

**Mt. Pleasant Planning Commission
Minutes of Regular Meeting
October 3, 2019**

I. Chair Hoenig called the meeting to order at 7:23 p.m.

Present: Dailey, Friedrich, Hoenig, Horgan, Irwin, Kostrzewa, Liesch, Ortman, Rise.
Absent: None.

Staff: Kain, Murphy

II. Approval of Agenda:

Motion by Liesch, support by Friedrich, to approve the agenda.

Motion approved unanimously.

III. Approval of Minutes

A. September 5, 2019

Motion by Ortman, support by Kostrzewa, to approve the minutes from the September 5, 2019 regular meeting.

Motion approved unanimously.

IV. Zoning Board of Appeals Report for September:

Commissioner Friedrich reported that the Zoning Board did not meet in September.

V. Communications:

Kain reported that one communication was received from Kevin Keating, President of the Home Builders Association of Central Michigan, which was included in packets.

VI. Public Hearings:

A. SUP-19-12 – 718 S. Mission

Kain introduced SUP-19-12, submitted by Blarney Castle Oil Co., to add a Specially Designated Merchants (SDM) license for beer and wine to the existing gas station and store.

Kain reviewed the zoning and other characteristics of the subject property and the current use, zoning, and future land use of adjacent properties.

Kain referred to the overview of the site, along with photos showing current conditions.

Kain noted that the SDM license allows for the sale of beer and wine and explained that under the City's code, a store that has a SDM license is classified as a liquor store and is considered a Group B Special Regulated use.

Kain explained that Group B special regulated uses are subject to specific location criteria, such as they shall not be approved if there are four or more special regulated uses within 1,000 feet of the boundaries; it was noted that there are three other special regulated uses within that area.

In addition, they shall not be approved if they are within 300 feet of a CD-3L or CD-3 zoned district, Mobile Home Park, K through 12 school, Civic Space, church or cemetery. Staff found that there are 15 properties zoned CD-3; one K-12 school; and one Civic Space within that area.

Kain noted that the Planning Commission is authorized to waive these location standards if the following findings are made:

- A. That the proposed Use will not be contrary to the public interest or injurious to nearby properties, and that the spirit and intent of this Section 154.410.C will be observed.
- B. That the proposed Use will not enlarge or encourage the Development of a "skid row" area.
- C. That the establishment of an additional Special Regulated Use in the area will not be contrary to any program of neighborhood conservation or interfere with any program of urban renewal.
- D. That all applicable regulations of this Section will be observed.

Kain reported that during staff's routine reviews for special use permits, it was noted that the site is out of compliance with the landscaping plan approved in 1987. Kain noted that the staff recommendation includes a condition that the site come into compliance with the approved plan or the applicant submitting a new landscaping plan that conforms to current standards. In addition, he noted that the dumpster on the site is currently sitting in the open without any enclosure, which has also been included as a condition in the staff recommendation.

Commissioner Kostzewa asked if the 300 ft. is measured from building to building or property lines. Kain noted it was measured from property lines.

Michael McKeough, representing Blarney Castle, addressed the Board offering to answer any questions. The Board had no questions for Mr. McKeough.

Chair Hoenig opened the public hearing. There being no one who wished to speak the public hearing was closed.

Board Discussion:

Commissioner Rise stated that she would likely support this request to be consistent with previous approvals; however, she commented that if we have standards, we should uphold them or change them to something that we would uphold. She questioned why we have location standards if we consistently waive them.

Commissioner Kostrzewa acknowledged Commissioner Rise's concern; however, commented that this particular location would have no effect on the school located within the 300 feet.

Motion by Liesch, support by Friedrich, to approve SUP-19-12 with the following findings and conditions:

1. The proposed Use will not be contrary to the public interest or injurious to nearby properties, and that the spirit and intent of this Section 154.410.C will be observed.
2. The proposed Use will not enlarge or encourage the Development of a "skid row" area.
3. The establishment of an additional Special Regulated Use in the area will not be contrary to any program of neighborhood conservation or interfere with any program of urban renewal.
4. All applicable regulations of this Section 154.410.C will be observed.
5. The applicant will bring the site landscaping into compliance with the 1987 site plan or provide a new landscaping plan conforming to current standards.
6. The applicant provides a code compliant dumpster enclosure.

Motion approved unanimously.

B. SUP-19-13 – 1911 S. Mission

Kain introduced SUP-19-13, submitted by Blarney Castle Oil Co., to add a Specially Designated Merchants (SDM) license for beer and wine to the existing gas station and store.

Kain reviewed the zoning and other characteristics of the subject property and the current use, zoning, and future land use of adjacent properties.

Kain referred to the overview of the site, along with the photos showing current conditions.

Kain noted that the relationship criteria is the same as in the previous case, noting that there are two other special regulated uses within 1,000 feet of the property; however, there are no CD-3L or CD-3 zoned properties, or any Mobile Home Parks, K – 12 schools Civic Space, church or cemetery within 300 feet of the site, therefore no waiver is required.

Kain noted that as in the previous request, the applicant is not proposing any site changes or exterior modifications; however, it was noted that the dumpster is currently not within an enclosure and there is an existing non-conforming gravel parking area on the site. Staff is recommending these items be addressed as a condition for approval.

There were no questions for the applicant.

Chair Hoenig opened the public hearing. There being no one who wished to speak, the public hearing was closed.

Board Discussion:

Motion by Ortman, support by Rise, to approve SUP-19-13 with the following conditions:

1. The applicant provide a code compliant dumpster enclosure.
2. The existing gravel parking spaces will be removed and lawn restored.

Motion approved unanimously.

C. TC-19-06

Kain introduced TC-19-06, which is a proposed ordinance to add a new Subsection 154.410.B.4.b and to amend Table 154.410.A of the zoning ordinance to regulate marihuana establishments as special uses.

Kain provided the background on activities that have led us to this point, noting that voters passed the Michigan Regulation and Taxation of Marihuana Act (MRTMA) in November of 2018. Kain noted that six establishment types were established:

- Retailers
- Processors
- Safety Compliance Facilities
- Secure Transporters
- Growers (Class A, B, and C)
- Microbusinesses

Kain further reported that the Marijuana Regulatory Agency (MRA) will begin accepting applications in November.

Kain reported that the City Commission adopted a regulatory ordinance in September 2019 and that ordinance establishes that the City will accept applications beginning on January 6, 2020. Kain reported that there will be an annual license fee of \$5,000. The City will permit up to 3 Retailers; 5 class A Growers; 3 Class B or C growers; an unlimited number of Processors, Safety Compliance Facilities and Secure Transporters; and 2 Microbusinesses. In the event that more applications are received for establishments with a numeric limit than that limit, a competitive selection process will be used. The regulatory ordinance also requires that all establishment types obtain a Special Use Permit.

Commissioner Dailey asked if Microbusinesses would count towards the 3 allowed Retailers. Kain noted that Microbusinesses are a separate establishment category and therefore would not count toward the total of 3 Retailer licenses.

Commissioner Dailey asked for clarification on the zero Excess Growers noted in the draft ordinance. Kain explained that an Excess Grower license allows a licensee who already holds five adult-use Class C grower licenses to expand their plant count. Because the City's ordinance restricts stacking to a lesser number of licenses, Excess Growers would also not be possible.

Kain reviewed the zoning districts where the establishments would be permitted, with Retailers being allowed in the CD-4 or CD-5 districts if they are also within the CBD-TIFA or Mission-

Pickard DDA. Retailers would also be allowed in the SD-I district but only if co-located with a Grower or Processor. All other types would be allowed only in the SD-I districts. In addition, the buffer map would be essentially the same.

Chair Hoenig opened the public hearing. There being no one who wished to speak, the public hearing was closed.

Motion by Friedrich, support by Liesch, to recommend that the City Commission adopt TC-19-06.

Motion approved unanimously.

VII. Public Comments

Chair Hoenig opened the floor for public comments. There being no one who wished to speak, public comments session was closed.

VIII. Site Plan Reviews:

None

IX. Unfinished Business:

None

X. New Business:

A. Presentation from McKenna & Associates on 2050 Master Plan.

Paul Lippens from McKenna & Associates provided an update on the development of the new Master Plan for the City of Mt. Pleasant. Mr. Lippens explained that the Master Plan is designed to provide guidance and a long range vision for the City and provided an overview of the layout for the plan, noting that it has been divided into five books:

- 1) Sustainable Land Use (How should we grow?)
This section focuses on housing types and the zoning ordinance.
- 2) Connected Mobility Systems (How do we get there?)
Focuses on transportation plan; city wide circulation, improved traffic flow, etc.
- 3) Focused Redevelopment (Where should we grow?)
Mission Street vision, University/downtown connection, etc.
- 4) Exceptional Parks & Public Spaces (Where should we play?)
Parks inventory and funding, infrastructure, etc.
- 5) Innovative Services and Aspirations (What should we do now?)
Action plan, prioritized city goals and objectives, summary of public input, and demographics.

Mr. Lippens commented that they relied heavily on public input when developing the plan, and thanked the Planning Commission for their involvement in the process. Mr. Lippens provided a tentative timeline, noting that feedback to staff is requested before November 15. They hope to have a 100% plan to submit for the Planning Commission, City Commission and Parks & Recreation Commission in December to initiate the statutory required 63-day public comment period prior to adoption.

Mr. Lippens also noted that a copy of their presentation would be posted on the website along with a detailed summary of the plan.

Mr. Lippens fielded questions from Commissioners regarding rerouting M-20, the Mission Street concept, the notion of Mission Street being a “by-pass to a by-pass”, the University Avenue concept, and items contained in the Information from the Public Input/Charrette related to urban farming.

Commissioner Dailey inquired about the likelihood of the plan being implemented. Mr. Lippens explained that a Master Plan establishes a vision that policy makers can utilize over several years and decades to implement policy and development. Staff provided some examples of projects that resulted from past Master Plans including the development of Town Center, the construction of the City water plant, and the extensions of Bellows and Preston Streets.

Commissioner Liesch commended McKenna and Associates for the work they have done and commented on the success of the public input sessions which engaged a diverse and representative group of stakeholders. He also expressed appreciation for having the synopsis of public comments included in the plan.

XI. Other:

A. Staff Report:

1. November Planning Commission meeting - Anticipated items:

Kain reported that he would have an administrative review report for next month and anticipates at least one special use permit/site plan review for a rooming dwelling on Washington Street. In addition, he noted that a work session to discuss two-family dwellings was likely.

XII. Adjournment:

Motion by Liesch, support by Friedrich, to adjourn.

Motion approved unanimously.

Meeting adjourned at 8:37 p.m.

bam