

**VILLAGE OF EMPIRE
PLANNING COMMISSION REGULAR MEETING
TUESDAY, JUNE 4, 2024, AT 7 PM
EMPIRE TOWNSHIP HALL
10088 W. FRONT STREET**

CALL MEETING TO ORDER

ROLL CALL

APPROVAL OF MINUTES – 05/07/2024 Public Hearing and Regular Meeting Minutes

TREASURER'S REPORT

ADDITIONS OR CHANGES TO THE AGENDA

CONFLICT OF INTEREST

CORRESPONDENCE

PUBLIC COMMENT

ZONING ADMINISTRATOR'S REPORT

UNFINISHED BUSINESS

1. Master Plan Update
 - a. Presentation by Brad Lonberger, Place Strategies, Inc.
 - b. Renovare Contract
2. Update on RRC Compliance Measures

NEW BUSINESS

1. Cherry Republic Site Plan Review

COMMITTEE REPORTS

PUBLIC COMMENT

PLANNING COMMISSION MEMBERS AND CHAIRPERSON COMMENTS

ADJOURNMENT

Persons with questions or individuals with disabilities requiring auxiliary aids or services to effectively participate in the meeting should contact the Village of Empire Office at (231) 326-5466, PO Box 253, Empire, MI 49630, or at deputyclerk@villageofempire.com.

**EMPIRE VILLAGE PLANNING COMMISSION
REGULAR MEETING MINUTES
TUESDAY, MAY 7, 2024**

The Village of Empire Planning Commission held a regular meeting on Tuesday, May 7, 2024, in the Empire Township Hall.

Schous opened the public hearing on Zoning Ordinance, Section 3.12, Signs at 7:00 PM. Terry Bacon commented on his in-depth review of the proposed ordinance in a communication dated May 2, 2024, which will be attached to the meeting packet. Schous closed the hearing at 7:02 PM.

Schous opened the regular meeting at 7:03 PM.

ROLL CALL –Bacon, Collins, Ellibee, Schous, Ford, Deering and Chase were present. Zoning Administrator Hall was absent.

Motion by Ellibee, supported by Ford to approve the April 2, 2024, regular meeting minutes as presented. AYES: 7, NO: 0. MOTION PASSED.

TREASURERS REPORT – Chase summarized of the quarterly revenue and expenditure report for the planning commission. Schous commented on attorney fees.

ADDITIONS/CHANGES TO THE AGENDA – Ellibee added discussion to consider joining the Michigan Planning Association's RFP website to new business. Bacon added RRC Update to old business.

CONFLICT OF INTEREST – None.

Collins proposed a motion to reopen the Signs public hearing to accommodate members of the public that arrived late. Consensus to allow such comments. March Dye asked questions on temporary sign language that had been removed, bench signs, and the zoning districts. Karen Baja commented that she is in favor of a less stringent Sign Ordinance.

PUBLIC COMMENTS & CORRESPONDENCE – A communication from Terry Bacon on Signs was received.

ZONING ADMINISTRATORS REPORT – Schous commented that based on a conversation with Hall, he supports the planning commission forwarding the Sign Ordinance to Council. Hall has also met with the engineers at Cherry Republic regarding an upcoming site plan review.

Zoning Ordinance Section 3.12 Signs

- Bottom of page 2, change the word 'chapter' to 'section'.
- Definitions will now be incorporated into the definitions part of the Zoning Ordinance.
- Page 6, g) Sections ~~5, 9, and 10~~, 4, 8, and 9.
- Page 6, g), i) Section ~~5~~ 6.
- Page 8, g) Section ~~6~~, 5
- Missing section 8, add back in and change the zoning district names.
- Residential (R), General Residential (GR)
- ~~Commercial-Residential~~ change to Gateway Corridor and Front Street Corridor.

- Repealer- Ordinance No. 141 of 2014 and No. 142 of 2019 of the Village of Empire Code of Ordinances is hereby repealed.

Motion by Bacon, supported by Collins to forward proposed Zoning Ordinance, Section 3.12: Signs to Village Council for consideration. Roll call vote: AYES: Bacon, Chase, Collins, Deering, Ellibee, Ford, and Schous. NO: None. MOTION PASSED.

Master Plan Planner Services RFP Review

There was a single response by Place Strategies to the posted RFP, which came in over budget. The Master Plan Update Subcommittee is recommending that the Planning Commission take on larger chunks of the update in order to save on planning costs. Ellibee recommended limiting the scope of work of the planner to develop a community survey and hold public input sessions. The subcommittee will still meet and contact regional county organizations and gather thoughts on housing, recreational, and other needs. Members discussed how this could be implemented. Collins proposed that Place Strategies come to the next meeting to discuss the process and submit a revised proposal.

Recreation Plan

Schous gave a quick reminder to the group the Recreation Plan is being updated simultaneously to the Master Plan and it should not be overlooked.

Redevelopment Ready Communities (RRC) Update

Bacon suggested that the following RRC Best Practices be added to a future agenda so that the Village can meet the requirements of the RRC Essentials designation:

2.3 Concentrated Development – To meet this best practice a community's zoning ordinance should clearly allow mixed-use by-right. This means allowing for residential above commercial or even allowing a mix of residential and commercial on the first floor. Additionally, at least one placemaking provision should be incorporated into the zoning ordinance.

2.4 Housing Diversity - The zoning code currently allows for accessory dwelling units by-right. To align with this best practice, one additional housing use by-right should be added. Addressing housing, a key priority for Michigan communities, involves enabling diverse housing options by-right, thereby effectively meeting the varied housing needs within these areas.

1.4 Public Participation Plan - Facilitating consistent future public engagement is important and the village should formalize an all-inclusive comprehensive public engagement plan. This plan can help determine which methods of engagement it would like to pursue, identify when and how each method would be used, and establish ways to measure the effectiveness of each method. When formalizing the public participation plan, the plan should identify goals and objectives, key stakeholders, methods of communication, strategies for outreach and how to communicate results to the public.

Consider Joining the Michigan Planning Association

Ellibee suggested that the Village join the Michigan Planning Association for an annual fee of \$75 so that the Village can take advantage of the RFP portal. Ellibee will get more details regarding RFP opportunities through the MAP.

COMMITTEE REPORTS – Bacon gave updates on the STR Committee, Wastewater Committee, and an upcoming presentation on May 16th by Renovare about future development in the Village of Empire.

PUBLIC COMMENT – Karen Baja is interested in a dog park at Shalda Park. Terry Bacon thanked the Planning Commission for the time spent on the Sign Ordinance and noted that the proposed Ordinance would allow for a large string/garland of flags. Palmer commented that Mary Sharry passed away and she had helped with the last Master Plan update.

PLANNING COMMISSISON MEMBERS AND CHAIRPERSON COMMENTS – Deering commented on the passing of Mary Sharry. Shous commented on the Sign Ordinance.

ADJOURNMENT – There being no further business, the meeting adjourned at 8:29 pm.

Alacia Acton, Recording Secretary

These draft minutes will be considered for approval at the June 4, 2024, Village of Empire Planning Commission meeting.

GL NUMBER	DESCRIPTION	2024-25 AMENDED BUDGET	YTD BALANCE 04/30/2024	ACTIVITY FOR MONTH 04/30/2024	AVAILABLE BALANCE	% BODGT USED
Fund 101 - GENERAL FUND						
Dept 721 - PLANNING COMMISSION						
101-721-701	WAGES - PLANNING COMMISSION	4,300.00	605.00	275.00	3,695.00	14.07
101-721-702	WAGES - PLANNING SECY	1,100.00	200.00	100.00	900.00	18.18
101-721-715	PR TAX EXP - COMM PLANNING	400.00	61.59	28.68	338.41	15.40
101-721-726	SUPPLIES	200.00	0.00	0.00	200.00	0.00
101-721-730	POSTAGE	100.00	0.00	0.00	100.00	0.00
101-721-821	PROFESSIONAL	4,000.00	0.00	0.00	4,000.00	0.00
101-721-826	LEGAL FEES	1,500.00	1,541.00	1,541.00	(41.00)	102.73
101-721-900	PRINT & PUB	500.00	67.30	0.00	432.70	13.46
101-721-950	SEMINARS	500.00	0.00	0.00	500.00	0.00
		(12,600.00)	(2,474.89)	(1,944.68)	(10,125.11)	

Net - Dept 721 - PLANNING COMMISSION

Fund 101 - GENERAL FUND:

TOTAL REVENUES	0.00	0.00	0.00	0.00	0.00	0.00
TOTAL EXPENDITURES	12,600.00	2,474.89	1,944.68	10,125.11	19.64	19.64
NET OF REVENUES & EXPENDITURES	(12,600.00)	(2,474.89)	(1,944.68)	(10,125.11)	19.64	19.64

***Bold Tasks** – Original tasks for Renovare contract, not yet complete.

Part One: May (Post-Contract Revision)

1. Secure existing working files, plans, data, and studies.
2. Review the existing master plan and past survey responses to get up to speed.
3. Coordinate input sessions from regional stakeholders such as, but not limited to, Michigan Economic Development Corporation, Housing North, Leelanau County, Empire Township, and the Asset Mapping Task Force.

Part Two: June

1. Meeting #1 - Kick-Off Meeting, which will include:
 - a. Introduction of the team, deliverables, scope of work
 - b. Economic Development Work Session #1**
 - c. Goals and Data Validation
 - i. Initial core values exercise
 - ii. Discussion on how core values shape strategy
 - iii. Review past goals and determine their validity today.
 - d. Present an outline of the community questionnaire.
 - i. Structure of questions
 - ii. Size of survey
 - iii. Mode of delivery (digital and written)
2. Assemble Community Questionnaire
3. Assemble updated demographic data
4. Meeting #2 – Questionnaire and Data Review
 - a. Economic Development Work Session #2**
 - b. Introduce updated census data and projections
 - c. Review the Community Questionnaire and make any necessary changes
 - d. Present timeline for Questionnaire release and closing
 - e. Coordinate methods for receiving responses
5. Release the Community Questionnaire

Part Three: July

- 1. Host Public Open House**
 - a. Provide various stations based on topic areas of focus, based on questionnaire.
 - b. Allow for community participation through various channels: writing, talking, reading, and questionnaire.**
 - c. The focus is on education, feedback, and as many written responses as possible.**
2. Close the Community Questionnaire within a week of the public open house.
3. Compile data and responses to the public open house and community questionnaire
4. Meeting #3 – Review Materials
 - a. Economic Development Work Session #3**
 - b. Review feedback from the Community Questionnaire and Public Open House
 - c. Review current recommendations for goals and objectives
 - d. Discuss opportunities for updates to the recommendations
 - e. Choose site plan focus areas in addition to Village Office/DPW (one adaptive reuse, one new construction) based on community feedback**
5. **Develop site plans/small area plans for public review** or create one Downtown Empire Concept Plan to provide a complete Downtown Vision.

Part Four: August

1. Assemble plan updates as a draft for public review
2. Host a Public Input Session with recommendations for the plan updates and site plans
 - a. Gain insight into the various topics of the master plan update
 - b. Receive feedback on site plan concepts and adjustments**
3. Deliver plan updates in advance of Meeting #4 for review by the Steering Committee

Part 5: September

1. Meeting #4 – Review plan and public input
 - a. Present proposed concepts with development tools**
 - b. Present the plan elements and recommendations draft
 - c. Provide feedback on public input earlier at Meeting #4
 - d. Discuss changes to the recommendations as drafted and confirm which changes to be made
2. Update final plan updates
3. Deliver final plan updates in the preferred working format(s) to the Village of Empire for a public hearing process.

Renovare original contract	\$70,000
<u>Billed to date</u>	<u>(\$40,000)</u>
Remaining fee on original contract	\$30,000
Total Labor Fee to complete Renovare Tasks with Master Plan Update Tasks (as outlined)	\$40,000
Additional Labor Fee to complete Master Plan Update	\$10,000

Deliverables:

4x Meetings with the Planning Commission including:

- 3x economic development work sessions
- Master Plan Update tasks

2x Public input sessions

1x Community questionnaire

3x Small Area Plans or 1x Downtown Concept Plan for Visioning purposes, including economic development tool approaches

1x Draft and Final Master Plan Update Document and working files

VILLAGE OF EMPIRE - SITE PLAN REVIEW APPLICATION

Fee \$ _____

Date Received in Village Office _____

Received By: _____

Applicant(s) Name: TC Vision LLC
Address: 6026 S. Lake St
Empire, MI 49636

Date: 4-25-2024
Phone#: _____
Fax#: _____

Interest in Property: Owner

Property Owner and Address: _____
(If different than applicant) _____

Phone#: _____
Fax#: _____

Property#: 45-041- 719-024-10 and 719-024-05

Location of Property: 9896 W. Fisher Street

Zoning District: Light Industrial

Description of Project: Site expansion: proposed warehouse and freezer building for existing business

Federal, State and Local Permits required for this Project: Health Dept, Soil Erosion, Building Permit

Project Completion Schedule: Summer, 2025



4/25/2024

Signature of Applicant/Owner

Date

THE FOLLOWING DATA IS REQUIRED TO BE DEPICTED ON EVERY SITE PLAN.
OTHER APPLICABLE INFORMATION MAY BE NEEDED FOR SPECIFIC USES SUCH AS
WETLANDS, CONDOMINIUM SUBDIVISIONS, SPECIAL USE PERMITS, NONCONFORMING
USES AND USES WITHIN THE CR, GC, PUD-PBD, PUD-A AND PUD-B DISTRICTS,
AS OUTLINED IN THE ZONING ORDINANCE.

	PROVIDED	NOT PROVIDED	NOT APPLICABLE
1) Applicant's full name, address and phone number.....	<u> x </u>	—	—
2) Property legal description.....	<u> x </u>	—	—
3) Scale: 1" = 10' (Unless other scale is permitted).....	<u> x </u>	—	—
4) North arrow.....	<u> x </u>	—	—
5) Property dimensions, including lot area and angles.....	<u> x </u>	—	—
6) Total number and square footage of structures including: Units, Bedrooms, Offices, Carports or Garages with total and usable floor area and employees by shift noted....	<u> x </u>	—	—
7) Amount of recreational space and type of recreation facilities to be provided, and other related information, as pertinent or required by this Ordinance.....	—	—	<u> x </u>
8) Natural features such as woodlots, streams, lakes or ponds and topography (at two-foot intervals).....	<u> x </u>	—	—
9) Man-made features such as county drains, existing roads and structures, with indication as to which are to be retained and which are to be removed or altered.....	<u> x </u>	—	—
10) Existing or proposed public right-of-way and private easements.....	<u> x </u>	—	—
11) The width and location of proposed streets and driveways, with indication of travel and the inside radii of all curves including driveway curb returns.....	<u> x </u>	—	—
12) The width, number and location of proposed parking spaces with dimensions of a typical individual parking space and associated aisles.....	<u> x </u>	—	—
13) The location of proposed sidewalks in compliance with Section 3.34.....	<u> x </u>	—	—
14) A vicinity sketch showing the location of the site in relation to the surrounding street system and other land uses within a 300 feet radius of the proposed use, including land uses on the opposite side of any public street.....	<u> x </u>	—	—
15) Location of utilities, water supply and location and design of waste water systems....	<u> x </u>	—	—
16) Proposed location of trash receptacles, accessory buildings and uses.....	<u> x </u>	—	—
17) Proposed location of free standing signs.....	<u> x </u>	—	—
18) A landscaping plan indicating the locations of planting, screening and fencing in compliance with Section 3.31 and proposed location of outdoor lighting in compliance with Section 3.33.....	<u> x </u>	—	—
19) Proposed location of all open spaces.....	<u> x </u>	—	—
20) Location and specifications for any existing or proposed above or below ground storage facilities for any chemicals, salts, flammable materials, or hazardous materials, as well as any containment structures or clear zones required by government authorities.....	—	—	<u> x </u>
21) Location of exterior drains, dry wells, catch basins, retention and/or detention areas, sumps and other facilities designed to collect, store or transport stormwater or wastewater, including the point of discharge for all drains and pipes.....	<u> x </u>	—	—
22) Other information to enable the Planning Commission to determine whether the proposed site plan will conform to provisions of this Ordinance.....	<u> x </u>	—	—

AFFIDAVIT OF PUBLICATION

LEGAL NOTICE VILLAGE OF EMPIRE PUBLIC NOTICE	
NOTICE IS HEREBY GIVEN that the Village of Empire Council has adopted an ordinance to amend the Village Zoning Ordinance, Section 4.06, by adding mixed uses as a permitted use in the Light Industrial District and to repeal all ordinances in conflict herewith. This amendment shall be effective at 12:01 am on the eighth day following its publication in accordance with the law. A copy of the Ordinance is available at the Village Office, 11518 S. Lacore Rd., Empire, MI 49630 or by calling (231) 326-5466.	
Saturday, May 11, 2024	614854

STATE OF MICHIGAN
County of Grand Traverse

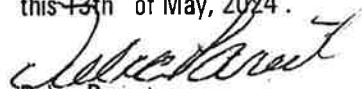
Paul Heidbreder being duly sworn deposes and says the annexed printed copy of notice was taken from the Traverse City RECORD EAGLE, a newspaper printed and circulated in said State and County, and that said notice was published in said newspaper on the following dates:

05/11/2024

that he or she is the agent of the printers of said newspaper, and knows well the facts stated herein



Subscribed and sworn to before
this 13th of May, 2024.



Debra Parent
Notary Public, State of MI
County of Grand Traverse
04/27/2029
Acting in County of Grand Traverse



**Site Plan Review
Case #SPR-2024-01**

Owner: TC Vision, LLC
Address: 6026 S Lake Street
Glen Arbor, Michigan 49636

Agent | Applicant: Jozwiak Consulting | Scott Jozwiak
P.O. Box 5342
Traverse City, Michigan 49696

Property subject to this request: **Zoning District:** LI [Light Industrial]

Parcel No. 41-719-024-05

Address: 9888 W. Fisher Street | Empire, Michigan

Legal Description: PT NW 1/4 OF NW 1/4 SEC 19 COM NW COR SD SEC TH S 88 DEG 49'30" E 948.59 FT TH S 01 DEG 54'25" W 666.54 FT TO POB TH S 01 DEG 54'25" W 665.62 FT TH N 88 DEG 48'23" W 166.51 FT TH N 01 DEG 53'27" E 665.62 FT TH S 88 DEG 53'15" E 166.52 FT TO POB SUBJ TO ROW & EASE VILLAGE OF EMPIRE SEC 19 T28N R14W 2.54 A M/L 2012 SPLIT FROM 041-719-024-10

Property subject to this request: **Zoning District:** LI [Light Industrial]

Parcel No. 41-719-024-10

Address: 9896 W. Fisher Street

Legal Description: PT NW 1/4 OF NW 1/4 SEC 19 COM NW COR SD SEC TH S 88 DEG 49'30" E 948.59 FT TH S 01 DEG 54'25" W 666.54 FT TH N 88 DEG 53'15" W 166.52 FT TO POB TH S 01 DEG 53'27" W 665.62 FT TH N 88 DEG 48'23" W 178.49 FT TH N 01 DEG 54'25" E 665.37 FT TH S 88 DEG 53'15" E 178.31 FT TO POB (A/K/A PARCEL 1) SUBJ TO ROW & EASE VILLAGE OF EMPIRE SEC 19 T28N R14W 2.73 AC M/L 2012 SPLIT INTO 041-719-024-05 WHILE RETAINING PARCEL NUMBER 041-719-024-10 ON ALTERED LEGAL

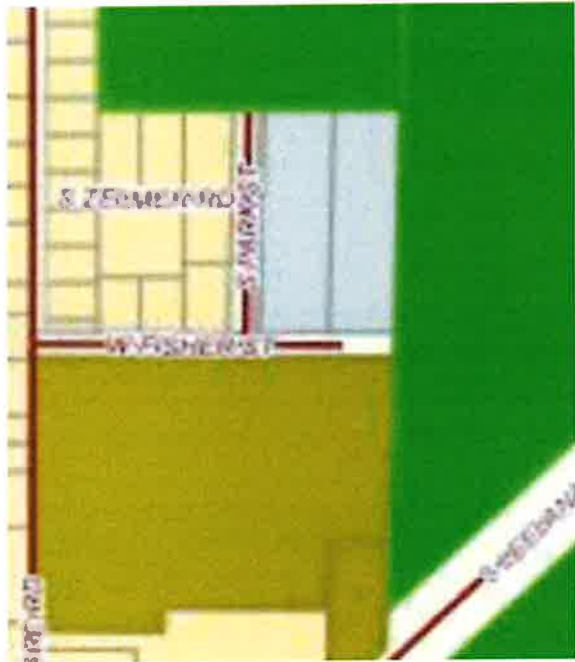
Proposed Land Use(s):

The owner proposes a 'combination of uses' in accordance with Article 4, Section 4.06.2.5 (recent amendment). More specifically, there exists on 41-719-024-05, mini-warehouses and storage buildings described as a special use in Article 4, Section 4.06.3.2; and on 41-719-024-10, processing / warehousing / refrigerated storage. The owner further desires to add an additional building / structure for the purpose of providing additional warehousing and freezer space located approximately in the center of the two adjoining parcels. The proposed addition includes 15,000 square feet of storage / warehousing and 2,072 square feet of freezer space.

Specific Zoning District Findings

The subject parcels [041-719-024-05 and 041-719-024-10] are both located in the Light Industrial [LI] zoning district.

The zoning administrator finds that both parcels 041-719-024-05 and 041-719-024-10 are in the Light Industrial [LI] zoning district and is evidenced by a comparison of the Leelanau County GIS mapping and the Village of Empire zoning map.



The zoning administrator finds that the combination of uses on a single parcel of land is permitted and is evidenced by the recent amendment to the Village of Empire zoning ordinance adopted by Council on XX/XX/2024, published on Saturday 05/11/2024.

The Zoning Administrator finds that the proposed 'combination of uses' is subject to level B site plan review by the planning commission as is evidenced by Article 5, Section 5.03.1.1 indicating that only Commercial and institutional buildings less than 5,000 square feet that will accommodate a use by right may be reviewed by the Zoning Administrator, and as specified in Section 5.03: Level "B" Review.

The Zoning administrator finds that the 'proposed' structure(s) will straddle the existing centerline of the two (2) adjacent parcels and that the parcels should be combined as a condition of any pending Site Plan approval.

Section 4.10 – Schedule of Regulations *(excerpt from Village of Empire Zoning Ordinance)*

Zoning District	District Name	Min. Lot Area		Max.Ht of Structure Feet (a)	Yard Setbacks					Min. space btwn Bldgs	Min. & Max. S.F. per D.U or Main Bldg.		Maximum Lot Coverage %
		Area (sq. ft)	Width (ft)		Front (ft)	Min. Side (ft)	Min. Rear (ft)	Min. Alley	Min. Water				
LI	Light Industrial	1 acre	100	32	20 min	15 (ft)	20	10	---	10	NA	NA	60%

5.01.4 Site Plan Data Required Each site plan submitted shall contain the following information unless specifically waived, in whole or in part, by the Zoning Administrator (i.e., Level “A” Review) or Planning Commission (i.e., Level “B” Review). The Planning Commission or Zoning Administrator can waive any or all of the below site plan requirements when it finds those requirements are not applicable to the proposed development.

A. The name and address of the property owner and developer.

Provided on Application and Site Plan | C100

B. Site location, address, and tax parcel number.

Provided on Application and Staff Report

C. The date, north arrow, scale, and name of the individual or firm responsible for preparing said plan. The scale must be at least one (1) inch = fifty (50) feet for parcels under three (3) acres. For parcels greater than three (3) acres, the portion of the property pertaining to the application, plus two hundred (200) feet in each direction, shall be at a scale of at least one (1) inch = fifty (50) feet (area enlargement). The full property shall be drawn to scale, and shall indicate the location of the area of enlargement.

Provided on Site Plan | C100 and C101

D. A certified survey of the property prepared and sealed by a professional licensed surveyor, showing at a minimum the boundary lines of the property, to include all dimensions and legal description.

Provided on Site Plan | C100

E. The location of all existing structures and all proposed uses or structures on the site, including proposed drives, walkways, signs, exterior lighting, adequate parking for the proposed uses (i.e., show the dimensions of a typical parking stall and parking lot), loading and unloading areas, if necessary, common use areas and recreational areas and facilities. An elevation drawing of the proposed building(s) shall be required in order to review the proposed building bulk and verify height.

Provided on Site Plan | C101, 102, and 104 – Exterior Light plans are incomplete – applicant statement on file that they will comply as indicated in Project Manual – Elevations shown on Sheet #A300

F. The location and width of all abutting rights-of-way, easements, municipal water, private water wells, wastewater systems, and utility lines within or bordering the subject project.

Provided on Site Plan | C101, C102, and C104 – the Site Plan states that there are no proposed or required upgrades for municipal services including well and septic system

G. The location of existing natural and environmental features, such as watercourses, wetlands, shorelines, man-made drains, trees, wooded areas and other environmental features.

Provided on Site Plan showing existing / proposed landscaping | C101, C102, and C104

H. A vicinity sketch showing the location of the site in relation to the surrounding street system and other land uses within three hundred (300) feet in every

direction of the proposed use including land uses on the opposite side of any public street.

Provided on Site Plan | C100

I. The location and identification of all existing structures, lighting, signs, ingress drives, roads, and parking within a two hundred (200) foot radius of the site, including road names.

Provided on Site Plan | C100

J. The existing zoning district in which the site is located with required setbacks specified on the site plan and the zoning of adjacent parcels.

Provided on Site Plan | C100 and C102

K. The location of all existing and proposed landscaping as well as all existing and proposed fences, walls, and sidewalks.

Provided on Site Plan | C102, C102, and C104

L. The location, size, and slope of all surface and subsurface drainage facilities.

Provided on Site Plan | C101, C102, and C104

M. Project description, including the total number of structures, units, bedrooms, offices, square feet, total and usable floor area, carports or garages, employees by shift, fans and ventilation, amount of recreational open space, type of recreation facilities to be provided, and related information as may be pertinent or as may otherwise be required by this Ordinance.

Provided on Site Plan | C102 and C104 (total number of structures) – the Zoning Administrator has determined that the remaining requirements are not applicable to this specific project

N. Summary tables, cross-sections and/or floor plans should be included with site plans for proposed structures, giving the following information:

1. The number of units proposed, by type, including a typical floor plan for each unit.

2. The area of the proposed units in square feet, as well as area dimensions of driveways and staging areas.

3. Typical elevation drawings of the front and rear of each building.

The Zoning Administrator has determined that these elements are not applicable to the specific project

O. The topography of the existing and finished site shall be shown by contours or spot elevations. Where the existing slope on any part of the site is ten percent (10%) or greater, contours shall be shown at height intervals of two (2) feet or less.

Provide on Site Plan | C101 and C104

P. Generalized soil analysis data demonstrating their adaptability to the use. More detailed information may be required where the Zoning Administrator (i.e., Level "A" Review) or Planning Commission (i.e., Level "B" Review) determines that the site and use warrant a more critical review of soils.

The Zoning Administrator has determined that this requirement is not applicable to this specific project and recommends yielding to any requirement by any other authorized agency

Q. All site plans shall comply with the terms of the Leelanau County Soil Erosion Sedimentation and Storm Water Runoff Control Ordinance. It shall be the applicant's responsibility to provide documentation of compliance of this County Ordinance.

The Zoning Administrator advises that the applicant has stated intended compliance with other agencies within the Project Manual

R. Anticipated hours of operation for proposed use. The Planning Commission may impose reasonable limits to hours of operation as a condition of site plan approval when warranted to assure compatibility with surrounding land uses.

***The Site Plan does NOT state anticipated hours of operation**

S. Project completion schedule.

***There has been no completion schedule presented as part of the application and Site Plan**

T. Such other information as is necessary to enable the Zoning Administrator (i.e., Level "A" Review) or Planning Commission (i.e., Level "B" Review) to determine whether the site plan will conform with the intent of the Village Master Plan and the provisions of this Ordinance.

The Zoning Administrator advises the Planning Commission that if 'other information' is required, the Planning Commission be as specific as possible in describing what 'other' information is required to allow the Planning Commission to render a decision

U. Impact Statement: An impact statement shall be provided for all Level B site plan reviews addressing the following as applicable:

1. A complete description of the proposed development including site size and location; the number of lots or units proposed; proposed development density; and other factors as requested by the Zoning Administrator or the Planning Commission.

2. Expected impact on community services. The impact statement should assess, and detail likely impacts on and how these services are to be provided: municipal water, public safety, traffic and other factors as requested by the Zoning Administrator or the Planning Commission.

3. Statements relative to the environmental impact of the proposed development. The impact statement should assess and detail likely impacts such as topography/soils, shorelines, wildlife habitat, air quality, water quality (i.e., groundwater and surface water), noise, and the scale of development or other factors as requested by the Zoning Administrator or the Planning Commission.

4. Statement relative to the impact of the proposed development on the Village's economy, population, and community character.

The Zoning Administrator advise that the applicant has addressed the above requirements on page 8 of the Project Manual for the benefit of the Planning Commission

The Zoning Administrator determined that the site plan was administratively complete on May 24, 2024, in accordance with Section 3.05.6

LEELANAU COUNTY GIS IMAGE (below)



9. Standards for Granting Site Plan Approval.

A. Consistent with this Section, the Zoning Administrator (i.e., Level "A" Review) or Planning Commission (i.e., Level "B" Review) 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, the Village Master Plan and other Village planning requirements, and other applicable ordinances and the standards listed below, unless the Zoning Administrator or Planning Commission waives a particular requirements upon a finding that the requirement and/or 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. *The Zoning Administrator or Planning Commission's decision shall be in writing and shall include findings of fact, based on evidence presented on each standard.* (emphasis added by the ZA)

B. All elements of the site plan shall be designed so that there is a limited amount of change in the overall natural contours of the site and shall minimize reshaping in favor of designing the project to respect existing features of the site in relation to topography, the size and type of the lot, the character of adjoining property and the type and size of buildings. The site shall be so developed as not to impede the normal and orderly development or improvement of surrounding property for uses permitted in this Ordinance.

The Planning Commission finds that: the site plan demonstrates minimal change to the existing contours to effectuate the desired new construction and that all proposed construction is occurring interior to the subject property and will not impede future development of surrounding property.

C. Special attention shall be given to proper site drainage so that storm water treatment and/or disposal does not adversely impact neighboring properties.

The Planning Commission finds that: the site plan shows existing and proposed stormwater drainage on site that will contain proposed additional drainage on site.

D. The site plan shall provide reasonable, visual and sound privacy for all dwelling units located therein. Fences, walls, barriers and landscaping shall be used, as appropriate, for the protection and enhancement of property and for the privacy of its occupants.

The Planning Commission finds that: the site plan indicates all proposed improvements are occurring interior to the property and that no new additional barriers or landscaping should be reasonably expected based upon the scope and design of the project.

E. All buildings or groups of buildings shall be so arranged as to permit emergency access by some practical means to as many of the sides as feasible.

The Planning Commission finds that: the site plan demonstrates that access is available to all sides of the existing and new structure(s) being proposed, noting that the new structure will have 'connectors' allowing for personnel ingress and egress to and from from the existing structure.

F. Every structure or dwelling unit shall have access to a public street, private road, walkway or other area or groups of buildings shall be so arranged as to permit emergency access by some practical means dedicated to common use.

The Planning Commission finds that: the site plan demonstrates that 'both' uses will utilize one existing access and that the applicant has agreed to permitting within the fire code as stated in their Project Manual

G. Pedestrian walkways or sidewalks shall be provided separate from the streets or roads in accordance with Section 3.18 - Streets, Private Roads, Driveways and Section 3.19 - Sidewalks of this Ordinance.

The Planning Commission finds that: the site plan demonstrates an interior walkway from the proposed parking area to the subject property structure(s), but is otherwise, not subject to Article 3, Sections 3.18 and 3.19 of the Village of Empire zoning ordinance.

H. All loading and unloading areas and outside storage areas, including areas for the storage of trash, which face or are visible from residential districts or public thoroughfares, shall be screened, by a fence or wall meeting the requirements of Section 3.09 or vegetative screening no less than six feet in height.

The Planning Commission finds that: the existing loading / unloading area has not been screened as the adjacent Mixed Residential district to the south (Fisher Street) is not improved and finds that the strict requirements of Article 3, Section 3.09.B.2 of the Village of Empire zoning ordinance would not adequately serve an intended purpose as a 'screen', being limited to 4' (feet) in height.

I. Exterior lighting shall comply with the requirements of Section 3.11.

The Planning Commission finds that: the applicant has provided in their Project Manual that a lighting plan is not complete but will be designed for night sky preservation and comply in all respects to Article 3, Section 3.11 [Outdoor Lighting] of the Village of Empire zoning ordinance.

J. 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 adjacent development shall be of a width appropriate to the traffic volume they will carry and shall have a dedicated right-of-way equal to that specified in Village of Empire Ordinance 121 and Streets, Private Roads, Driveways and Sidewalks of this Ordinance.

The Planning Commission finds that: this standard is not applicable as no public or common ways are being proposed as described in this Section.

K. All streets shall be developed in accordance with any Village street, road standards and specifications.

The Planning Commission finds that: this standard is not applicable as no streets are being proposed as described in this Section, however, modifications to for proposed additional curb cuts for unloading / loading areas will be constructed in accordance with Village policies and ordinances within the public right-of-way.

L. Site plans shall conform to all applicable requirements of state and federal statutes and the Village of Empire Master Plan, and approval may be conditioned on the applicant receiving necessary state and federal permits before the actual land use permit authorizing the special land use is granted.

The Planning Commission finds that: the site plan does conform to the standards set forth by the Village of Empire zoning ordinance and that the applicant has stated in their Project Manual that they will comply with all other regulatory agency requirements.

M. The Planning Commission may seek the recommendations of the Glen Lake Fire Chief, Village of Empire Department of Public Works, Benzie-Leelanau District Health Department, Leelanau County Drain Commissioner, Leelanau County Soil Erosion Control Officer, Michigan Department of Natural Resources, Michigan Department of Environment Great Lakes and Energy, or other agencies as appropriate .

The Planning Commission finds that: the applicant has stated their intent to comply with all other regulatory and / or permitting agencies as evidenced in the Project Manual, page 7 and covered under standard (L) above.

For your review,

A handwritten signature in blue ink that reads "Robert Hall". The signature is written in a cursive style with a large initial "R" and "H".

Robert (Bob) Hall
Village of Empire – Zoning Administrator



PROJECT MANUAL

CHERRY REPUBLIC EXPANSION, EMPIRE FACILITY

Version 1.0

April 24, 2024

Project Location

9896 W Fisher St.
Village of Empire
Parcel 041-719-024-10
& 041-719-024-05

Project Owner

TC Vision LLC

Project Permits Coordinator

Scott Jozwiak, PE
Jozwiak Consulting

Project Consultants

Driven Design Studio, Building Architect
Kincaid Building Group, Construction Manager

Cherry Republic 2024 Expansion Project, Empire Facility

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Cherry Republic 2024 Expansion Project, Empire Facility

APPLICANT INFORMATION

1.1 APPLICANT/OWNER

TC Vision LLC
6026 S Lake St
Glen Arbor, MI 49636

1.2 PROOF OF OWNERSHIP

A) Warranty deeds can be provided

1.3 PARCEL NUMBERS

- (1) 45-041-719-024-10 (9896 W Fisher St. – Cherry Republic Facility)
- (2) 45-041-719-024-05 (9888 W Fisher St. - Self Storage Property)

Note: The parcels originally were combined as one parcel and were divided in 2012. Upon approval of the proposed site plan, the parcels will be combined to be one parcel.

1.4 ENGINEER

Scott M. Jozwiak, PE
Jozwiak Consulting
PO Box 5342
Traverse City, MI 49696
p. 231-218-1201

1.5 PROJECT TITLE

A) Cherry Republic 2024 Expansion Project, Empire Facility

1.6 SUBMITTALS

- A) Application
- B) Project manual
- C) Site/Civil Plans
- D) Building Plans
- E) Legal Descriptions

Cherry Republic 2024 Expansion Project, Empire Facility

PROJECT DESCRIPTION

1.1 PROJECT DESCRIPTION

Cherry Republic (TC Vision LLC), a nationally recognized retailer of cherry related products such as jams, salsa and candy, is seeking to expand the warehouse component of their facility located at 9896 W. Fisher Street. They have operated out of this facility for several years under a lease with the former owner, Fred Salisbury and in 2012, Cherry Republic purchased the parcel. At that time, a land division was created, dividing the parcel in half. This put the 9,700 square foot building on its own parcel.

The two parcels are zoned industrial and are served by municipal water which provides fire suppression water capacity.

Mr. Salisbury, prior to and after the sale, constructed a self-storage facility.

Cherry Republic eventually expanded their facility to include production of goods. A 15,000 square foot production facility was constructed behind the existing 9,700 square foot building in 2013.

In 2019, the last expansion occurred which added 10,000 square feet of warehouse space and two truck docks.

By 2022, Fred Salisbury had constructed 3 self-storage buildings on the east parcel. Mr. Salisbury then sold the parcel to Cherry Republic in December of 2022 and Cherry Republic has continued to operate the self-storage facility since.

Cherry Republic has experienced constraints in their operation because freezer space was being provided by a company in Traverse City. That freezer space was no longer being made available to Cherry Republic so that spawned discussions about expanding the warehouse and adding much needed freezer space to this facility. Freezer space is in high demand and there is uncertainty on future availability so in order to provide stability in that arena, they are deciding to create that space at their Empire facility. This space, along with additional warehousing, has become an essential need to sustain their operation.

This planned expansion includes a 50x300 warehouse, three additional truck docks and a 26x80 foot freezer. In addition, much needed parking is being created.

The site plan illustrates how these planned expansions will be situated yet leave the existing self-storage buildings mostly untouched. A modification to the southwest self-storage building will be made to remove the center partition wall. The resulting storage units will then be only accessible from the east and will be full depth.

STANDARDS FOR GRANTING APPROVAL

- A) Consistent with this Section, the Zoning Administrator (i.e., Level "A" Review) or Planning Commission (i.e., Level "B" Review) 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, the Village Master Plan and other Village planning requirements, and other applicable ordinances and the standards listed below, unless the Zoning Administrator or Planning Commission waives a particular requirements upon a finding that the requirement and/or 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. The Zoning Administrator or Planning Commission's decision shall be in writing and shall include findings of fact, based on evidence presented on each standard.
- (1) Compliance with the ordinance:
 - (a) The proposed plan illustrates compliance with the current zoning ordinance. Building height, lot coverage and setbacks are in compliance. Expanded parking areas are provided on-site. Storm water management will continue to be controlled on-site.
 - (2) Compliance with the Village Master Plan
 - (a) The Village has currently zoned the parcel as industrial.
 - (b) The Master Plan states "The Light Industrial district includes properties that are currently vacant or are home to agricultural processing/distribution activities. Future Land Use Recommendations The intent of the Light Industrial district is to accommodate existing light industrial uses, and to encourage and provide opportunities for additional light industry, including wholesale and warehousing uses as well as activities like research laboratories, high-tech industries, light assembly operations, office space, and commercial uses that support light industrial activities."
 - (c) It is our opinion that the continued success of Cherry Republic on this parcel meets the intent of the master plan. The adjacent residential parcels to the west will not see any increased activity. By providing substantial increases to employee parking, of which the need swells during the holidays, neighbors will see fewer cars parked along Fisher Street. Additionally, the increased warehouse space will omit some truck traffic as they will no longer have to temporarily ship product off site and bring it back for final shipping.
- B) All elements of the site plan shall be designed so that there is a limited amount of change in the overall natural contours of the site and shall minimize reshaping in favor of designing the project to respect existing features of the site in relation to topography, the size and type of the lot, the character of adjoining property and the type and size of buildings. The site shall be so developed as not to impede the normal and orderly development or improvement of surrounding property for uses permitted in this Ordinance.
- (1) The property is located at the end of Fisher Street. Minimal traffic occurs at this dead end with exception of operations at Cherry Republic, the self-storage facility and recycling that occurs at the end of the street.
 - (2) There is minimal 1.5 elevation difference between the finish floor of the warehouse and the existing self-storage buildings. The grade transition that currently exists between the two uses will be shifted to accommodate the expansion. This modification along with grading adjustments to the retention basin are proposed to minimally impact the topography.
 - (3) The project appearance to the residential properties to the west will be unchanged since all of the planned activity will be to the east of the existing facility. The property to the east and south are vacant.

Cherry Republic 2024 Expansion Project, Empire Facility

- (4) The planned operation mimics the current traffic flow but will provide additional parking for the facility which reduces overflow parking onto Fisher Street which has been known to occur during peak season.
- C) Special attention shall be given to proper site drainage so that storm water treatment and/or disposal does not adversely impact neighboring properties.
 - (1) Storm water management is an important component to the project. All storm water is directed to infiltration basins located at the front and rear of the parcel.
- D) The site plan shall provide reasonable, visual and sound privacy for all dwelling units located therein. Fences, walls, barriers and landscaping shall be used, as appropriate, for the protection and enhancement of property and for the privacy of its occupants.
 - (1) No improvements are proposed along Park Street and therefore the existing condition will remain.
- E) All buildings or groups of buildings shall be so arranged as to permit emergency access by some practical means to as many of the sides as feasible.
 - (1) Emergency response to the site is paramount and all sides of the buildings are accessible. The buildings associated with the operation of Cherry Republic are fire suppressed meaning they are/will be equipped with sprinklers throughout.
- F) Every structure or dwelling unit shall have access to a public street, private road, walkway or other area dedicated to common use.
 - (1) The property fronts on Fisher Street.
- G) Pedestrian walkways or sidewalks shall be provided separate from the streets or roads in accordance with Section 3.18 - Streets, Private Roads, Driveways and Section 3.19 - Sidewalks of this Ordinance.
 - (1) Sidewalks are shown to direct employees to the building.
- H) All loading and unloading areas and outside storage areas, including areas for the storage of trash, which face or are visible from residential districts or public thoroughfares, shall be screened, by a fence or wall meeting the requirements of Section 3.09 or vegetative screening no less than six feet in height.
 - (1) The property currently has truck docks that face Fisher Street. It is our intent to add three more alongside the existing docks.
- I) Exterior lighting shall comply with the requirements of Section 3.11.
 - (1) The lighting plan will be submitted to the zoning administrator for approval upon completion and will comply with the requirements in Section 3.11.
- J) 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 adjacent development shall be of a width appropriate to the traffic volume they will carry and shall have a dedicated right-of-way equal to that specified in Village of Empire Ordinance 121 and Streets, Private Roads, Driveways and Sidewalks of this Ordinance.
 - (1) It is the intent of this plan to utilize the existing entrance to the self-storage facility as the main entrance into the Cherry Republic facility. No improvements to the curb cut are proposed.
- K) All streets shall be developed in accordance with any Village street, road standards and specifications.
 - (1) Not applicable
- L) Site plans shall conform to all applicable requirements of state and federal statutes and the Village of Empire Master Plan, and approval may be conditioned on the applicant receiving necessary

Cherry Republic 2024 Expansion Project, Empire Facility

state and federal permits before the actual land use permit authorizing the special land use is granted.

- (1) It is our intent to comply with all applicable agencies and to seek the following permits:
 - (a) Benzie-Leelanau Health Department
 - (b) Leelanau County Soil Conservation District
 - (c) Village of Empire
 - (d) Construction code
 - (e) Fire code
- M) The Planning Commission may seek the recommendations of the Glen Lake Fire Chief, Village of Empire Department of Public Works, Benzie-Leelanau District Health Department, Leelanau County Drain Commissioner, Leelanau County Soil Erosion Control Officer, Michigan Department of Natural Resources, Michigan Department of Environment Great Lakes and Energy, or other agencies as appropriate.
 - (1) Approvals are pending with applicable agencies, as listed above.

PROJECT IMPACT STATEMENT

PART 1 IMPACT STATEMENT

- (1) A complete description of the proposed development including site size and location; the number of lots or units proposed; proposed development density; and other factors as requested by the Zoning Administrator or the Planning Commission.
- (2) Expected impact on community services. The impact statement should assess, and detail likely impacts on and how these services are to be provided: municipal water, public safety, traffic and other factors as requested by the Zoning Administrator or the Planning Commission.
- (3) Statements relative to the environmental impact of the proposed development. The impact statement should assess and detail likely impacts such as topography/soils, shorelines, wildlife habitat, air quality, water quality (i.e., groundwater and surface water), noise, and the scale of development or other factors as requested by the Zoning Administrator or the Planning Commission.
- (4) Statement relative to the impact of the proposed development on the Village's economy, population, and community character.

- (a) This 5.2 acre, more or less, combined parcel is located at 9876 Fisher St and is comprised of two tax id numbers. Upon approval, the parcels will be combined into one tax parcel. The combined site contains five (5) existing structures, including two (2) for the operations of Cherry Republic and (3) self-storage structures.

The proposed 17,072 expansion includes a sixth structure, connected by a breezeway/connector for the use of Cherry Republic. In total, the site will contain 68,781 square feet of structures.

Both uses, warehouse production and self-storage, already exist on the property. The expansion of the warehouse and freezer will help sustain the existing business and reduce the impact of traffic, as trucking the goods to and from the out-of-region storage and freezer facility will be eliminated. This will thereby increase public safety. The additional parking added to the site will provide the seasonal staff a safe place to park and be able to navigate within the property.

Minimal impact to the topography is demonstrated in the site plans- the is little grade change in this area and the vegetation removal is negligible, while new vegetation is being added to the site. Stormwater management is handled on-site with protective measures, compliant to Leelanau County Soil Conservation regulations. The proposed addition is internal to the site and is screened by existing structures for noise and view buffering.

The success of Cherry Republic in the northern Michigan region has brought many advantages to the community. This includes both year-round and seasonal employment and many donations to non-profit environmental and community entities. The continued success of this operation will maintain the economic and community character of the Village.



LEO MSHDA

Housing Readiness Incentive Grant Program



HOUSING READINESS INCENTIVE

The Housing Readiness Incentive Grant Program provides funding to eligible applicants to implement actions that encourage increasing housing supply and affordability. The program is authorized pursuant to Section 1028 of the State of

Funding Available & Maximum Grant Amount

\$5,000,000 is allocated to the program.

- \$3,000,000 is available in Category A.
- \$2,000,000 is available in Category B.

The maximum grant amount per award is \$50,000. Match and/or leverage funds are not required. Up to two disbursements are available per grant. The first may be an advance upon MSHDA's receipt of an executed contract, to support the proposed activities; the second will be a reimbursement upon completion of the proposed activities.

HRI funds for Category B are fully subscribed.

Eligible Activities

Eligible activities include costs associated with the adoption of land use policies, master plan updates, zoning text amendments, and similar actions to encourage increasing housing supply and affordability. The work may be performed by existing and/or contracted employees and/or third-party consultants. Up to 10 percent of the total grant requested may be used for administrative expenses.

Eligible Applicants

Eligible applicants in Category A are cities, villages, and townships that do not have an Engaged, Essentials, and/or Certified designation from the Michigan Economic Development Corporation's "Redevelopment Ready Communities" program.

Eligible applicants in Category B are cities, villages, and townships that have an Engaged, Essentials, and/or Certified designation from the Michigan Economic Development Corporation's "Redevelopment Ready Communities" program.

Eligible applicants may only submit one application.

Register Now for the HRI Application Portal

The Housing Readiness Incentive (HRI) grant online application portal is hosted on software called IGX. In order to access the application, the applicant must first have an active IGX profile. It can take up to 48 hours for a profile to be approved in the IGX system.

The Authorized Official creates the IGX profile through a System Access Request. An Authorized Official is the designated person with the authority to make commitments and enter into contracts on behalf of the organization and will sign the grant agreement.

- IGX: <https://mgs.michigan.gov/>
- Written instructions on [how to set up an IGX profile](#).
- To help applicants best prepare, a [copy of the application questions](#) has been provided.

Counties, councils of government, universities, and for-profit and not-for-profit entities are among the organizations that are ineligible to apply.

Grant Rounds & Review

The online application portal for all applicants opened on January 16, 2024, and will remain open until funds are no longer available. There is no application deadline. Applications will be reviewed and awarded in the order in which they are received.

Please see the [map and list for all awarded grantees](#) as of April 30, 2024.

HRI Fund Commitments as of 04/30/2024

Total Awarded: \$3,620,473.00

Remaining in HRI Fund: \$1,379,527.00

Grant Term

Grants will have an initial term of 24 months, beginning on the date the grant was awarded.

Contact

[HRI Frequently Asked Questions](#)

For questions, email MSHDA-OHS@michigan.gov.

Housing Readiness Incentive Grant Program

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