

<u>APPROVAL OF MINUTES:</u> Regular Meeting of May 21, 2026 <i>Motion by Fiala with support from Craven to accept the Minutes of the May 21, 2026, meeting as presented.</i> <i>All AYES. MOTION CARRIED.</i>	MINUTES Page 2 of 4 PC APPROVED: _____ Regular PC Mtg. June 18, 2026
<u>INQUIRY ON CONFLICT OF INTEREST:</u> <u>ROLL CALL:</u> <i>F. Fiala asked the PC members present if there was any conflict of any PC member with the agenda of requests as presented this evening.</i> <i>PC members noted: No: 7, Yes: 0.</i> <u>NEW BUSINESS:</u> 1. ZOC 26-05-03, Parcel ID: 16-019-031-10, a vacant 3.8 acre parcel on M-179 Highway, Wayland, MI 49348, owned by Carl Miskotten. The applicant, Shashin Kothawala, is requesting that the parcel be re-zoned from C-2 Commercial to C-3 Commercial pursuant to Yankee Springs Zoning Ordinance: Article XIX Amendments to Zoning Ordinance and Official Zoning Map. Blake Crocker, Attorney for Mr. Kothawala, spoke regarding the request for a zoning change to put storage units in. They have submitted plans relevant to this. Discussion: Joe Shea, Zoning Administrator, submitted in writing a thorough report to the Planning Commission that includes information regarding C-2 and C-3 zoning and guidelines for the Chief Noonday Corridor. Mr. McManus noted two important features to consider: 1) whether the request is compliant with the Master Plan and the Overlay District subplan, and 2) the 8 criteria specified for whether a rezoning should be approved. <i>Motion by Fiala with support from Smith to open a Public Hearing regarding ZOC 26-05-03; Parcel ID: 16-019-031-10.</i> <i>All AYES. MOTION CARRIED.</i> Public Hearing Open at 7:10 pm. Comments: Robin Laansma, Precinct Delegate. Ms. Laansma has a question about the fact that the applicant is not the owner of the land. In response, Attorney Blake Crocker states that it's a joint application with the current owner and Mr. Kathawala who is purchasing the property if the rezoning is approved. <i>Motion by Fiala with support from Smith to close the Public Hearing.</i> <i>All AYES. MOTION CARRIED.</i> Public Hearing Closed at 7:13pm. Attorney Erin Geschwendt spoke and said that we have to look at the uses of the C-2 vs C-3 zoning and the Chief Noonday Overlay District. The black and white language from the Master Plan that Mr. Shea noted in his report highlights the corridor of the Overlay District. We need to be consistent	APPROVAL OF MINUTES INQUIRY ON CONFLICT OF INTEREST NEW BUSINESS ZOC 26-05-03; Parcel # 16-019-031-10 Public Hearing

with what we are doing with the Master Plan. She noted that several of the 8 factors required for approval are not met. The plain language of the Overlay District is going to control the decision.

Mr. Trygier looked at permitted uses of C-2 and C-3 and the permitted uses of the overlay district, and one thing that was key is that when there are two districts involved, the overlay district is primary. He is concerned that some of the uses identified in the C-3 zoning district do not meet the standards identified in the overlay district such as auto washes and restaurants with drive-up windows. The Chief Noonday District Overlay specifically states that township manages the development of businesses that disrupt the pedestrian environment, such as drive in and drive through businesses, automobile service stations, and outdoor display, sales and storage establishments.

Ms. Bush notes that we do have some C-3 properties in the overlay district that have been grandfathered in, but the purpose of that district is to keep that more pedestrian style.

Motion by Trygier with support from Frigmanski, that given the requirements of the Chief Noonday District Overlay govern when there is a conflict between two districts such as the identified permitted uses in zone C-3 which include restaurants with drive-up windows and auto wash facilities and the intent of the overlay district to manage the development of business that disrupt the pedestrian environment, such as drive-in and drive through business and automotive service stations, I move this recommendation to the Board of Trustees to deny the rezoning application for a change from C-2 Commercial Zoning District to C-3 Commercial Zoning District of the properties with Parcel ID: 16-019-031-10.

Mr. Fiala commented that as it currently stands, he believes that the additional C-3 is incompatible with the overlay district. This is part of the current work on the Master Plan.

Mr. Knowles also noted that storage units are desperately needed and he hopes they find a piece of property they can use.

Roll Call Vote: Trygier, Yes, Smith, Yes; Knowles, Yes; Frigmanski, Yes; Fiala, Yes, Craven, Yes; Bush, Yes.

All AYES. MOTION CARRIED.

OLD BUSINESS:

1. Discussion of 2026 Work Plan

Mr. McManus provided a Proposal that all zoning ordinances be reviewed by himself and others from his organization. The PC members agreed this is important work and support this proposal.

Motion by Fiala with support from Frigmanski to ask Larry Knowles to recommend the Proposal to the Township Board for a cost of \$3750.

ALL AYES. MOTION CARRIED.

2. Discussion of Master Plan

3. Discussion of Special Meeting Dates

Meetings are scheduled for the second Tuesday of every month. The members are agreeable to these dates.

MINUTES
Page 3 of 4 PC
APPROVED: _____

Regular PC Mtg.
June 18, 2026

**Recommendation
to deny Re-Zoning
Request for Parcel
ID: 16-019-031-10**

Old Business

**Discussion of Work
Plan**

**Discussion of
Master Plan**

**Special Meeting
Dates**

OTHER SUCH BUSINESS AS MAY PROPERLY COME BEFORE THE PLANNING COMMISSION

None

PUBLIC COMMENT: (3 minute limit)

Mike Cunningham, Heritage Bay Dr. Mike complimented the Planning Commission on the way they conducted the meeting tonight. He commented on the Gun Lake Overlay District, and feels it may be getting in the way of development. He suggested looking at the Overlay District and making some changes. He feels that calling it 'pedestrian use' on a state highway seems silly. He suggested changes to either the C-2 zoning or the overlay district. He also suggested simplifying the Master Plan.

Public Comment closed at 7:29 pm.

Additional Comment: None

ADJOURNMENT:

Motion by Bush with support from Smith to adjourn the meeting at 7:29 pm.

All AYES. MOTION CARRIED.

Approved by: Frank Fiala 7/22/26
Frank Fiala, Planning Commission Secretary Date

Respectfully submitted by
Diane Dykgraaf, Recording Secretary

MINUTES

Page 4 of 4 PC

APPROVED: _____

Regular PC Mtg.

June 18, 2026

Other Such Business

**PUBLIC
COMMENT**

**MEETING
ADJOURNED**