only.
- Proposing to use existing sign
- Snow storage/management shown on plan.
- Dumpster located on site plan.

SITE PLAN REVIEW STANDARDS

The Planning Commission shall approve, or approve with conditions, an application for a site plan only upon a finding that the proposed site plan complies with all applicable provisions of this Ordinance and the standards and considerations listed below unless the Planning Commission waives a particular standard upon a finding that the standard is not applicable to the proposed development under consideration and the waiver of that standard will not be significantly detrimental to surrounding property or to the intent of the Ordinance.

a) Compliance with District Requirements
The site plan shall comply with the district requirements for minimum floor space, height of building, lot size, yard space, density and all other requirements as set forth in the Zoning Ordinance, unless otherwise provided.
This standard appears to be met. Setbacks, height, parking all appear to be met.

b) Vehicular and Pedestrian Circulation
Safe, convenient, uncontested, and well-defined vehicular and pedestrian circulation shall
shall be provided and shall be as insulated as completely as reasonably possible from the vehicular circulation system. Drives, streets and other circulation routes shall be designed to promote safe and efficient traffic operations within the site and at ingress/egress points. The arrangement of public or common ways for vehicular and pedestrian circulation shall respect the pattern of existing or planned streets and pedestrian or bicycle pathways in the area. Streets and drives which are part of an existing or planned street pattern which serves the project area shall be capable of safely and effectively accommodating the traffic volume and pattern proposed by the project. Where possible, shared commercial access drives shall be encouraged.

1. Walkways from parking areas to building entrances

   a. Internal pedestrian walkways shall be developed for persons who need access to the building(s) from internal parking areas. The walkways shall be located within the parking areas and shall be designed to provide access from these areas to the entrances of the building(s).

   b. The walkways shall be designed to separate people from moving vehicles.

   c. These walkways shall have a minimum width of five (5) feet with no car overhang or other obstruction.

   d. The walkways must be designed in accordance with the Michigan Barrier Free Design Standards.

   e. The walkways shall be distinguished from the parking and driving areas by use of any of the following materials: special pavers, bricks, raised elevation or scored concrete. Other materials may be used if they are appropriate to the overall design of the site and building and acceptable to the review authority.

   c) Emergency Vehicle Access
   
   All buildings or groups of buildings shall be so arranged as to permit emergency vehicle access by some practical means to all sides.
   
   This standard appears to be met. No concerns with access.

   d) Loading and Storage
   
   All loading and unloading areas and outside storage areas which face or are visible from residential districts or public thoroughfares, shall be screened, by a vertical screen consisting of structural or plant materials of sufficient height to obscure the direct view from adjacent first floor elevations. The site plan shall provide for adequate storage space for the use therein.
   
   Natural screening provided on three sides of property.

   e) Snow Storage
   
   Snow storage is shown on site plan

   f) Buffers
   
   To provide reasonable visual and sound privacy, buffer techniques, screening, fences, walls, greenbelts, and landscaping may be required by the Planning Commission in pursuance of the objectives of this Section and/or as a condition of the establishment of the proposed use.
   
   Natural screening existing on three sides of property.
g) Drainage

_Drainage meet zoning ordinance criteria and are shown on site plan._

h) Spaces, Rights-Of-Way, Easements

Spaces, rights-of-way, easements, and related site plan elements needed to serve the proposed use or development for such services as fire protection, sanitary sewers, water supplies, solid waste, storm drainage systems, and related.

_None shown._

i) Waste Receptacles

Waste receptacle and enclosure requirements

_Proposed dumpster location shown on site plan. No details regarding screening provided, but is located behind existing building._

j) Mechanical or Electrical Equipment

Mechanical or electrical equipment requirements.

_None shown._

1. Ground mounted mechanical or electrical equipment, such as blowers, ventilating fans, and air conditioning units are permitted only in side yards or in the rear yard.

2. Mechanical or electrical equipment shall be placed no closer than three (3) feet to any lot line.

3. Any ground, building, or roof mounted mechanical or electrical equipment or utilities, including water and gas meters, propane tanks, utility boxes, transformers, elevator housings, stairways, tanks, heating, ventilation and air conditioning equipment (HVAC), and other similar equipment, shall comply with the following standards:
   
a. All such equipment shall be screened by a solid wall, fence, landscaping, and/or architectural features that are compatible in appearance with the principal building.

b. Roof mounted equipment shall not exceed a height of ten (10) feet above the surrounding roof surface. All roof mounted mechanical units must be screened so they are not visible from ground level, even if not specifically addressed as part of site plan review.

Draft Motions:

Motion to approve Case # PSPR 18-003, Walt & Tracy Schiemann for Prime Diesel, Site Plan Review amendment for a vehicle service at 2472 N US 31 Hwy., located in Section 25 of Bear Creek Township, tax parcel 24-01-16-25-101-008 based on the facts presented in this case: the use is a permitted use in the I-1 zoning district, the site plan meets the standards of the Zoning Ordinance, no outdoor display is permitted (or proposed), and no outdoor lighting or signs are permitted unless reviewed as required by the Zoning Ordinance and on condition that the building is built as shown on the elevation graphic (additional reasons or conditions may be added).

Motion to deny Case # PSPR 18-003, Walt & Tracy Schiemann for Prime Diesel, Site Plan Review amendment for a vehicle service at 2472 N US 31 Hwy., located in Section 25 of Bear Creek Township, tax parcel 24-01-16-25-101-008 for the following reasons:
Review amendment for a vehicle service at 2472 N US 31 Hwy., located in Section 25 of Bear Creek Township, tax parcel 24-01-16-25-101-008 for the following reasons:

2. **Maple River** – 1526 Plains Rd – Three horses on 1.25 acre property reported by Township Supervisor 8/1/2016. Investigated, sent letter 8/16/16. Received email …owner trying to lease or buy enough land in the vicinity to meet Ordinance standards. Second letter sent 11/21/2016. Received a call from owner working toward commercial farm to that the farm use would be exempt from zoning. Owner contacted office for options 1/23/2017. No change as of 4/6/2017. 5/1/2017 received email from property occupant who has purchased land for the horses and will be moving them within a month or two. Will follow-up mid-June. Horses still located on property on 7/6/2017. Sent email to horse owner asking for an update 9/12/2017. Sent email 1/17/2018 – no response to date. Sent final notice on 1/29/2018 – owner contacted staff – waiting for electric company to install electricity for fence enclosure. Will follow-up in April 2108.

3. **Littlefield** – 5/26/2017 – 3656 Oden Rd. Reports of property being used in violation of PUD. 6/14/2017 – after confirmation and photos received, sent letter to owner and adjacent owners. 6/19/2017 received call from one adjacent owner. 7/7/2017-7/8/2017 received photos from adjacent owner. Follow-up letter needs to be sent. Discussed with Civil Counsel 7/24/2017. Follow-up letter sent 8/22/2017. Received call from owner’s legal counsel on Aug 30, 2017. Owner was to contact office to discuss options for “putting property into productive use.” No additional contact to date. 9/21/2017 – emailed legal counsel for property owner. Meeting scheduled for 10/17/2017. Owner looking at options for submission to ZBA (Temp Use) or Planning Commission. 12/13/2017 – sent letter to owner requesting application for compliance by mid-January 2018. Received two calls from parties interested in resolution. Received FOIA request on 12/29/2017 for entire file. Continuous conversations with adjacent land owners. Will continue to follow-up as necessary.

4. **Littlefield** – 8746 Littlefield Ln - 8/7/2017 (prior violation) – application received for addition. Site inspection conducted and proposed addition found to be in setback. No permits issued. 8/17/2017 – inspection conducted – no construction had begun. 8/29/2017 – report of work without a permit. 8/30/2017 – site inspection done. 8/30/2017 letter sent – stop work. 9/1/2017 – follow-up inspection conducted. Found corner markers – addition in violation of front setback. 9/11/2017 – met with owner in office and on site. ZBA variance requested 9/11/2017. Posted Stop Work Order on 9/14/2017 as construction appeared to have continued without permits. 10/17/2017 ZBA denied request. 10/19/2017 staff met with property owner to discuss options. Indicated that he would need to address the issue and keep lines of communication open and make progress toward compliance. Owner contacted office to indicate he’s trying to contact a surveyor to survey his property. Time allotted for compliance. 12/13/2017 Received call from owner indicating they are not

5. **Littlefield – 9/11/2017** – Sent letter to 6760 South Prospect – mobile home located at or in road right-of-way on US-31 N of Alanson. Received call from owner that trailer had been moved 10/12/2017. 10/30/2017 – trailer has been moved, but does not appear to be compliant. Site inspection needed. 11/28/2017 Site inspection conducted – two mobile homes in ROW. Sent follow-up letter. 12/18/2017 Received visit from owner of property. Owner will explore options for compliance. 1/12/2018 – follow-up inspection conducted. 1/17/2018 – sent final notice – no response to date. Received call from owner. Planning to move mobile homes in spring 2018.

6. **Maple River – 9/11/2017** – Sent letter to 2526 Gregory Rd – accessory building without a main use – no SUP. House was to be started within 2 years, no house. Accessory building is not completed. 11/28/2017 sent letter requesting compliance. 12/20/2017 No response to date. 1/12/2018 – site not accessible.

7. **Bear Creek – 9/21/2107** – Sent letter to 895 Linwood Ln – residential accessory building placed 15 feet from shore of Walloon Lake. Received call from owner 10/2/2017 – building will be moved when ground is solid (gave until December 31 to move). 1/12/2018 – follow-up conducted. No change. 1/12/2018 Sent letter requesting compliance. 1/31/2018 building has been moved, compliance achieved.


9. **Bear Creek – 1/18/2018** – Received call from Township Supervisor regarding new lighting installed behind D&W Market. Visited site. Need to investigate possible lighting violation. Sent letter 2/6/2018 – received call from owner who is going to address the matter this week.

10. **Bear Creek – 1/18/2018** Received call from Township Supervisor regarding site with log storage – burning on-site. Investigation needed. Found no zoning case file for the property. Historic aerial photos show that the property has been used as log storage or extraction since prior zoning.


12. **Maple River – 925 S Durkalic Rd** – accessory building built as a main use 2 years ago. House has not started. 1/10/2018 Sent letter to owner. Owner called with questions and planned to submit necessary paperwork to comply (affidavit of use). Follow-up needed, no documents received to date.

13. **Littlefield – 5407 Petoskey St** — ZBA case discovery made that accessory building was built, had been required to be attached due to number of accessory buildings on residential parcel. 8/17/2017 – sent letter to owner advising of violation. Follow-up conducted 1/9/2018 – letter sent to owner. 1/18/2018 – owner contacted staff – will plan to comply in Spring 2018.

For more information or to report a violation, contact the Department of Planning and Zoning. 231-348-1735.
**How loud is too loud?**

<table>
<thead>
<tr>
<th>Typical Sound Levels (dBA)</th>
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<tbody>
<tr>
<td>140 - Threshold of Pain</td>
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<tr>
<td>130 - Jet Taking Off (200 ft. away)</td>
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<tr>
<td>120 - Operating Heavy Equipment</td>
</tr>
<tr>
<td>110 - Night Club (w/ music)</td>
</tr>
<tr>
<td>100 - Construction Site</td>
</tr>
<tr>
<td>90 - Boiler Room</td>
</tr>
<tr>
<td>80 - Freight Train (100 ft. away)</td>
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<tr>
<td>70 - Classroom Chatter</td>
</tr>
<tr>
<td>60 - Conversation (3 ft. away)</td>
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<tr>
<td>50 - Urban Residence</td>
</tr>
<tr>
<td>40 - Soft Whisper (5 ft. away)</td>
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<tr>
<td>30 - North Rim of Grand Canyon</td>
</tr>
<tr>
<td>20 - Silent Study Room</td>
</tr>
<tr>
<td>10</td>
</tr>
<tr>
<td>0 - Threshold of Hearing (1000 Hz)</td>
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A wide variety of noise sources may exist in the workplace. The NIOSH Noise Meter provides examples of some common sources and their expected noise levels.

A more detailed explanation of common terms, good program elements, and implementation steps can be found in NIOSH Document: Preventing Occupational Hearing Loss - A Practical Guide, Publication No. 96-110, (1996, October)

Noise is measured in units of sound pressure levels called decibels, named after Alexander Graham Bell, using A-weighted sound levels (dBA). The A-weighted sound levels closely match the perception of loudness by the human ear. Decibels are measured on a logarithmic scale which means that a small change in the number of decibels results in a huge change in the amount of noise and the potential damage to a person's hearing.

OSHA sets legal limits on noise exposure in the workplace. These limits are based on a worker's time weighted average over an 8 hour day. With noise, OSHA's permissible exposure limit (PEL) is 90 dBA for all workers for an 8 hour day. The OSHA standard uses a 5 dBA exchange rate. This means that when the noise level is increased by 5 dBA, the amount of time a person can be exposed to a certain noise level to receive the same dose is cut in half.

The National Institute for Occupational Safety and Health (NIOSH) has recommended that all worker exposures to noise should be controlled below a level equivalent to 85 dBA for eight hours to minimize occupational noise induced hearing loss. NIOSH has found that significant noise-induced hearing loss occurs at the exposure levels equivalent to the OSHA PEL based on updated information obtained from literature reviews. NIOSH also recommends a 3 dBA exchange rate so that every increase by 3 dBA doubles the amount of the noise and halves the recommended amount of exposure time.
Here's an example: OSHA allows 8 hours of exposure to 90 dBA but only 2 hours of exposure to 100 dBA sound levels. NIOSH would recommend limiting the 8 hour exposure to less than 85 dBA. At 100 dBA, NIOSH recommends less than 15 minutes of exposure per day.

In 1981, OSHA implemented new requirements to protect all workers in general industry (e.g. the manufacturing and the service sectors) for employers to implement a Hearing Conservation Program where workers are exposed to a time weighted average noise level of 85 dBA or higher over an 8 hour work shift. Hearing Conservation Programs require employers to measure noise levels, provide free annual hearing exams and free hearing protection, provide training, and conduct evaluations of the adequacy of the hearing protectors in use unless changes to tools, equipment and schedules are made so that they are less noisy and worker exposure to noise is less than the 85 dBA.

Occupational Safety and Health Administration
200 Constitution Ave, NW,
Washington, DC 20210
800-321-6742 (OSHA)
TTY
www.OSHA.gov