

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 Ave., NE, Cedar Springs, Michigan, on the 24 day of January 2024, at 7:30 p.m.

PRESENT: Members: Babcock, Sawade, VandenBerg, Hoskins, Sevey, Myers and Tilburt

ABSENT: Members: none

The following preamble and resolution were offered by Member Tilburt and seconded by Member Myers:

RESOLUTION NO. 24-03

**RESOLUTION APPROVING SPECIAL LAND USE
AND PRELIMINARY SITE PLAN FOR KENNEL**

[Petz Prefurred, LLC – 14175 Edgerton Avenue NE]

WHEREAS, Petz Prefurred, LLC (the “Applicant”) has requested special land use and site plan approval for a kennel to be constructed and operated on lands located at [REDACTED] Edgerton Avenue NE (the “property”) within the Township; and

WHEREAS, the property is located in HC – Highway Commercial District in which a kennel is permitted with special land use approval pursuant to Section 10.03 of the Township Zoning Ordinance; and

WHEREAS, the Planning Commission has held a public hearing on the application, after the giving of public notice, and has considered the application for special land use approval and other materials, and the comments received from the public; and

WHEREAS, the Solon Township Zoning Board of Appeals has approved a variance from the provisions of Section 10.04(C)(3) of the Township Zoning Ordinance, to permit the parking

area shown as deferred parking on the proposed site plan to be located within the minimum rear setback area for the property.

IT IS THEREFORE RESOLVED:

1. ***Special Land Use.*** Subject to the conditions of this resolution, the Planning Commission hereby grants and approves the special land use requested by the Applicant to permit a kennel upon the following-described lands, commonly known as 14175 Edgerton Avenue NE:

THAT PART OF S 1/2 SE 1/4 LYING WLY OF WLY LINE OF EDGERTON AVE /100 FT WIDE/ EX S 755 FT * SEC 26 T10N R11W 2.04 A.

2. ***Conditions on the Special Land Use.*** The special land use for the kennel is subject to the following terms and conditions:

a. ***Compliance with Site Plan.*** The special land use shall be designed, constructed, and operated in accordance with the site plan drawing package for the property with revision date of December 22, 2023 and the survey plan, utility plan, grading & S.E.S.C. plan, grading enlargement, and building floor plans and elevations stamped as received at the Township office on January 15, 2024 (collectively the “site plan”), subject to redesign and subsequent approval as provided in paragraph five of this resolution.

b. ***Outdoor Exercise Areas.*** Dogs shall only be permitted in the outdoor exercise areas during the hours between 8 a.m. and 8 p.m. and for short periods between the hours of (i) 6 a.m. and 7 a.m. and (ii) 9:00 p.m. and 10:00 p.m. for waste elimination purposes. Dogs shall only be permitted to be off-leash outside when they are in the outdoor exercise area, and no dogs shall be permitted to be in the outdoor exercise area unless attended by one or more persons who are present in the exercise area.

c. ***Sanitary Operation.*** All kennel buildings and outdoor exercise areas and other aspects of the use shall be kept in a sanitary condition and all waste and refuse shall be promptly disposed of, without adverse effects on other lands.

d. ***Maximum Capacity.*** The maximum number of dogs staying on site at any one time shall not exceed fifty (50) dogs.

e. ***Engineering Report.*** The Applicant shall comply with the requirements of the January 15, 2024 letter from the Township Engineer.

f. ***Special Events.*** Up to three (3) special events are permitted per year that require substantial additional parking. In those cases the Applicant shall work with neighboring properties to prevent congestion.

g. ***Noise.*** The Applicant shall ensure that noise from barking dogs does not adversely affect nearby lands.

3. ***Findings under Section 16.04.L of the Zoning Ordinance.*** The Planning Commission hereby determines that the specific special land use standards for a kennel are satisfied as follows:

a. The Planning Commission approves a reduction in the minimum lot area of five acres as allowed for a kennel located in the HC District based upon its finding that the standards for a special land use would be satisfied, without adverse effects on nearby adjoining lands for this parcel containing approximately 2.7 acres including the Edgerton Avenue right of way. In so finding, the Planning Commission has taken into consideration the proximity of other commercially zoned properties and uses in the vicinity, the nearby U.S. 131 right of way and the large lot size of nearby agricultural and residential properties and the existing wooded areas to the west and northeast which provide a buffer for the site.

b. The buildings where animals would be kept and exercise areas are in all directions greater than 200 feet from any existing dwelling or building used by the public.

c. The building and outdoor exercise areas satisfy the required front and side yard setbacks, and the building satisfies the rear yard setback. As allowed by Section 16.04.L.2 of the of the Zoning Ordinance, the Planning Commission hereby approves the reduction of the rear setback for the outside exercise area to the west of the building as shown on the Site Plan based upon its finding that the distance from the adjoining building to the west and existing vegetation would avoid adverse effects on nearby or adjoining lands, subject to buffering as provided in paragraph five of this resolution.

d. The building housing animals and the outdoor exercise area are located a sufficient distance from adjoining and nearby lands and, subject to paragraph five, the outdoor exercise areas will be sufficiently buffered from adjacent lands by existing vegetation and the building itself to avoid adverse impacts by reason of view, noise, and other adverse impacts.

4. ***Findings under Section 16.03.A of the Zoning Ordinance.*** The Planning Commission determines that the general special land use standards stated in Section 16.03.A of the Zoning Ordinance are satisfied as follows:

a. The special land use, if established and operated in compliance with this resolution, would be designed, operated and maintained so as to be reasonably harmonious and appropriate with the existing character of the general vicinity, and the use will not change the essential character of the area, which includes a significant veterinary and animal boarding use.

b. The special land use would be served adequately by essential public facilities and services, including public streets.

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

d. The special land use would not involve uses, activities or conditions that would be detrimental to persons, property or the general welfare, so long as the conditions of this resolution are satisfied.

5. ***Site Plan Approval.*** The site plan submitted by the Applicant is hereby given preliminary approval subject to the following terms and conditions:

a. The site layout and landscaping shall be redesigned to provide the required 25-foot buffer on the west side of the building, which may be achieved through a combination of existing vegetation, berming, solid obscuring fencing, or a solid screen of evergreen plantings. A portion of the dog exercise area may extend into the required buffer, if the buffering provided serves to function as the equivalent of a 25-foot buffer area.

b. The elevations of the building and the landscaping shall be redesigned to comply with the requirements for architectural features, landscaping, and colors, as required by Section 10.04.M.7 of the Zoning Ordinance.

c. The four parking spaces shown as “deferred” on the site plan shall be constructed before occupancy of the building, but need not be paved until it is determined that additional parking is needed by the Zoning Administrator.

d. Additional landscaping shall be added as discussed at the January 24 Planning Commission meeting.

e. Review. Following revision of the site plan to address a-d above, revised plans shall be submitted to the Planning Commission for review and approval.

AYES: Members: 5

NAYS: Members: 2

RESOLUTION DECLARED ADOPTED.

Al Myers
Al Myers, Secretary

3/27/24

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
Al Myers, Secretary

3/27/24