

**Mt. Pleasant Planning Commission
Minutes of Regular Meeting
September 7, 2011**

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

Present: Brockman, Holtgreive, Kostrzewa, Orlik (Chair), Rautanen.

Absent: Lux, Quast, Shellady, Smith (Vice-Chair).

Staff: Gray, Murphy

II. Approval of Agenda:

Chairman Orlik reported that we have had a request for an additional item to be placed on the agenda. This request is related to the Dairy Queen project, identified as Case **SPR-11-12**, and asked that it be added to the agenda as Item VII. B.

Motion by Rautanen, support by Holtgreive, to add Case SPR-11-12 to the agenda as Item VII. B. Motion approved

Motion by Brockman, support by Holtgreive to approve agenda with the addition of Item VII.B..

Motion approved.

III. Minutes:

- A. August 4, 2011 Regular Meeting

Motion by Holtgreive, support by Rautanen to approve the minutes from the August 4, 2011 regular meeting as submitted.

Motion approved.

- B. August 8, 2011 Joint Meeting

Motion by Kostrzewa, support by Holtgreive to approve the minutes from the August 8, 2011 meeting as submitted.

Motion approved.

IV. Zoning Board of Appeals Report:

Commissioner Brockman reported that the ZBA heard several cases at their August meeting.

- 1) 1018 S. Main – This was a request for a finding on a non-conforming use to permit the redevelopment of the site, which required several variances. Commissioner Brockman stated that this case was ultimately postponed to allow the applicant to provide additional detail.
- 2) 821/821 ½ Crosslanes – This was a request for a finding on a non-conforming use, to allow the reinstatement of a duplex in a C-3 zoning district, that has been vacant for more than a year. The request was approved with the stipulation that the applicant bring the parking into compliance with the ordinance.
- 3) 210/222 S. Mission – this was a request to increase the signage allowance and permit a reduction in the clearance to the bottom of the sign from grade for the Biggby Coffee/Dairy Queen site. The Board granted the request, based on the uniqueness of the site, and also considered the enhancements the applicant would be making to the site.
- 4) 815 W. Broadway – this was a variance request to allow the redevelopment of the site into a four-unit townhouse. The applicant needed a variance to reduce the land area per dwelling unit requirement, a variance to allow a slight reduction in the parking requirements and a variance to allow the patios to extend into the side yard setback. The Board granted the requests with stipulations for screening and parking agreements, commenting that the enhancements far outweigh the variances.
- 5) Jockey Alley – this was a request to allow the construction of a dumpster enclosure using alternate materials on a temporary basis to allow testing of the material. The Board granted the request.

V. Public Hearings:

None

VI. Public Comments:

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

VII. Site Plan Reviews

- A. SPR-11-09- 815 W. Broadway.** Staff introduced the case, stating that the property is zoned M-1, Multiple-Family Residential, with M-1 zoning on the east, west and south sides. The property north of the site is zoned R-4 Residential, and is the site for Elliot's Greenhouse. Staff stated the proposed development is being referred to by the applicant as the second phase of the Rivers Bluff development. The applicant is proposing a four-unit townhouse. Staff shared the site plan, which includes the existing Rivers Bluff development. Staff commented that the Zoning Board of Appeals had approved an increase in the density from the 3 units allowed by ordinance to 4 based on the combined density with Rivers Bluff Phase I. In addition, staff reported that the ZBA had approved the patios extending into the side property setback provided the applicant move the existing vinyl fence from the east property line to the west property line as screening for the patios. The ZBA further approved a variance to allow 8 on-site parking spaces instead of the 10 required by ordinance, based on the fact that the existing Rivers Bluff development parking lot is under-utilized. The ZBA attached the condition that if in the

future, it was determined the parking was not sufficient, that two more spaces be added at the south end of the property.

Staff reported that with the variances granted by the Zoning Board of Appeals, the project meets all setback and parking requirements of the ordinance. Staff commented that the properties will be utilizing the existing driveway from Broadway Street, and because they are under separate ownership, they will need to execute an access easement prior to occupancy.

Staff commented that the applicant has indicated the landscaping will be a replica of the landscaping and foundation plantings on the first phase of the Rivers Bluff development, and in addition, the applicant has committed to installing the two trees and 13 shrubs along the Broadway Street frontage as required by ordinance. Because the landscaping is not shown on the site plans, staff is recommending that if approved, the applicant be required to submit a landscaping plan prior to being issued a building permit. Staff commented that following the writing of the staff report, it was clarified that the ZBA required the existing vinyl fence to be moved to the west property line to act as screening for the patios and have also required arborvitae be planted along the west end of the carports as additional screening for the adjacent property.

Staff stated the applicant had proposed no new dumpster enclosure or signage and has indicated that the site lighting would be on the building and the carport lights will be down-shielded. No new sidewalks are proposed at this time.

Staff reported that DPS comments were in relation to the width of the drive in regards to the dumpster placement

Chairman Orlik questioned staff about the shared dumpsters and parking based on the fact that the properties are under separate ownerships.

Staff commented that the applicant is involved with both entities and that there are mechanisms to assure the conditions are met, through formal agreements, easement agreement for parking and shared access drives, etc.

Chairman Orlik suggested adding that as a condition of approval.

Phil Seybert, 608 Bluegrass, addressed the Board as the applicant. Mr. Seybert commented that he is a general partner in the Rivers Bluff phase I project, and he and his wife are partners in P & K Seybert Holdings. He stated he can easily handle the easement agreements.

Motion by Kostrzewa, support by Rautanen to approve SPR-11-09 for construction of a 4-unit townhouse on the property located at 815 W. Broadway, based on the site plan dated August 25, 2011 and prepared by Lorenz Surveying and Engineering, Inc. (job no. 110010) and the building elevations submitted with the same, with the following conditions:

1. The applicant shall comply with the requirements of the Zoning Board of Appeals.

2. The applicant shall submit a landscaping plan for approval for the Community Development Director prior to issuance of a Building Permit. The plan shall show greenbelt landscaping that meets the minimum requirements of Section 154.106 of the Zoning Ordinance, fence and screening of the west property line consistent with the requirements of the Zoning Board of Appeals, and building foundation plantings consistent with those in the first phase of the development.
3. The applicant shall demonstrate that proposed light fixtures shall meet the requirements of Section 96.13 of the City Code prior to issuance of a building permit.
4. The applicant shall comply with the requirements of the Division of Public Safety (DPS) and the Division of Public Works (DPW).
5. The applicant shall execute an access easement prior to occupancy of the new units.

Motion approved.

- B. SPR-11-12 – 222 S. Mission.** Staff reported that this request is for some minor additions to the existing patio at Biggby coffee and the recently relocated Dairy Queen. Staff reported that there is an existing patio at the site; however, with the addition of the ice cream sales, the applicant is requesting a small addition to the south and east portion of the patio, and have also proposed a sidewalk extension leading to the public sidewalks at the corner of Mission and Illinois.

Staff also reported that the Mission/Pickard DDA has approved financing to help with a portion of the costs for decorative fencing and brick piers along the street frontages.

Tim Lapham, Lapham Associates, addressed the Board as representative for the applicant, offering to answer questions.

Chairman Orlik commented that this is a fairly minor request; however, the Planning Commission has always looked closely at patios along high traffic streets.

Commissioner Rautanen commented that he is more comfortable knowing the DDA has given their approval and that decorative fencing will be included.

Motion by Brockman, support by Rautanen to approve Site Plan Review 11-12 to allow an addition to the outdoor patio as depicted on the site plan, provided the applicant installs the decorative fencing as shown on the plan.

Motion approved.

VIII. Unfinished Business

None

IX. New Business:

- A. **SPR-11-01 – 309 N. Main.** Staff reported that he was recently authorized by the Commission to administratively approve some modifications to the site plan for the proposed Ginkgo Tree Bed and Bistro to eliminate the existing driveway, relocate the barrier-free parking space, and to change the barrier-free ramp. Staff further reported that the applicant is proposing the construction of a pagoda adjacent to the home and a gazebo in the rear yard. Per the Planning Commission's current operating procedures, the request is being brought to the Planning Commission for review. Staff stated that both the gazebo and pagoda comply with setback requirements.

Motion by Kostrzewa, support by Rautanen, to approve the construction of the pagoda and gazebo at the property located at 309 N. Main, as depicted on the site plan revised on August 11, 2011 with the condition that the applicant shall comply with the conditions associated with the administrative approval of August 29, 2011 and the original approval of SUP-11-01 and SPR-11-01.

Motion approved.

- B. **SPR-10-14 – 1705-1721 S. Mission - LaBelle Realty.** Staff reported that this request is for an extension of a previously approved site plan from July of 2010. Based on the time that has passed with no construction taking place, the approval has since expired. Staff further reported that the applicant is currently negotiating with a prospective retail tenant, and along with the extension, is requesting some modifications to the elevations per the retailer's request.

Commissioner Kostrzewa questioned whether this would be a multiple-tenant building. Staff stated the original design was for two tenants. The owner believes they could possibly fit three; however, the proposed design is for two.

Motion by Rautanen, support by Holtgreive to grant an extension to the approval of SPR-10-14 and final plan approval for Special Use Permit 10-01 to allow the 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 through July 1, 2012. Approval is subject to the following conditions:

1. Approval is based on the revised elevation drawings dated July 13, 2011 by Case Architecture.
2. All prior conditions of approval related to SPR-10-14 and SUP-10-01 shall remain in effect.

Motion approved.

X. Other Business:

- A. **TC-11-02 – Hotels/Motels in the Downtown.** Chairman Orlik reminded Commissioners that when they were considering the Special Use Permit for the Ginkgo

Tree Inn at 309 N. Main, it was discovered that hotels/motels are not allowed in the C-2 zoning district. The Commission determined that they would like to see a change in the Ordinance to allow them and therefore, asked staff to draft some ordinance language for their review. Chairman Orlik commented that he feels staff did an excellent job of addressing the issues discussed by the Planning Commission.

Staff commented that with the proposed language, he has tried to address the potential parking issues associated with hotels/motels. The proposed amendment would provide definitions for motels and hotels, which are currently undefined terms in the Zoning Ordinance, and only hotels would be allowed in the district. Staff commented that he has tried to address small projects such as the Gingko Tree site or large projects such as a hotel with conference facilities. Staff further stated that the language provides for these uses under a Special Use Permit, which would allow the Planning Commission to evaluate any proposals on a case-by-case basis. Staff stated that if the Commission is comfortable with the proposed language, they may wish to schedule a Public Hearing. At the Public Hearing, they could then take action to recommend the amendment to the City Commission.

Motion by Brockman, support by Kostrzewa to schedule a public hearing for the October 6, 2011 regular meeting.

Motion approved.

Staff also commented that he has checked the meeting schedule for the Downtown Development Board and the Central Business TIFA, and both Boards will be meeting prior to the October 6th Planning Commission meeting if the Planning Commission would like him to provide the information to them. Board consensus was this would be a good idea.

- B. October Meeting.** Staff reported that we would be hearing a request from 1018 S. Main Street proposing a redevelopment of the site into a rooming dwelling. In addition, the Mission Store will likely be back on the agenda.

XI. Adjournment:

Motion by Brockman, support by Holtgreive to adjourn to work session.

Meeting adjourned at 7:35 p.m.

bam