

TOWNSHIP OF SOLON
COUNTY OF KENT, MICHIGAN

Minutes of a regular meeting of the Planning Commission of the Township of Solon, held at the Solon Township Hall, 15185 Algoma Avenue, N.E., Cedar Springs, Michigan, on the 1st day of March, 2023, at 7:30 p.m.

PRESENT: Members: Babcock, Hoskins, Meyers, Vandenberg, Sawade, Sevey

ABSENT: Members: Tilburt

The following preamble and resolution were offered by Member Hoskins and seconded by Member Babcock:

RESOLUTION NO. 23-02

RESOLUTION APPROVING SPECIAL LAND USE AND SITE PLAN FOR GROCERY STORE

[Aldi Inc., 14050 Edgerton Avenue NE]

WHEREAS, Aldi Inc. (the "Applicant") has requested special land use and site plan approval to construct and operate a grocery store at 14050 Edgerton Avenue NE within the Township; and,

WHEREAS, the proposed lands are located in the HC-Highway Commercial District of the Township; and,

WHEREAS, Section 10.03(B) permits retail sales establishments whose total area of buildings and structures exceeds 15,000 square feet as a special land use,

WHEREAS, on February 15, 2023, the Solon Township Zoning Board of Appeals granted the Applicant a variance to permit parking areas in the minimum setback area; and,

WHEREAS, Planning Commission has held a public hearing on the requested special land use and site plan.

NOW, THEREFORE, BE IT RESOLVED:

Section 1. ***Special Land Use.*** Upon the terms and subject to the conditions of this Resolution, the Planning Commission hereby grants and approves the special land use requested by the Applicant to construct and operate a 20,161 square foot grocery store with associated parking and site amenities, upon land commonly known as 14050 Edgerton Avenue NE and legally described as followed:

Commencing at the South 1/4 Corner of Section 26; thence North 89 degrees 22'22" East 181.49 feet; thence North 0 degrees 08'11" East 100.00 feet to the POINT OF BEGINNING of this description; thence South .9 (09) degrees 51'49" East 16.44 feet; thence South 59 degrees 49'57" East 125.41 feet; thence North 89 degrees 28'22" East 90.05 feet; thence North 44 degrees 28'22" East 141.42 feet; thence North 0 degrees 31'38" West 258.96 feet; thence North 45 degrees 31'06" East 126 feet, plus or minus; thence South 89 degrees 28'22" West 450 feet, plus or minus; thence South 9 degrees 51'49" East, 370 feet, plus or minus, back to the Point of Beginning.

Section 2. ***Conditions on Special Land Use and Site Plan Approval.*** The special land use and site plan approval to permit the grocery store is subject to the following terms and conditions:

(a) Compliance with Site Plan. The special land use shall be located, constructed, operated and maintained in accordance with the site plan with the last revision date of February 8, 2023, along with the narrative and other materials submitted to the Township and reviewed by the Planning Commission, except to the extent modified by this Resolution.

(b) The area designated as "possible future expansions area" on the site plan shall be subject to site plan approval by the Planning Commission but does not need an amended special land use approval. Any additional parking required by the expansion shall comply with the Zoning Ordinance or an additional variance from the Zoning Board of Appeals.

(c) Compliance with Township Ordinances. The special land use shall comply with all of the minimum provisions specified in the district regulations for the HC-Highway Commercial District and with all other provisions of the Township ordinances.

(d) Compliance with Laws and Regulations. The special land use shall comply with the requirements of the Kent County Road Commission, the Kent County Health Department, the Kent County Drain Commission, and all other applicable state and federal laws and regulations.

(e) Site Access. Access to the site shall be only by means of the driveway onto Edgerton Avenue as shown on the site plan. The Applicant shall obtain a permit from the Kent County Road Commission prior to the issuance of a building permit. The Applicant shall also obtain a Michigan Department of Transportation (“MDOT”) permit for the proposed removals and improvements within the M-46 (17 Mile Road) public right-of-way prior to the issuance of a building permit.

(f) Site Design. The grocery store shall be constructed in compliance with the site design requirements in the HC District. The building shall be designed and constructed in consistent with the materials depicted in the elevations of the building approved by the Planning Commission and as shown in the site plan dated February 8, 2023.

(g) Stormwater Management System. Stormwater drainage shall be adequately controlled so that there are no adverse effects on adjacent or nearby lands by reason of excess stormwater runoff. The final drainage plan and system shall be reviewed by the Township Engineer and shall be subject to the Township Engineer’s approval prior to the commencement of operations. The applicant shall comply with all the stormwater management requirements in the

Township Engineer's letter dated December 12, 2022 and February 21, 2023 as well as any other requirements of the Kent County Drain Commissioner's Office or Township Engineer.

(i) The Applicant shall obtain a permit from MDOT for storm water discharge into the MDOT right-of-way prior to the issuance of a building permit. The Applicant shall comply with all requirements of MDOT for the storm water discharge into the MDOT right-of-way.

(ii) The Applicant shall submit a stormwater maintenance agreement for the review and approval of the Township prior to the issuance of a building permit.

(h) Sedimentation Control. The Applicant must obtain a Soil Erosion and Sedimentation Control Program permit from the Kent County Road Commission prior to the issuance of a building permit.

(i) Lighting. All outdoor lighting shall be such that the lighting is directed downward and does not shine onto any adjacent lands and shall comply with all provisions of the Township zoning ordinance and the proposed lighting plan. The Applicant has submitted a lighting plan to the Township. The lighting plan shall be subject to the review and approval of the Township Zoning Administrator.

(j) Parking. All parking spaces shall comply with the minimum requirements of the zoning ordinance and shall be located as designated on the site plan. The Applicant may construct parking in minimum setback areas as shown on the site plan, subject to the terms and conditions of the resolution granting the variance approved by the Zoning Board of Appeals on February 15, 2023.

(k) Landscaping and Buffering. All landscaping shall be constructed in accordance with the site plan and in accordance with the requirements of the zoning ordinance.

(l) Signs. One freestanding monument sign that complies with the zoning ordinance is permitted to be located adjacent to 17 Mile as shown on the site plan. Details of the proposed sign will need to be provided to the Township, and the Applicant will be responsible that there is no impact on existing utilities. In addition, the Applicant is permitted wall signs and directional signs as shown on the approved site plan and elevations.

(m) Water Supply and Sanitary Sewer. The water supply and sanitary sewer and wastewater disposal shall be in accordance with all state and local health requirements. The Applicant shall obtain approval and a permit from the Kent County Health Department for the drinking water well prior to the issuance of a certificate of occupancy. The Applicant shall obtain approval and a permit from the Cedar Field Sanitary Sewer Authority to tap into the existing sewer main along Edgerton Avenue and extend a sanitary sewer lateral to the site prior to the issuance of a building permit.

(n) Fire Suppression System. The Applicant shall submit a revised site plan showing the design and details for the proposed fire suppression system. The fire suppression system shall be reviewed and approved by the Township Fire Chief prior to the issuance of a building permit.

(o) Township Fire Chief and Township Engineer. The site plan shall be subject to the review and approval of the Township Fire Chief. The site plan shall comply in all respects with the requirements and reports of the Township Engineer.

Section 3. ***Findings under Section 14.08.*** The Planning Commission hereby determines that the requested site plan will comply with the site plan review standards of Section 14.08 if the Applicant constructs the improvements in accordance with the site plan and the terms of this Resolution.

Section 4. *Findings under Section 16.03.* In considering the requested special land use, the Planning Commission makes the following findings under the general standards for special land use:

(a) If the grocery store building is constructed, designed, operated and maintained in compliance with this Resolution, it will be harmonious and appropriate in appearance with respect to the existing or intended character of the areas in the general vicinity and the use will not change the essential character of the area.

(b) The special land use would be adequately served by essential public facilities including streets, police, fire protection, drainage structures, refuse disposal, water and sewage facilities.

(c) The special land use would not create excessive additional requirements at public cost for public facilities and services.

(d) The grocery store building will not involve uses, activities, processes, materials, or equipment or conditions of operations that would be detrimental to other persons, property, or the general welfare by reason of excessive production of traffic, noise, smoke, fumes, glare, or odors.

AYES: 6

NAYS: 0

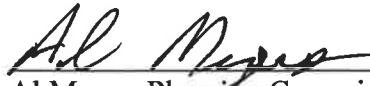
ABSENT: Tilburt

RESOLUTION DECLARED ADOPTED.



Al Myers, Planning Commission Secretary
Township of Solon

I hereby certify that the foregoing is a true and complete copy of a resolution adopted by the Planning Commission of the Township of Solon at a regular meeting thereof held on the date first stated above, and I further certify that public notice of such meeting was given as provided by law.



Al Myers, Planning Commission Secretary
Township of Solon

