

SOUTH HAVEN CHARTER TOWNSHIP
PLANNING COMMISSION
MINUTES

Wednesday, December 6, 2022

Draft

1) Call to Order: 7:00 PM

2) Role Call:

Tippman - present
Kiry – present
Odland - present
Meyer – absent
Poole – present
Dibble – absent
Nicol – present

Motion made by Poole to excuse Dibble, second by Tippman, 6-0 yes motion passed

3) Approval of the Agenda

Odland requested to review the applications separate (public hearing and decision one at a time) and add Final Master Plan to New Business C. Motion by Nicol to approve the agenda with changes, second by Meyer, 6-0 yes, motion passed.

4) Approval of the Minutes

Motion by Nicol to approve the minutes of November 1, 2023, second by Poole, 6-0, yes motion passed.

5) Public Comment non-agenda items - none

6) Communications / Correspondence - none

7) Public Hearings –

1. Applicant, Green Buddha IV LLC of Troy MI, owner Tragna Realty of South Haven MI have petitioned for Special Use Permit for Marihuana Business Establishment at 12519 M-140 Hwy (part of) 80-17-027/029-00

Smalley went over the request: applicant wishes to remodel the existing building at 12519 M140 into a Marihuana Business. The boundary adjustment was done to create approx. 2.26 acres. Two areas of the existing building will be demolished to create green space and parking area; 4260sqft for business, 2378sqft storage, 1300sqft storage. 25- 10x20 spaces provided.

Applicant, Paul Weisberger, added the remodel will include exterior remodeling and landscaping to enhance the appearance and add more parking than was there.

A motion was made by Poole to open the public hearing at 7:10pm, second by Tippman. 6-0 yes, motion passed.

No correspondence received.

Mike Dense, Beacon Ct- asked who will run the place? Applicant stated that local staff will run the store; they will hire locals to run the day to day operations.

A motion was made by Poole to close the public hearing at 7:13pm, second by Nicol. 6-0 yes, motion passed.

2. Applicant, Amerco Real Estate Co of Phoenix AZ, owners Life Styles of Paw Paw and Verdis Burrows of Inverness FL have petitioned for Final site plan review and amendments to the existing PUD to develop the property to a U-Haul Moving and Storage facility; adding V/L 73rd St 80-17-011-037-01 to the PUD and dividing 80-17-011-32-71 two parcels.

Smalley went over the request: Final site plan and PUD amendment. The PUD amendment includes 2 new parcels and 1 parcel combination. 1-6.7 acres 1-1.2 acres add 80-17-011-036-01 1.62 to the 6.7 acre parcel. The site plan is for U-Haul facility – retail, storage, accessory building, parking. The items that were requested at the preliminary meeting October 4 2023 have been added to the plan.

Applicants, U-Haul, Reid Beffrey and Jeff Steffani- Uhaul was started in 1945 and located through out the country.

A motion was made by Kiry to open the public hearing at 7:18pm, second by Meyer. 6-0 yes, motion passed.

Mike Dense, Beacon Ct – No problem with the U-haul. Has a problem with the sink holes on Streets (*assume Anchor Drive, Beacon Ct*). The HOA is transitioning from developer to a managing company. There has been a problem with water since this property was filled in the front. There is water flowing from somewhere. Will U-haul take care of the road if water damages it? Applicant responded: they will follow the Township rules for storm water management. The storm water retention design has been engineered.

Christy Larson, Anchor Dr- lived there many years. She thinks the sink holes are from the storm water system being clogged and poor drainage not the filling in of the property. When the final grade and final paving is done the storm water clogging will be fixed.

James Rudy, Parkview Ln- visited the Traverse City facility, was on a 4 lane highway not by a housing development. The Road Commission needs to look at the property and boulevard.

Jim Klett, Lifestyles Developer- Development maintains the road(s) and will continue to maintain.

Mike Dense, Beacon Ct- Will U-haul be part of the HOA? Jim Klett stated no, U-Haul is not part of the HOA. Then who will pay for the road (Lighthouse Blvd). If the County does not take over the roads then who is responsible. Applicant Jeff Staffani stated that if the County does not take over the road (Lighthouse Blvd) U-haul will take care of their part if road is damaged by their business.

Cindy Compton, South Haven – about 10 years ago she was helping Mr. Klett with sale of property and researched title work and master deed, found that Lighthouse Blvd is not part of the HOA, there is an easement. HOA is not responsible to Lighthouse Blvd.

Sean Russell, Seawall Ct- will the 3-story building setback 35ft impact the line of sight coming in and going out? Has anyone checked into it?

Mike Dense, Beacon Ct- Will U-haul be required to abide by this site plan in the future? Odland stated yes, if approved, this is the plan they will follow.

Cindy Compton, South Haven, stated they need to follow the setbacks of the ordinance, they cannot change.

A motion was made by Meyer to close the public hearing at 7:58pm, second by Tippman. 6-0 yes, motion passed.

8) New Business –

a. Special Use for Marihuana Business Establishment at 12519 M-140 Hwy (part of) 80-17-027/029-00 Odland asked the applicant how many stores; applicant stated 19 locations in this area. Also affiliated with Wild Bill Tobacco, 200 area locations.

Tippman asked when will open; applicant stated possible 5-6 months.

A motion was made by Nicol to recommend approval of the Special Land Use and Site Plan to the Township Board with condition: obtain all required permits local, county, state, federal. No further discussion. Second by Kiry. Roll Call vote: Poole-Yes; Dibble-n/a; Tippman-Yes; Odland-Yes; Nicol-Yes; Kiry-Yes; Meyer-Yes. 6-0, yes motion passed.

b. Final Site Plan Review and amend PUD at to develop the property to a U-Haul Moving and Storage facility; adding V/L 73rd St 80-17-011-037-01 to the PUD and dividing 80-17-011-32-71 two parcels.

Kiry pointed out pg 102, showed that the bus stopped has been moved to Anchor Dr, approx. 25 kids in the neighborhood now. Suggested a sign saying “No Outlet” might help with people going through the subdivision.

Odland went over contingency plan if road commission does not take over the roads; U-haul will do their part on Lighthouse Blvd and HOA will be responsible for their roads Anchor Dr, Beacon Ct, Seawall Ct. Mr. Klett is willing do take care of what he needs to. They have met with the Road Commission on site, more meetings to come.

A motion was made by Poole to approve the final site plan and PUD amendment with following conditions: 1. Drain Commission approval of the storm water management 2. Have engineer look into the sight distance on 73rd St, the 3-story building at the front setback line, to make sure the location will not cause sight issues and submit the report/findings 3. U-Haul company agrees to do their part to fix/repair Lighthouse Blvd, the area in front of their facility, if damaged by their business, if the County does not take over the road system. No further discussion. Second by Tippman. Roll Call vote: Poole-Yes; Dibble-n/a; Tippman-Yes; Odland-Yes; Nicol-Yes; Kiry-Yes; Meyer-Yes. 6-0, yes motion passed.

c. Draft Master Plan, final master plan draft was reviewed and recommended to be sent to Board for distribution. A motion was made by Poole to recommend approval to send Draft Master Plan to Board for approval of distribution, required 63-day review period; second by Kiry, 6-0, yes motion passed.

9) Unfinished Business – none

10) Staff & Subcommittee report

ZBA report- Tippman – Meeting Nov 27th; Smagcz 77587 Sheridan Rd, front setback 13ft relief, and rear setback 12ft relief. The decision was postponed to Jan 15th, the application did not take into account the front steps/deck. They will amend site plan.

Board report – refer to Board minutes

Zoning report – Smalley – possible 2 site plans for Jan meeting

11) Commissioner Comments and Public Comment

12) Adjournment

at 8:41pm

Respectfully Submitted by:

Tasha Smalley

Zoning Administrator/Recording Secretary