

**Mt. Pleasant Planning Commission
Minutes of Regular Meeting
February 4, 2010**

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

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

Staff: Gray, Murphy.

II. Approval of Agenda:

Motion by Brockman, second by Robinette, to approve the agenda. Motion approved.

III. Election of Officers:

Chairman Orlik asked for nominations for Chair.

Motion by Holtgreive, second by English, to nominate Orlik as Chair.

Motion by Lux, second by Brockman to nominate Smith as Chair

Motion by Brockman, second by Holtgreive to close nominations. Motion approved.

Chairman Orlik asked for a vote on the nominations. Orlik elected as Chair with a vote of 5:3.

Motion by Holtgreive, second by Lux, to nominate Smith as Vice Chair.

Motion by Lux, second by English to close nominations.

Chairman Orlik asked for a vote on the nomination. Commissioner Smith elected as Vice-Chair with a vote of 9:0.

IV. Recognition of Service: Kim Ellertson and Jeff Jakeway:

Chairman Orlik recognized outgoing Planning Commission members Kim Ellertson, who served two full terms, and Jeff Jakeway, serving one full term.

V. Approval of Minutes

A. December 3, 2009 Regular Meeting.

Motion by Holtgreive, second by Smith, to approve the minutes from the December 3, 2009 regular meeting as written. Motion approved.

Chairman Orlik suggested that in the future if we have a member who steps down from a case due to a potential conflict of interest that it is indicated in the minutes that the commissioner is excused from the case to avoid a potential conflict of interest and not count the vote as an abstention.

VI. Zoning Board of Appeals Report.

A. There were no January ZBA Cases.

VII. Public Hearings:

Chairman Orlik explained the public hearing process and asked staff to introduce the first case.

- A. SUP-10-01 – LaBelle Management, Inc. – 1705-1721 S. Mission. Request for a Special Use Permit under the Mission Redevelopment Overlay Zone to consider a conceptual site plan for the construction of a 5000 square foot retail building.

Staff presented details of the applicant's request based on the staff report dated January 29, 2010. Staff explained that the applicant is applying for a Special Use Permit, utilizing the flexible zoning regulations authorized in the Mission Redevelopment Overlay Zone. The site is located in the Campus Square parking lot in front of Sav-A-Lot, Soldan's etc. Staff provided pictures of the existing site, along with a site plan showing the proposed reconfiguration of the property.

Staff reminded the Board that the Mission Redevelopment Overlay Zone was created to promote the redevelopment and rehabilitation of properties along Mission Street and to encourage improved building appearance, utilizing durable materials; to improve traffic circulation/flow and increase pedestrian access. The General C-3 zoning is still in place as well; however developers who are willing to improve the quality of their sites along the guidelines of the Mission Redevelopment Overlay Zone will be offered some flexibility in regards to zoning regulations. Staff explained that applicants who apply under the Mission Redevelopment Overlay Zone will go through the Special Use Permit process with the site plan being tied into the SUP. Staff further explained that this process involves a conceptual site plan being submitted with the SUP request, which is reviewed by the Board. The Board may grant a preliminary approval based on this conceptual plan. The applicant will then submit a final site plan for the Planning Commission to review to assure the expectations have been met and are consistent with what the applicant proposed.

Staff stated that this proposal includes a 5,000 square foot building, redevelopment of the underutilized parking area, improved site appearance, improved cross access between the businesses both north and south of the property, improved vehicle access across Mission Street, decorative fencing and improved sign appearance. Staff explained that the photo submitted by the applicant is not necessarily the building they are proposing, but has similarities (i.e., brick façade, architectural details, lighting, etc.). Staff further stated that the applicant plans some façade improvements on the existing building on the site to compliment the new building; staff recommended that the Planning Commission permit staff to work with the applicant on developing a façade that is consistent with the new building to be considered by the Commission with the final site plan.

Staff provided additional detail on the improved cross access. The property immediately north of the subject property (Big Boy) is owned and controlled by the applicant who has committed to a cross connection through the property. North of the Big Boy is Wendy's, which is not controlled by the applicant. Staff is currently working with the owners of Wendy's to provide cross connection from the subject property through to Appian Way. There has been some interest from the owners of this business; however, to date, there has been no commitment. Staff explained that there is already a vehicle access on the north side of the existing building to the apartment complexes to the east, and this proposed plan would include curb islands to define the circulation for this existing access. Staff explained that to the south, the property connects to the parking areas of Silverberg Jewelers and ABC Warehouse. This cross connection would also be improved with curb islands to better define the cross connection, parking and vehicle circulation. If the Wendy's site is secured for cross connection, this would provide access all the way from Appian Way to Broomfield.

Staff explained that the project also would include moving the entry on Mission Street to the south to line up with the drive of Gordon Food Service (across Mission Street). There has been some preliminary discussion with GFS and CMU regarding a new public street through the GFS parking lot connecting with East Campus Drive. This is part of the goal to create grid streets to improve traffic flow.

Staff indicated the applicant has committed to the installation of decorative fencing, complimentary to the improved building façade - targeting the two entries off Mission Street. Staff further explained that the applicant has worked with staff for over two years and has been very flexible in designing this project. Staff stated that this project would not be possible without the Mission Redevelopment Overlay Zone. Staff further stated the Planning Commission would need to consider a waiver to the parking requirements. Based on the study submitted by the applicant, at its peak, the parking lot contains less than 90 cars. With the proposed development the parking lot would have 343 spaces (ordinance would require 465 – a reduction of 26%). The Mission Redevelopment Overlay Zone permits the Planning Commission to consider a waiver of up to 50% of the spaces.

Staff stated that if the Planning Commission finds this request to be consistent with the goals of the Mission Redevelopment Overlay Zone, then they could approve the conceptual site plan.

Chairman Orlik commented this is the first major project to come to the Board under the new Mission Redevelopment Overlay Zone and questioned whether the applicant planned to change the sign from a pylon to monument sign.

Staff indicated that this was discussed with the applicant, who has indicated a desire to keep the pylon, but has agreed to improve the appearance.

Commissioner English asked for clarification whether the conceptual cross connection to Broomfield would be through the parking lots. Staff indicated it would be, with additional curbing, landscaping etc., to control traffic flow.

Commissioner Smith asked for clarification on the approval procedure and whether the Commission's approval of the conceptual site plan is final approval for the SUP or if it is subject to approval of a final site plan submitted by the applicant.

Staff stated that this approval would only be step 1 – to approve the SUP subject to the approval of the final site plan. If the applicant brings back a site plan that is consistent with what is approved tonight, then they would receive final approval. The SUP is not valid until a final site plan is submitted and approved. Staff stated that the applicant does need to know before proceeding with the expense of drawings/bids, etc. that this is the type of project the Planning Commission would approve and that it meets the requirements and intentions of the new Mission Redevelopment Overlay Zone.

Commissioner Smith and Commissioner Robinette both expressed some concerns with the process. Staff indicated that anything of concern or objectionable to them should be discussed.

Chairman Orlik stated that 1st the Commission needs to decide if the project conforms to what they were looking for in creating the new zoning. If the Board decides that it does, and it passes this 1st screening, then the applicant would bring back a final site plan. He further assured commissioners that approval of the conceptual plan does not guarantee SUP approval if the final site plan does not meet the expectations presented tonight.

Staff explained that the applicant has control over some of the aspects of the project but not all. The applicant controls the design of the building, the façade improvements, signage and fencing; however, cannot control the cross connection on the Wendy's site or the Gordon Food Service piece. Staff will be working on those aspects.

Commissioner Robinette expressed concerns with traffic flow onto Mission even if there is a stoplight installed, and questioned whether there would be a left and right turn lane along with a through-way. Staff indicated that further evaluation was needed, but did not think there would be a separate left turn lane. Staff further indicated that the DDA is also looking at some participation in this aspect of the project.

Commissioner English expressed that she likes the concept of buildings being closer to Mission and wondered if there would be the possibility of future buildings side by side, or even buildings with second story residential units. Staff stated that this would be a possibility –limitations may be the parking.

Brandon LaBelle, representing Lacozy, LLC, addressed the Board, indicating this project is in the beginning stages. In response to Commissioner English's comment, he indicated that there is some sensitivity to the tenants in the existing building on the site, to not design the new building too tall. Commissioner English assured him she was speaking hypothetically. Mr. LaBelle also stated the final design of the building may differ from the photo shown, but should be comparable.

Chairman Orlik questioned the number of proposed tenants. Mr. LaBelle stated that they are flexible with that right now – it could be one, two but probably not more than three tenants. Chairman Orlik questioned whether the applicant would need to know this ahead of time to assure the façade was compatible with the number of tenants. Mr. LaBelle indicated he did not feel that would be an issue.

Mr. LaBelle reiterated staff's comments that they do not have control of all the cross connection pieces of this proposal. He further stated that their plans for the sign include dressing up the base, etc., but they do not plan on installing an entirely new sign.

Commissioner Kostrzewa stated that the cross access is an interesting and compelling idea. Although the applicant has no control, it is still a very positive concept. Commissioner Kostrzewa asked staff how many entities were involved in getting this accomplished. He further indicated access across the back of the property as a very important part of the redevelopment along Mission Street and questioned the likelihood of this taking place.

Staff indicated that the focus has been on the cross access to the North, which involves only one entity. Additional connections could be pursued in the future.

Commissioner Robinette questioned whether this would be a deal breaker if Wendy's doesn't agree. He further questioned the placement of the curbing shown on the proposed site plan and whether it would hinder cross access. Staff indicated that the landscape islands are intended to define a sort of intersection and to help define traffic flow.

Commissioner Brockman stated the cross access behind Wendy's has nothing to do with the proposed project and based on the fact that the applicant does not have control of this property, he did not feel that the approval should be contingent on that. He further commended Labelle's for their willingness to work with staff on this project and stated they could be a leader on Mission Street redevelopment.

Chairman Orlik agreed that the approval should not be tied to the cross access on the Wendy's site.

Commissioner Lux questioned access to the apartments behind the existing building and whether this was the only access to them. Staff stated access could also be obtained via Appian Way. Commissioner Lux further questioned the safety of the access and expressed concerns with cars traveling too fast through this area.

Tim Bebee, speaking on behalf of the applicant, assured Commissioner Lux that although they are looking at ways to improve access they are taking measures to control the speeds through signage, curb islands, trees, etc. Stop signs will also be installed to help control speeds, forcing cars to stop.

Commissioner Kostrzewa commented that although he agrees this project shouldn't be tied to cross access, he reiterated that it is still an important thing to pursue as there does not need to be more density on Mission Street.

Mr. Bebee stated that developments like this take time - this is just one piece, and hopefully Wendy's will see the benefit of allowing the cross access.

Mr. Bebee also addressed the Board regarding the proposed parking. He explained that the proposal as submitted is assuming the new building will house a restaurant, which requires more parking than retail. Current C-3 zoning would require the proposed new building to have 72 spaces, which have been set aside. In addition, ordinance requires Big Boy to have 72 spaces, which have also been set aside. The shortage of parking would be on the existing development in back. There would be 209 spaces remaining for the existing development, and based on the studies by the applicant, the highest count of cars at one time has been 83.

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

Motion by Lux, second by Holtgreive to approve the request for SUP-10-01 from Labelle Management for approval of a conceptual site plan to allow construction of a 5,000 square foot retail building on the property located at 1705-1721 S. Mission Street under the Mission Redevelopment Overlay Zone. Approval is based on the conceptual site plan prepared by CMS&D (job no. 0802-031), last revised on January 15, 2010 subject to the following conditions:

1. Final approval of the Special Use Permit is subject to review and approval of a final site plan that is consistent with the conceptual site plan and that confirms that the requirements of the Mission Redevelopment Overlay Zone will be met.
2. The applicant shall comply with the requirements of the Division of Public Safety (DPS) and the Division of Public Works (DPW).

Motion unanimously approved.

VIII. Public Comments:

There were none.

IX. Site Plan Reviews:

There were no Site Plan Reviews.

X. New Business

A. 2009 Annual Report:

A draft copy of the 2009 Annual Report was presented to the Board for comments. Discussion took place on the types of requests that were heard, along with the time commitment to the Mission Redevelopment Overlay Zone project.

Motion by Brockman, second by Robinette, to approve the 2009 Annual Report as written. Motion approved.

B. Goals:

The status of the 2009 Goals was reviewed. With the significant amount of time taken to develop the Mission Redevelopment Overlay Zone, staff suggested it is important that when setting 2010 goals, sufficient time is factored in to allow the process to work and to encourage economic development along Mission Street. It was suggested that we may need to reconsider some of these goals for 2010.

Discussion took place on whether to pursue actual changes to the ordinance language regarding C-3 zoning regulations. Consensus was to keep this on the list of goals but to allow the Mission Redevelopment Overlay Zone time to work. Many of the issues the Board and developers are struggling with may be addressed through the flexibility this Overlay Zone provides and it would be wise to wait and see what these incentives will deliver.

Chairman Orlik suggested including the Campus Connection in the proposed 2010 Work Session goal.

2010 Goals were suggested as follows:

- 1) Complete the development of the Mission Street Redevelopment District (north of Pickard and along Pickard).
- 2) Cultivate development under Mission Redevelopment Overlay. Based on the developments that are accomplished, consider the following future amendments:
 - Consider revisions to site plan review standards to insure that they reflect community desires and contemporary standards.
 - Review and amend the C-3 General Business zoning regulations to improve minimum expectations and address outdated standards.
 - Implement Sign Committee Recommendations.
- 3) Review West Broadway land uses between Main Street and Nelson Park given recent and planned development activity.
- 4) Hold a work session in 2010 for an update on neighborhood issues and to discuss the progress of the Downtown to Campus Connection.

Motion by Rautanen, support by Brockman to approve proposed Goals for 2010. Motion approved.

C. Committee Appointments for 2010:

- a. ZBA Representative: Chairman Orlik asked if anyone was interested in serving as the liaison to the Zoning Board of Appeals. Both Commissioner Brockman and Commissioner Lux expressed an interest. Commissioner Brockman was appointed as ZBA representative for 2010 by a vote of the Commissioners.
- b. Community Improvement Awards Committee:

Chairman Orlik stated that in the past this award was given out on an annual basis, but due to the economic conditions, and the decline in the number of projects taking place, the awards will be given

out every other year. Because we skipped last year, we will be looking for candidates this year to receive the award. Chairman Orlik explained that there are two categories; Commercial and Residential. These awards are intended to recognize projects which make a significant contribution toward improving the appearance of the Mt. Pleasant community. Nominations are accepted from the community at large. Nominations can also be made by Planning Commissioners and City staff. The appointed committee will screen the nominated properties to assure they meet the criteria and qualifications. Once the nominations are approved, the properties are rated by the Planning Commission based on the criteria.

Commissioner Rautanen, Commissioner Kostrzewa, and Commissioner English agreed to serve on this committee.

D. March Planning Commission meeting

Staff reported we have received a couple of site plan review applications for additions to existing buildings. In addition, the Parks and Recreation Committee has asked that a Public Hearing be set in front of the Planning Commission for the proposed updates to the Parks and Recreation Master Plan. The draft plan should be ready for review by the end of February.

Motion by Robinette, second by Brockman to set a public hearing for the March 4, 2010 meeting date to review the proposed updates to the Parks & Recreation Master Plan. Motion approved.

XI. Other:

Staff reported that the City Commission has set aside \$250,000 for the Downtown to Campus Connection project. In addition, the Department of Public Works recently was awarded an energy grant for LED lighting. The City Commission will be meeting next Monday and will set a work session to walk the corridor.

Commissioner Brockman thanked staff for the time and work they put in working with LaBelle Management on their project.

XII. Adjournment:

Motion by Brockman, support by Smith to adjourn. Motion approved.

Meeting adjourned at 8:40 p.m.

BAM