

2024-0160 Public Hearing and Request for Conditional Use Recommendation - File No. PCU2023-0012 - for MI Premier Dance Co. LLC, a health, recreation and physical education facility to occupy space in the EC Employment Center zoning district at 1866 Star Batt Dr., located east of Crooks, Parcel No. 15-28-177-022, Candice Durham, MI Premier Dance Co LLC, Applicant
(Staff report dated 3-19-24, Applicant's Letter and Plans, Development Application, Environmental Impact Statement, and Public Hearing Notice had been placed on file and by reference became a part of the record hereof.)

Present for the applicant was Candice Durham, Michigan Premiere Dance Company.

Chairperson Brnabic introduced this item and invited the applicant forward. She asked for the Staff Report.

Mr. McLeod noted that this is a conditional use request for a health/recreation facility within the EC District. He reminded the Commissioners that these uses became conditional in that district last summer, and a couple have since come before the Commission.

He explained that Ms. Durham, with the Michigan Premiere Dance Studio, is the current tenant with this use at the site east of Crooks, north of Star Batt and has been in this location for almost four years. When a Certificate of Occupancy was required to be signed, it brought the issue forward; and this is why Ms. Durham is now before the Commission requesting the conditional use recommendation. He stated that this particular center consists of five buildings, with each building having multiple tenants.

He pointed out that parking is a bit unique in between the front doors of each of two buildings, and there is angled parking coming into the site. Seventeen parking spots basically face the direction of this particular tenant building where the studio is located, along with the same number for the building on the opposite side. Behind the building, while some parking does occur back there, most of that area is for loading, unloading, storage, and other industrial activities going on. He mentioned that these tenants are limited in size in these buildings and there are a number of different uses in these buildings. He pointed out that there is parking along the very north end of the site as well. He noted that parking does not seem to be an issue.

He mentioned that there are four or five different recreational uses already within these various buildings, including Moose Baseball, along with golf and additional sports team activities. In addition, there are contractor spaces and auto repair shops.

Mr. McLeod stated that for a conditional use permit recommendation, hours of operation are taken into consideration. He pointed out that the hours stated within the application were limited to Mondays, Tuesdays, Wednesdays and Thursdays, generally anytime after normal business hours, five o'clock or so, and then between seven and nine o'clock in the evening. He mentioned that these hours would generally miss the daytime traffic that would be occurring for

most of the normal contractors and industrial users and other businesses within the complex.

He added that this is a relatively small tenant space of 2,000 square feet, including an office space, restroom space, utility area, and dance location toward the back of the building. He noted that the City has not received any complaints from anyone that they are aware of in terms of operation at this location. He reviewed the five major general use standards the Planning Commission will consider for the conditional use.

Chairperson Brnabic invited Ms. Durham to provide any additional information.

Ms. Durham explained that her hours are extremely limited because her studio size is more of a boutique facility. She stated that she has no more than 30 students and is not looking to grow. She noted that she only has one other employee, and stated that in order to be a part of their studio, students are required to audition. She commented that many of her clientele carpool to the studio which relieves a lot of the parking concerns. She stated that most of her hours are after business hours so parking is not a concern.

Chairperson Brnabic asked if Ms. Durham had future plans for daytime hours.

Ms. Durham responded that she does not offer daytime hours. She explained that she never has had daytime hours because she works elsewhere and teaches at the facility after normal business hours.

Chairperson Brnabic asked what the average age is of the students, number of classes per night, and length of the classes.

Ms. Durham responded that the average age is four to 12, and noted that she has adults on Monday evenings. She stated that her classes are approximately two hours long and there are no more than two or three classes.

Mr. Dettloff asked if the classes were given only four days a week on Monday through Thursday.

Ms. Durham responded that was correct, and commented that if they have a workshop it would be on Saturday evening or Sunday morning.

Mr. Dettloff stated that he has no problem with this request, and thinks it is a great thing for kids.

Mr. Struzik commented that the questions he had have been answered. He mentioned that he frequents the adjacent building's auto repair shop and has an idea of the daytime parking situation. He stated that he has never had an issue with parking. He pointed out that there are a lot of vehicles parking on the north side which he assumes are vehicles that are being worked on, but it is not really where anyone would park as a customer of this business. He stated that there are other industrial facilities in the city that have a lot of recreational uses and some of those are starting to run into issues as their buildings were not designed for those uses. He noted that there are complementary uses where

some businesses utilize the parking during the day and the recreational facilities use it more during the evening. He added that longer class times promote a drop-off as opposed to waiting, and he stated that he would concur with Mr. Dettloff that this is in a spot where it is harmonizing with the other uses there.

Ms. Denstaedt asked if they did a lot of birthday parties and when they are usually offered.

Ms. Durham responded that those are only offered on the weekends.

Chairperson Brnabic asked if they have occupied the building for four years and asked Mr. McLeod to reconfirm that there have been no complaints.

Ms. Durham responded that she has been there since November of 2020.

Mr. McLeod responded that they are not aware of any complaints at this location.

Chairperson Brnabic noted that a public hearing is required for this item. She opened the public hearing, noted that there were no speaker cards and saw no one wishing to speak, and therefore closed the public hearing.

Ms. Neubauer moved the motion in the packet to recommend City Council approval of the conditional use. The motion was seconded by Mr. Hooper.

After calling for a voice vote, Chairperson Brnabic noted that the motion passed unanimously. She congratulated Ms. Durham.

Mr. McLeod stated that this would move on to City Council for the April 8 meeting.

A motion was made by Neubauer, seconded by Hooper, that this matter be Recommended for Approval to the City Council Regular Meeting. The motion carried by the following vote:

Aye 8 - Brnabic, Denstaedt, Dettloff, Gallina, Hooper, Neubauer, Struzik and Hetrick

Excused 1 - Weaver

Resolved, in the matter of File No. PCU2023-0012 (MI Premiere Dance Co.), the Planning Commission recommends to City Council Approval of the Conditional Use for a health, recreation and physical education facility to occupy space in the EC Employment Center Zoning District at 1866 Star Batt Dr., based on documents received by the Planning Department and included as a part of the Planning Commission's deliberation with the following findings:

Findings

1. The proposed use will promote the intent and purpose of the Zoning Ordinance.
2. The existing building and proposed conditional use have been designed and is proposed to be operated, maintained, and managed so as to be compatible, harmonious, and appropriate in appearance with the existing and planned character of the general vicinity,

adjacent uses of land, and the capacity of public services and facilities affected by the use.

3. The proposed health, recreation and physical education facility should have a positive impact on the community as a whole and the surrounding area by providing additional recreation and educational opportunities within the EC Employment Center District.

4. The existing building and proposed use are served adequately by essential public facilities and services, such as highways, streets, police and fire protection, water and sewer, drainage ways, and refuse disposal.

5. The existing building and proposed use should not be detrimental, hazardous, or disturbing to existing or future neighboring land uses, persons, property, or the public welfare.

6. The proposal will not create additional requirements at public cost for public facilities and services that will be detrimental to the economic welfare of the community.

Conditions

1. City Council approval of the Conditional Use.

2. The use shall remain consistent with the facts and information presented to the City as a part of the applicant's application and at the public hearing (as may be amended by this motion).

3. If, in the determination of City staff, the intensity of the operation changes or increases, in terms of traffic, queuing, noise, hours, lighting, odor, or other aspects that may cause adverse off-site impact, City staff may require and order the conditional use approval to be remanded to the Planning Commission and City Council as necessary for re-examination of the conditional use approval and conditions for possible revocation, modification or supplementation.