

**Mt. Pleasant Planning Commission
Minutes of Regular Meeting
August 5, 2010**

I. Chairman Orlik called the meeting to order at 7:00 p.m.

Present: Brockman, Holtgreive, Kostrzewa, Lux, Orlik (Chair), Rautanen, Smith (Vice-Chair).

Absent: Robinette, with one vacancy.

Staff: Gray, Murphy.

II. Approval of Agenda:

Motion by Smith, support by Kostrzewa to approve the agenda. Motion approved.

III. Approval of Minutes

A. July 1, 2010 regular meeting.

Motion by Holtgreive, support by Rautanen to approve the minutes from the July 1, 2010 regular meeting as written.

Motion approved.

IV. Zoning Board of Appeals Report.

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

V. Public Hearings:

Chairman Orlik explained board proceedings and asked staff to introduce the first case.

A. ZC-10-03 – 1116, 1202 E Pickard and 802 N. Brown – Request to conditionally re-zone the south 50 ft. of 802 N. Brown from R-3 to C-3.

Staff explained that this request involves three parcels, which, if approved for re-zoning will be combined for the development of a new Belle Tire retail store. Staff explained there is currently mixed zoning on the property, with 1116 E. Pickard and 1202 E. Pickard, and all but the south 50 ft. of 802 N. Brown being zoned C-3, and the remaining portion being zoned R-3. In order to facilitate the proposed development, the applicant has asked that the south 50 ft. be conditionally rezoned to C-3. Staff explained that this parcel has been subject to various requests over the years, with the last request in 2001, at which time a re-zoning request to allow a used car sales lot

was denied. Staff explained that we now have the conditional rezoning tool in place, which allows us to look at the proposed development and allows the applicants to offer up self-imposed conditions to help the development fit with the character of the surrounding properties.

Staff shared the proposed site plan, showing a parking area, which would be set 26.3 feet off the south property line, with a 25 ft. green-space buffer. In addition, staff explained that the applicant has proposed building a 6 ft. brick masonry screening wall along the south property line. Staff shared the building elevations provided by the applicant which propose a predominantly brick building with glass, EIFS and standing seam metal accents. Staff stated that both the screening wall and the proposed masonry dumpster enclosure would match the building. Staff stated that the applicant has provided a proposed conditional re-zoning agreement which includes several conditions they are willing to offer, as follows:

- Commit to use as a Belle Tire store, constructed of materials shown on the plans;
- Assure that no vehicle work will occur outside of the building and that no exterior storage, including discarded tires, will occur outside of the building.
- Confirm the hours of operation.
- Confirm that construction will comply with all applicable standards.
- Commit to the installation of a masonry screening wall along the south property line with brick matching that of the building.
- Commit to the installation of full-cutoff (downward directed) light fixtures that meet the requirements of the ordinance.
- Commit to a dumpster enclosure of brick masonry matching the building.

Staff reminded the Commission that if the re-zoning request is approved by the City Commission, the applicant will still need to go through the Special Use Permit and Site Plan Review process prior to construction. Staff stated that a preliminary review of the site plan has been conducted to assure the project meets the minimum requirements of the ordinance, and a more in-depth review will take place during the Site Plan Review process. Staff concluded that he feels the applicant has offered a superior design with complimentary features and that with the parking area and buffer, the project provides an appropriate transition between the commercial and residential properties.

Chairman Orlik asked if there was any proposed access points from Brown Street. Staff stated there would be two access points; one at the south end of the Brown Street property, along with a shared access with the neighboring property to the east, off Pickard Street.

Commissioner Holtgreive questioned whether the placement of the drive on Brown Street would be in the same location as the existing driveway. Staff indicated the northern edges of the drive would be close to the same area; however the new drive will be wider.

Commissioner Holtgreive asked which way the service bays would face. Staff stated all service bays would front Brown Street. There are two garage doors on the south side that will be used for vehicle alignments and no tire work. Deliveries would also come to the south side of the building.

Commissioner Kostrzewa asked about the noise generated from the proposed store.

Chris Enright, Architect representing Belle Tire, addressed the Board. Mr. Enright stated that Belle Tire is a Michigan Corporation with several locations throughout the southern part of the state and Northern Ohio. The company is expanding north. Mr. Enright stated this is a first class operation in all aspects. He stated that all storage of materials will be inside the building and all work will take place inside the building. Vehicles are pulled into the bays by staff, not customers. Mr. Enright addressed Commissioner Kostrzewa's concern regarding noise by stating that the service bays would be facing Brown Street. He further indicated that the south doors would contain alignment racks, which do not involve pneumatic tools. He stated the removal of tires will be conducted mainly in the first two bays facing Brown Street. He further stated there would be no music, etc. broadcast outside.

Commissioner Holtgreive questioned whether the doors would be open during servicing. Mr. Enright stated that would depend on the weather, but that the doors would be open during servicing, weather permitting.

Commissioner Lux questioned whether, on the evenings they are scheduled to stay open until 8:00 p.m., if there would be open-door servicing going on. Mr. Enright indicated that business would likely continue up until closing time. Commissioner Holtgreive questioned whether there would be horns honking to get into the service bays. Mr. Enright indicated this would not be an issue as they do not consider that an acceptable practice.

Commissioner Lux asked if there would be any loading/unloading of used tires or deliveries after hours. Mr. Enright indicated the only activity that may take place after business hours would be mowing, etc.

Chairman Orlik opened the Public Hearing:

Roy Gunderson, 725 Kane Street, addressed the Board. Mr. Gunderson asked for clarification on hours of Operation. Staff stated hours would be as follows: Monday and Thursday, 8:00 a.m. – 8:00 p.m.; Tuesday, Wednesday and Friday, 8:00 a.m. – 6:00 p.m.; Saturday, 8:00 a.m. – 5:00 p.m. and closed on Sunday.

Mr. Gunderson expressed some concern with the noise that may be generated and questioned if there would be trucks in and out of the site.

There being no one else who wished to address the Board, the Public Hearing was closed.

Chairman Orlik asked the applicant to address Mr. Gunderson's question on trucks. Mr. Enright stated there would be no large truck servicing – just passenger cars/trucks; however there would be deliveries approximately once a week.

Commissioner Holtgreive questioned the placement of the screening wall, stating he felt it would serve the purpose better to have the wall immediately south of the proposed parking row, with plantings on the south side of the wall to help buffer the residential areas.

Board discussion:

Commissioner Holtgreive reiterated his preference to have the wall located closer to the building with the vegetation on the south of the wall, indicating he feels this would not only be a better noise buffer, but would help hide the wall.

Staff indicated the wall would be brick masonry and will be pleasing to look at.

Commissioner Orlik reminded the Board that this is a conditional rezoning and the Board cannot address site issues at this time, however posed the question to the applicant if this would be a significant issue. Mr. Enright indicated the vegetation inside the wall would be easier to maintain and it would provide a softer view from Pickard. He further stated that he had met with the neighbors directly south of the property and their only desire was to have a wall there. Commissioner Smith indicated he approved of the plan.

Mr. Gunderson questioned whether the wall would extend to the north along the east side of the property. Mr. Enright indicated they could add that as a condition.

Motion by Smith, support by Rautanen to recommend that the City Commission approve conditional rezoning ZC-10-03 from Christopher Enright Architects on behalf of Redbird of Mt. Pleasant and Barnes Development Company for the properties located at 1116 E. Pickard, 1202 E. Pickard and 802 N. Brown from C-3, General Business and R-3, Residential to C-3 General Business, in accordance with the Conditional Rezoning Agreement as amended by the applicant to include the extension of the masonry wall along the east property line between the south property line and the building. Approval of the Conditional Rezoning is recommended on the following basis:

1. The applicant has proposed a development that includes a building and site design of high quality, durable building materials consistent with the intended character of Pickard Street and appropriate for maintaining the character of the adjoining neighborhood.
2. The applicant has proposed a brick masonry screening wall compatible with the design of the building that will help to minimize negative impacts of the commercial use on the adjoining neighborhood along the southern property line and extending around the corner along the east property line.
3. The applicant has offered operational conditions, relating to hours of operation, exterior lighting, and outdoor storage that will help to minimize potential adverse impacts related to the proposed use.

Roll Call Vote: Ayes - 6; Nays - 0; Abstain – 1 (Kostrzewa). Motion carried.

- A. SUP-10-05 – 413 & 413 ½ S Oak – Request for a Special Use Permit to utilize the existing building as a two family dwelling (duplex).

Staff reported that this property was used in the past for a duplex, however lost its status due to a foreclosure. The applicant has proposed some site improvements such as paving the drive and adding two more parking spaces.

Chairman Orlik commented that with the property losing its status, it allows us to require it to meet current standards.

Dave Cantrell addressed the Board as representative for the applicant. Mr. Cantrell stated that at this time his daughter plans on living in one unit and renting out the other. Mr. Cantrell stated that he owns several rental properties in the City and maintains them.

Chairman Orlik opened the Public Hearing. There being no one who wished to address the Board, the Public Hearing was closed.

Board Discussion:

Commissioner Kostrzewa asked Mr. Cantrell for clarification on who owned the property. Mr. Cantrell stated his daughter Tracie has owned it since November. Commissioner Kostrzewa asked if Mr. Cantrell would be helping with the maintenance and further questioned whether there were any outstanding code violations at any of his properties. Mr. Cantrell indicated he would be helping with maintenance of the property and there were no violations that he was aware of.

Motion by Lux, support by Brockman to approve the request for SUP-10-05 from Tracy A. Cantrell for a two-family dwelling at the property located at 413 & 413½ S. Oak St. Approval is based on the site plan received on July 27, 2010, subject to the following conditions:

1. The applicant shall comply with the requirements of the Division of Public Safety (DPS), including all licensing requirements.
2. The occupancy of the building shall not exceed the requirements of the Housing Licensing Code and the Zoning Ordinance, currently a single family or not more than 2 unrelated people in each unit.
3. The applicant shall comply with the requirements of the Division of Public Safety (DPS), including all licensing requirements, and the requirements of the Division of Public Works (DPW).

Motion approved unanimously.

B. TC-10-01 – Residential Uses in the OS-1 and OS-2 Office Service Districts.

Staff presented the proposed Zoning Ordinance language prepared following Board discussion at the July meeting. The proposed change amends the OS-1 and OS-2 districts

under the Special Use Permit option, with all single family special uses and all multiple-family uses requiring a Special Use Permit in the OS Districts.

Commissioner Rautenan stated he feels this is the direction we want to go.

Chairman Orlik opened the public hearing. There being no one who wished to address the Board, the public hearing was closed.

Chairman Orlik stated he feels the proposed change brings more focus on what we want in the OS-1 and OS-2 Districts.

Commissioner Smith commended staff for his promptness in preparing the proposed text.

Commissioner Lux had questions regarding the language on educational facilities. Staff stated that the ordinance language addressing educational facilities is the same.

Motion by Rautanen, support by Holtgreive, to recommend that the City Commission approve Text Change 10-01 regarding residential uses in the OS-1 and OS-2 Office Service zoning districts.

Motion approved.

VI. Public Comments:

Chairman Orlik opened the floor for public comments. There being no one who wished to address the Board, the public comments session was closed.

VII. Site Plan Reviews:

None Scheduled

VIII. New Business:

Commissioner Lux requested that staff research the status of the amendments proposed a few years ago to address educational institutions in the residential and office zoning districts and report back to the Board on whether those were completed.

IX. Other

A. September Planning Commission Meeting: Staff reported that the City Commission Has approved the conditional rezoning for the Wesley Foundation. Staff anticipates the Foundation will be going before the ZBA in August and they will be submitting applications for Site Plan Review and a Special Use Permit for the September Planning Commission meeting.

B. Packet Distribution: Staff commented that we have been distributing packets both

electronically and in hard copy and asked for feedback from the Board on whether they wish us to continue that practice or go to just electronic packets. Board consensus was to continue current practice.

X. Adjournment

Motion by Holtgreive, support by Kostrzewa to adjourn. Motion passed unanimously.

Meeting adjourned 7:57 p.m.

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