

**Mt. Pleasant Planning Commission
Minutes of Regular Meeting
August 1, 2019**

I. Chair Hoenig called the meeting to order at 7:00 p.m.

Present: Dailey, Friedrich, Hoenig, Horgan, Irwin, Kostrzewa, Liesch, Ortman, Rise.

Staff: Kain, Murphy

II. Approval of Agenda:

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

Motion approved unanimously.

III. Approval of Minutes

A. June 27, 2019 Regular Meeting

Motion by Kostrzewa, support by Rise, to approve the minutes from the June 27, 2019 regular meeting as submitted.

Motion approved unanimously.

B. June 27, 2019 Work Session

Motion by Dailey, support by Liesch, to approve the minutes from the June 27, 2019 work session as submitted.

Motion approved unanimously.

IV. Zoning Board of Appeals Report for July:

Commissioner Friedrich reported that the ZBA did not meet in July.

V. Communications:

Kain reported that there was one communication received from Doug LaBelle II that was included in the packet.

VI. Public Hearings:

A. TC-19-02

Kain introduced TC-19-02, reminding the Board that this was a continuation from the last meeting regarding a proposed ordinance to regulate the reconstruction of non-conforming parking areas. As a result of the discussion at the June 27th meeting, staff worked with the City Attorney to update the language to clarify the terms for any improvements or reconstructions. A revised draft ordinance has been prepared for the Commission.

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

Motion by Liesch, support by Irwin, to recommend that the City Commission adopt Text Change 19-02.

Motion approved unanimously.

B. Z-19-01

Kain introduced case Z-19-01. Kain noted the location as the northwest corner of Riverview and Canal Streets. Kain reported that during the process of updating the zoning map in 2018, this parcel, which is owned by the City of Mt. Pleasant and is part of the Canal Street Park, was inadvertently zoned as CD-3L. All other City owned park land is zoned Civic Zone and staff is recommending that the Planning Commission consider amending the map to rezone this parcel to Civic Zone.

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 rezone the property described as RIVERVIEW, LOT 6 from CD-3L to Civic Zone.

Motion approved unanimously.

VII. Public Comments

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

VIII. Site Plan Reviews:

None

IX. Unfinished Business:

None

X. New Business:

A. Discuss and consider setting a public hearing on a proposed rezoning of McGuirk Subdivision, Lots 1-10 from CD-3 (Sub-Urban) to CD-4 (General Urban) with a Residential/Dwelling Use Only Special Requirement.

Kain introduced the proposed map amendment which would rezone 10 lots which together comprise McGuirk Subdivision. Kain noted that the subject properties are located on Patrick Court, south of Sunnyside Park. Kain explained that the property was platted in 1982 and at that time, deed restrictions were recorded which require that two-family dwellings be constructed on each lot in the subdivision.

At this time, five lots have been developed and five remain vacant. Kain noted that the subdivision was zoned R-3 under the previous zoning map and transitioned to CD-3, which was the equivalent district, under the current ordinance.

Staff initiated the proposed map amendment because the CD-4 zoning district, which allows two-family dwellings by right, would seem a better match to the intent of the development as platted. CD-4 zoning

with a Residential/Dwelling Use Only requirement would be consistent with the zoning of similar developments in the city.

Kain reported that notices were mailed to the owners of the subject properties. To date, three owners representing eight of the lots have contacted staff and have stated no objections to the proposed rezoning.

Commissioner Irwin commented that a couple of the lots appear to be oddly shaped and questioned whether they were large enough for a two-family dwelling. Staff noted they were.

Commissioner Rise questioned whether the proposed rezoning would open up the possibility of a larger apartment type dwelling. Kain noted anything other than a two-family dwelling would require that the deed restrictions be removed; however, he further noted that the City does not enforce deed restrictions. Chair Hoenig commented that the deed restrictions have been recorded.

Motion by Liesch, support by Irwin, to set a public hearing to consider rezoning McGuirk Subdivision, Lots 1-10 from CD-3 (Sub-Urban) to CD-4 (General Urban) with a Residential/Dwelling Use Only Special Requirement at the September 5, 2019 regular meeting.

Commissioner Rise motioned to postpone action to allow further discussion, expressing concern that the CD-4 and CD-3 are significantly different, with CD-3 being primarily single-family. She noted that she fully supports two-family dwellings, but not apartment complexes and CD-4 would open up that possibility. Commissioner Rise further commented she would like to see the "owner occupied" criteria for two-family dwellings eliminated.

Commissioner Ortman asked for clarification on what effect changing the owner occupied requirement would have.

Kain clarified that the owner-occupied requirement only applies to new two-family dwellings in the CD-3L and CD-3 zoning districts and two-family dwellings that existed prior to the adoption of that standard are exempt from it.

Kain commented that it is unclear why these lots were not zoned M-1 under the 1984 zoning ordinance, which would have been equivalent to the new zoning proposed by this map amendment. Chair Hoenig agreed, commenting that this subdivision should not have been zoned CD-3 at all and rezoning this area would not be spot zoning as it is an entire area that was clearly designed for two-family dwellings.

Commissioner Dailey commented that he is not happy that a CD-4 zoning classification would allow condominium type housing there, but noted that the area was platted for two-family dwellings with the expectation that no special use permit would be required. He further commented that if there is concern from his fellow commissioners regarding owner occupancy requirements, it may warrant further discussion; however, he commented that this is a separate issue and should be dealt with separately.

Commissioner Rise commented that is why she would like to postpone; to deal with the owner occupancy issue first. Chair Hoenig disagreed with the proposed postponement.

Commissioner Liesch commented that the motion on the table is to simply set a public hearing and there would be another opportunity to discuss in greater detail.

Commissioner Rise commented that she is not opposed to rezoning this area to CD-4; however, feels it brings up a broader issue.

Vice-Chair Horgan commented that moving this case forward will not prevent further discussion on the owner occupancy requirement.

Motion to postpone failed due to lack of support.

Motion to set the public hearing for September 5, 2019 passed unanimously.

B. Discuss amendment to Section 154.411 of the zoning ordinance and consider setting a public hearing on this issue at the September 5, 2019 regular meeting.

Kain introduced a proposed text amendment based on discussion that took place at the joint meeting of the City Commission and Planning Commission in May 2018 to expand the solid waste requirements to include recycling. Currently the zoning ordinance refers to solid waste; however, does not specifically reference recycling. The proposed change would ensure all developments provide facilities for recycling collection.

Kain commented if the Board agrees with this position, that they set a public hearing to consider the proposed text change at their September meeting.

Motion by Friedrich, support by Irwin, to set a public hearing to consider proposed text change 19-03 at the September 5, 2019 regular meeting.

Motion approved unanimously.

C. Discuss amendment to Section 154.412 of the zoning ordinance and consider setting a public hearing on this issue at the September 5, 2019 regular meeting.

Kain introduced a proposed text amendment regarding stacked parking. Kain explained that stacked parking is parking that is not directly accessible by means of maneuvering lanes or drive aisles. Stacked parking has been prohibited in general to ensure that vehicles ingress and egress from private property in a forward manner, increasing safety and visibility. Kain noted a couple of instances where stacked parking may be appropriate such as:

- Properties converted from residential use to non-residential use or mixed use where a full parking lot would not fit the character of the neighborhood.
- Properties which take their vehicular access from rear alleys or rear lanes only, as there are fewer traffic conflicts and traffic speed is generally slower.

Kain noted that allowing stacked parking in certain instances can help to maintain green space and create less impervious surface.

Kain noted that the proposed ordinance would allow some flexibility but would remain consistent with the intent of the existing regulations.

Motion by Dailey, support by Ortman, to set a public hearing to consider proposed text change 19-04 at the September 5, 2019 meeting.

Motion approved 8:1, with Commissioner Rise voting nay.

D. Discuss amendment to Table 154.405.A of the zoning ordinance and consider setting a public hearing on this issue at the September 5, 2019 regular meeting.

Kain introduced a proposed text amendment relating to building and lot standards in the CD-3L and CD-3 zoning districts, noting that these were items identified as part of the one year review of the zoning ordinance. Kain noted that the proposed amendments are to Table 154.405.A and address fences and walls, roof pitch, and driveways.

Kain noted that in 2015 the Planning Commission initiated a text change which, among other things, increased the maximum height of fences and walls in side street yards to 6 feet. The current ordinance reduced the side street fencing height to a maximum of 4 feet. The proposed amendment would once again increase the side street yard (Secondary Frontage) maximum height to 6 feet.

The second component of the proposed amendment would reduce the minimum roof pitch standards in the CD-3L and CD-3 zoning districts from the current 8:12 to 7:12. This would continue to produce a comparable outcome to the current standard, is consistent with local building practices, and was agreeable to Mr. Joe Olivieri, a local home builder, during prior discussions with staff regarding the standard.

The third component of the proposed amendment would increase the maximum driveway width from 10 feet to 18 feet. Kain noted that this amendment responds to feedback received by the City Commission earlier this year. The proposed standard is consistent with local building practices.

Commissioner Irwin commented that a 7:12 roof pitch is steep and asked staff to report back on the minimum pitch under the Michigan Building Code. Kain noted he would report that back in September.

Commissioner Friedrich asked if there are areas in the city where an 18 foot driveway width would take up most of the front yard. Kain responded there were not.

Motion by Friedrich, support by Liesch, to set a public hearing to consider proposed text change 19-05 at the September 5, 2019 regular meeting.

Motion approved unanimously.

XI. Other:

A. Staff Report:

1. September meeting: Kain reported that one special use permit and site plan review application has been filed, and two to three additional special use permit applications are anticipated prior to the August 12th deadline. This is in addition to the four public hearings set by the Planning Commission for that meeting.
2. MAP Conference. Kain noted that the MAP conference is scheduled for September 25-27 in Kalamazoo. He noted that if any commissioners were interested in attending to let him know. The city has funds to cover the expenses.

XII. Adjournment

Motion by Liesch, support by Friedrich, to adjourn.

Motion approved unanimously. Meeting adjourned at 7:42 p.m.

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