

**VILLAGE OF SHELBY
PLANNING COMMISSION
TUESDAY, JANUARY 17, 2023 at 6:00 P.M.
MEETING PROCEEDINGS**



1. CALL TO ORDER:

The Village of Shelby Planning Commission Meeting was called to order at 6:03 P.M. by John Sutton.

2. ROLL CALL:

Answering Roll Call: Tim Horton, Paul Inglis, John Sutton, and Samantha Near.
Staff Present: Village Administrator, Brady Selner, and Clerk/Treasurer Crystal Budde.
Absent: Tara Kelley and Ross Field.

3. PLEDGE OF ALLEGIANCE: All stood for the pledge.

4. MINUTES:

a.) September 20, 2022

Paul Inglis moved to approve the minutes of the September 20, 2022 Village of Shelby Planning Commission meeting as presented.

Seconded by: Tim Horton.

Voice Vote: All in favor.

Motion Carried.

Absent: Tara Kelley and Ross Field.

b.) November 2, 2022

Paul Inglis moved to approve the minutes of the November 2, 2022 Village of Shelby Planning Commission meeting as presented.

Seconded by: Tim Horton.

Voice Vote: All in favor.

Motion Carried.

Absent: Tara Kelley and Ross Field.

5. PUBLIC HEARINGS: None.

6. COMMISSION ADMINISTRATIVE BUSINESS:

a.) Zoning Ordinance Update – 4th Review of Draft

The Planning Commission completed its final review of the full draft of the Zoning Ordinance and

Zoning Map. A number of sections in the Zoning Ordinance were discussed in detail to ensure the Planning Commission was comfortable with its contents. Most of the sections were left as written.

b.) 2022 Planning Commission Annual Report

VA Selner presented the Planning Commission with the Planning Commission 2022 Annual Report. Tim Horton’s Planning Commission seat expired on December 31, 2022. He is interested in continuing to serve on the Planning Commission subject to Village Council approval.

7. REPORTS: None

8. PUBLIC COMMENT: None

9. MEMBER DISCUSSION: None

10. ADJOURNMENT: Tim Horton moved to adjourn the Planning Commission meeting at 8:05 P.M. Seconded by: Paul Inglis.

Voice Vote: All in favor.

Motion Carried.

Absent: Tara Kelley and Ross Field.

Planning Commission Meeting minutes are not official until approved at the next Regularly Scheduled Planning Commission Meeting of

Approved

Crystal Budde
Minutes Respectfully Submitted by Crystal Budde Clerk/Treasurer

March 21, 2023
Date

**VILLAGE OF SHELBY
PLANNING COMMISSION
TUESDAY, MARCH 21, 2023 at 6:00 P.M.
MEETING PROCEEDINGS**



1. CALL TO ORDER:

The Village of Shelby Planning Commission Meeting was called to order at 6:00 P.M. by Chairperson Ross Field.

2. ROLL CALL:

Answering Roll Call: Tara Kelley, Paul Inglis, Ross Field, John Sutton, and Tim Horton.
Staff Present: Village Administrator, Brady Selner, and Clerk/Treasurer Crystal Budde.
Absent: Samantha Near.

3. PLEDGE OF ALLEGIANCE: All stood for the pledge.

4. MINUTES:

a.) January 17, 2023

Paul Inglis moved to approve the minutes of the January 17, 2023 Village of Shelby Planning Commission meeting as presented.

Seconded by: Tim Horton.

Voice Vote: All in favor.

Motion Carried.

Absent: Samantha Near.

5. PUBLIC HEARINGS:

Ross Field opened the Public Hearing at 6:03 P.M.

Ron Cline, State Street property owner, expressed his opinion of the Zoning Ordinance Update. He stated it was well written and he liked the updated version. He had a concern with the height requirements for the canaster style lights and that he did not understand why the requirement was 20 feet.

Carol Waller, 33 West Fifth Street, inquired as to why her business will no longer be in the business district of the updated Zoning Map. She stated that ideally, she would prefer that her property be both commercial and residential based on the fact that she is selling the property and would prefer the future buyer to have the opportunity to make the property what they wish.

Ross Field closed the Public Hearing at 7:12 P.M.

6. COMMISSION ADMINISTRATIVE BUSINESS:

a.) Zoning Ordinance Update

The Planning Commission has concluded its review and update to the Shelby Village Zoning Ordinance and Zoning Map. The Planning Commission may now recommend to the Village Council the approval of the updated Zoning Ordinance and Zoning Map.

Tim Horton moved to recommend adoption of the proposed Village of Shelby Zoning Ordinance and Zoning Map to the Village of Shelby Council and constituting Planning Commission approval of such Zoning Ordinance and Zoning Map.

Seconded by: John Sutton.

Roll Call Vote:

Ayes: Horton, Sutton, Kelley, Inglis, and Field.

Motion Carried 5-0.

Absent: Samantha Near.

7. REPORTS:

a. Upcoming Application: Shelby Acres PUD

VA Selner reported that the Planning Commission will soon be reviewing a site plan for the Shelby Acres development on State Street.

8. PUBLIC COMMENT: None

9. MEMBER DISCUSSION: None.

10. ADJOURNMENT:

Time Horton moved to adjourn the meeting at 7:48 P.M.

Seconded by: Tara Kelley.

Voice Vote: All in favor.

Motion Carried.

Planning Commission Meeting minutes are not official until approved at the next Regularly Scheduled Planning Commission Meeting of

Approved

Crystal Budde
Minutes Respectfully Submitted by Crystal Budde Clerk/Treasurer

June 20, 2023
Date

**VILLAGE OF SHELBY
PLANNING COMMISSION
TUESDAY, JUNE 20, 2023 at 6:00 P.M.
MEETING PROCEEDINGS**



1. CALL TO ORDER:

The Village of Shelby Planning Commission Meeting was called to order at 6:00 P.M. by Chairperson Ross Field.

2. ROLL CALL:

Answering Roll Call: Tara Kelley, Paul Inglis, Ross Field, John Sutton, Samantha Near and Tim Horton.

Staff Present: Village Administrator, Brady Selner, and Clerk/Treasurer Crystal Budde.

3. PLEDGE OF ALLEGIANCE: All stood for the pledge.

4. MINUTES:

a.) March 21, 2023

Paul Inglis moved to approve the minutes of the March 21, 2023 Village of Shelby Planning Commission meeting as presented.

Seconded by: Samantha Near.

Voice Vote: All in favor.

Motion Carried.

5. PUBLIC HEARINGS: None.

6. PUBLIC COMMENT:

a.) Related to Shelby Acres

No Public Comment.

7. COMMISSION ADMINISTRATIVE BUSINESS:

a.) Shelby Acres PUD and Site Plan Consideration

PF Land Holdings applied for Final Planned Unit Development (PUD) and site plan approval for a project to be titled "Shelby Acres." Just over 58 acres will be rezoned as a PUD. The scope of the proposed project includes the following:

Phase 1:

1. Two 6-unit apartment buildings (workforce housing) – Not included in PUD Request
2. Shelby Township Planning Commission approved the use.

3. The 6-unit apartment buildings do not meet the Village of Shelby's R-2 or R-3 front yard setbacks.

Phase 2 (earth work began and foundations poured for five homes):

1. 22 single-family homes developed through a site condominium.

Phase 3 -5:

1. Building out the remaining single-family homes.
2. Constructing the second norther driveway entrance.

The property under consideration for PUD approval is currently in Shelby Township. However, the intent is to have the property annexed to the Village of Shelby. For this reason, it was agreed between Shelby Township, the developer, and the Village of Shelby that the PUD review process would be considered by the Village of Shelby Planning Commission and forwarded to the Village Council for final consideration. Since the PUD review is occurring prior to the annexation, one of the conditions of approval will be execution and approval of the annexation.

PF Land Holdings is in the process of obtaining site condo approval for the project. Concurrently with site condo approval, the PUD process is as follows:

1. The optional preliminary Planning Commission Review was opted out of due to the general knowledge and initial information provided regarding this development.
2. The Planning Commission should review the Final PUD and Site Plan and make a recommendation to the Village Council based on the standards listed in Section 13.10 and 15.06.
3. Village Council will review the PUD application, written recommendation; and findings from the Planning Commission; hold a public hearing; and, make a final decision.

VA Selner recommended that the Planning Commission recommend approval of the PUD and site plan, subject to the following conditions:

1. The items included herein as conditions of approval, as well as other obligations of the developer shall be incorporated into a development agreement that will be approved by the Village Council.
2. Execution and approval of the annexation.
3. The applicant shall address all the items outlined in Fleis & VandenBrinks report dated May 31, 2023.
4. The applicant shall seek approval from the Village's consulting engineer for the deceleration/turn lane on Oceana Drive.
5. The applicant shall provide 3 sealed sets of civil engineered plans incorporating the recommended revisions and conditions of approval to the Village of Shelby.
6. The applicant shall receive Shelby-Benona Fire Department approval regarding emergency access.
7. The applicant shall obtain an Oceana County Road Commission driveway permit prior to constructing the northern driveway in Phase III.
8. The applicant shall provide the approved Soil Erosion and Sedimentation Control Permit for Phases III – V and any other state and local permits necessary for future phases.

- 9. Developer shall place a deed restriction on 13 percent of open space by the completion of the development to ensure open space remains undeveloped in perpetuity and shall include a learn to ride bike area.
- 10. Before Phase III begins, a traffic study may be required.

Paul Inglis moved to recommend approval of the PUD and site plan for Shelby Acres, the 82 single-family home development and related site improvements, in accordance with the plan set last revision dated June 12, 2023, for the property described in the Land Division Sketch dated March 27, 2023, subject to the conditions listed above.

Seconded by: Tim Horton.

Roll Call Vote:

Ayes: Inglis, Horton, Field, Near, Kelley, and Sutton.

Motion Carried.

8. REPORTS: None

9. PUBLIC COMMENT:

a.) General Comments

Richard Raffaeli thanked the Planning Commission for all the questions and thorough review of the project.

10. MEMBER DISCUSSION: None.

11. ADJOURNMENT: Paul Inglis moved to adjourn the meeting at 8:15 P.M.

Seconded by: Tim Horton.

Voice Vote: All in favor.

Motion Carried.

Planning Commission Meeting minutes are not official until approved at the next Regularly Scheduled Planning Commission Meeting of

Approved

Crystal Budde
Minutes Respectfully Submitted by Crystal Budde Clerk/Treasurer

August 15, 2023
Date