

**Mt. Pleasant Planning Commission
Minutes of Regular Meeting
June 6, 2013**

I. Chairman Smith called the meeting to order at 7:02 p.m.

Present: Cotter, Dailey, Hoenig, Kostrzewa, Shellady, Smith (Chair).

Absent: Brockman, Holtgreive (Vice-Chair), Quast.

Staff: Gray, Murphy.

II. Approval of Agenda:

Motion by Kostrzewa, support by Dailey to approve the agenda.

Motion approved.

III. Approval of Minutes:

May 2, 2013 Regular Meeting:

Chairman Smith questioned the motion on Page 3, commenting that he doesn't believe he made the motion. Staff will check and make the appropriate change.

Motion by Kostrzewa, support by Shellady to approve minutes from the May 2, 2013 meeting with the above verification.

Motion approved.

IV. Zoning Board of Appeals Report for May.

Commissioner Quast was not in attendance; however, staff reported that the ZBA had not met in May; therefore there was no report.

V. Public Hearings:

A. Z-13-01 - 1040, 1100 & 1102 E. Broomfield.

Staff provided some background on this request, noting that it was first before the Board in February. Since that time, the applicant has modified the request to include additional parcels. The previous request was to rezone the entire site from C-3 General Business to M-2, Multiple Family Residential. The modified request proposes leaving the northwest and northeast corners zoned C-3 with the remaining portions to be rezoned to M-2.

Staff shared a comparison of the original request with the revised request in regards to proposed zoning; number of proposed dwelling units and density.

Staff noted that the plan provided by the applicant is a conceptual plan and the applicant is not bound to this particular plan. The Commission will be looking at the appropriateness of the layout and zoning classifications with the surrounding area. Staff explained that the proposal is not a conditional rezoning request and that the Commission is not able to impose conditions. If the Commission is not comfortable with the proposal, they may wish to request additional information/revisions.

Staff noted that the conceptual proposal includes four separate multi-family structures, each with 7 units with four occupants per unit. In addition, the proposal calls for two commercial pads fronting Broomfield. Staff noted that the layout is similar to the neighboring Tallgrass Apartments to the east, but on a smaller scale.

Staff referred to the postponement in February, noting the concerns expressed by the Commission at that time. In response to the question on how this proposal fits into the surrounding area, staff put together a color-coded visual of the area, showing the surrounding land uses, occupancy types, number of dwelling units and density.

Staff noted that the Commission had also expressed some concerns with property management; the effects of the proposal on the single-family residences in the area; and the traffic impact.

In response, staff noted that the applicant has provided a traffic study, which indicate that the proposed development will not likely worsen conditions at the intersections and noted acceptable levels of service. Staff provided an overview of how traffic studies are conducted and what they look for noted that the intersections they looked at with this study included Mission/Broomfield and Lynnwood/Broomfield.

Staff also referred to the Mission grid work concept and noted that the applicant has made attempts to discuss cross access with Tallgrass and Agree Realty. Agree Realty has indicated that K-Mart, who has control of the site, is not interested in discussing a cross connection; however, Tallgrass has shown some willingness to talk about it.

Staff noted that when looking at possibilities for connectivity where neighboring properties are unwilling to work with us, the Commission may want to consider long term planning. In addition, it may be feasible to look for a way to encourage cross connections for pedestrian/bike traffic.

Staff reported that the Future Land Use map calls for this property to be commercial, noting also that it is a transitional area, with various zoning districts. Staff also commented that there has not been a lot of discussion in increasing the M-2 zoning district in other areas of the City and therefore, he has no real policy direction with this request. Staff suggested that the Commission may want to have some discussion on how they feel about this.

Commissioner Kostrzewa noted that he visited the site and there appears to be one residential dwelling between the proposed redevelopment property and Tallgrass. Staff clarified that the parcel mentioned is now included in the applicant's proposal. There are no other single-family residences on the south side of the road.

Commissioner Dailey commented that although the Master Plan Future Land Use map indicates this parcel should be Commercial, he doesn't feel that this would be consistent with what is currently on either side of the property.

Commissioners Kostrzewa and Dailey both questioned whether there had been any discussion on cross access sidewalks/bike lanes. Staff noted that the applicant has discussed vehicle connections with neighboring property owners but did not believe that bike and pedestrian connections had been discussed.

Commissioner Dailey asked for clarification on what is meant by a "concept" plan. Chairman Smith responded that the Commission is only looking at the re-zoning of the property at this time. If the applicant is successful in getting the property re-zoned, he is not bound by the concept drawing provided for this case.

Joe Olivieri, representing the applicant, addressed the Board. Mr. Olivieri noted that in regards to the Commission's concern with the management of the property, he would be taking over that aspect of the development, noting the proximity of his office to the site.

Mr. Olivieri noted that one of the goals of this project is to clean up that section of Broomfield. In addition, he noted other goals include maximizing the income potential and increasing the tax base for the property in a manner that is consistent with the surrounding area. He further commented that the only portion of the property that is good for C-3 is the front of the property that is facing Broomfield.

Mr. Olivieri noted that the problems with the traffic are at the intersections and are due to the excessive number of curb cuts rather than the amount of traffic. He feels that if some of the curb cuts were closed, it would solve the problem.

Commissioner Dailey noted that the proposed development would add an additional curb cut. Mr. Olivieri responded that they would actually be eliminating one as there are currently two curb cuts and they would reduce that to one.

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

Staff commented that the Commission has several options: They can postpone with direction on what other information they would like to have presented to them; they can recommend that the City Commission deny the request or they can recommend the City Commission approve the request.

Commissioner Kostrzewa commented that he feels the proposed re-zoning and conceptual drawing would enhance the area; noting that what is currently on the site does not fit the area.

Chairman Smith commented that he likes the idea of the Commercial in front and noted that when the proposal was originally before the Commission he had some concerns with the traffic issue. He feels that after looking at the information provided by the applicant, that the traffic will not be that big of a deal. He further noted that he has looked at other larger developments in the community that only have one access drive and he has not seen any issues with that.

Commissioner Kostrzewa commented that he agrees that there is no demand for Commercial properties that sit farther off the main road and noted he likes the proposal.

Chairman Smith reminded the Commission that the proposal for the apartments is a concept only.

Commissioner Shellady noted that traffic was an initial concern of hers also; however, after reviewing the additional information provided by the applicant, she does not feel that this will exacerbate the traffic issue.

Commissioner Dailey asked if the fact that CMU has been told that enrollment numbers will be going down is of any concern to the developer.

Mr. Olivieri responded that the location is key to any development. Mr. Olivieri commented that if you build a quality product and offer fair prices with a good location, you will likely be successful. Mr. Olivieri also noted that with the proximity to campus, he believes 50-75% of the students will walk or bike to classes.

Staff noted that he had not prepared a recommended motion and indicated that any motion to approve or deny should include the rationale.

Motion by Kostrzewa, support by Shellady that the Planning Commission recommend that the City Commission approve the request to rezone the property to C-3, General Business and M-2, Multiple Family Residential as presented by the applicant on the basis that:

1. The existing development on the property is incompatible with the character of the surrounding area.
2. The proposed zoning district is compatible with the existing development character.
3. The applicant has provided a traffic study indicating that there will be minimal traffic impact.
4. Concerns of surrounding residents in surrounding single family residences have not surfaced.

Motion approved.

B. SUP-13-01 & SPR-13-01 - 2013 S. Mission - Ronald McIvor.

Chairman Smith provided some background, noting that this case has been postponed for quite some time as we wait for additional information from the applicant, which has not been provided. Chairman Smith suggested postponing the case for one more month and then remove it from the agenda if we haven't heard anything. Staff noted that the applicant was sent a letter and we have not heard back from them.

Commissioner Dailey questioned why we should give the applicant another month. They have not provided any new information so why not deny the request.

Commissioner Shellady asked if we can verify/guarantee they received the letter. Staff noted that the letter had been sent by mail, but not certified so we don't have any documentation that it was received. Staff also noted that denying the request would have some implications as they would not be able to bring the request back for a year, but it could be removed from the agenda. By postponing a month, it will allow us to give them notice.

Motion by Hoenig, support by Kostrzewa, to postpone SUP-13-01 & SPR-13-01 for one more month before removing them from the agenda.

Motion approved.

VI. Public Comments:

Chairman Smith 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-13-09 - 221 Ellis Place. Staff introduced Case SPR-13-09, noting that this is a request for a parking lot expansion for an existing building located in the CMU Smart Zone. The building has set vacant since it was constructed and the applicant now has a tenant lined up; however, they have indicated a need for additional parking spaces. Staff noted that there would be no change to the building.

Staff noted the site is zoned RCD, as are the surrounding properties. Staff noted that the building and site comply with all the requirements of the Ordinance.

Staff noted that Ellis Place is a dead end, and is not part of a walking route; therefore, staff suggested it would be appropriate for the Commission to waive the requirement to install sidewalks. Staff further commented that the site plan shows a future walking path that could be put in at a later time.

Commissioner Dailey asked if there were sidewalks along Three Leaves Drive. Staff commented that he didn't know; however, noted that the site only fronts Ellis Place.

Phil Seybert, applicant, addressed the Board, noting that he would like to put a tenant in this building. He is scheduled to go before the CMU Board of Trustees on July 11, 2013.

Commissioner Kostrzewa asked if the parking lot expansion was critical to this tenant. Mr. Seybert indicated that it was.

Motion by Kostrzewa, support by Cotter, that pursuant to the requirements of Section 154.022(B) of the Zoning Ordinance, the Planning Commission grant a waiver to the requirement to install sidewalks in the public rights-of-way on a finding that the property is not located on a street designated as a school walking route and there are no existing intermittent public sidewalks on the streets within the block where the property is located. Also, the property is not located on a principal access route to a major activity center.

Motion approved.

Motion by Kostrzewa, support by Dailey that the Planning Commission approve SPR-13-09 to allow a 10-space parking addition to the property located at 221 Ellis Place, based on the site plan prepared by JBS Contracting received by the Planning and Community Development Department on May 13, 2013 with the following conditions:

1. All new site lighting shall comply with the requirements of Section 96.13 of the Code of Ordinances.
2. The applicant shall comply with the requirements of the Division of Public Safety (DPS) and the Division of Public Works (DPW).

Motion approved.

B. SPR-13-01 2013 S. Mission. Chairman Smith noted that this case was postponed in conjunction with SUP-13-01.

VIII. Unfinished Business:

None

IX. New Business:

None

X. Other:

A. Master Plan Update:

Staff reported that the Public Input portion of the Master Plan Update was nearing completion. The downtown survey closed at the end of May. Staff has received information from Spicer, who indicated that 429 on-line surveys had been completed. In addition there are 150+ paper surveys to log in. Staff reminded the Commission to submit any surveys that they may have collected from the Meetings in a Box. Staff noted that Spicer will compile the survey results and will be back in July to report their findings.

Staff noted it is likely we will be ready for the Public Hearing portion of the update this fall.

B. Staff Report:

July Meeting. Staff noted that as of this time, we have one case submitted for the July meeting for a Special Use Permit for a Bed & Breakfast. The deadline for submissions is Monday, June 17th. Staff reminded the Commission that the July meeting has been moved to July 11th to avoid the 4th of July Holiday.

XI. Adjournment:

Motion by Dailey, support by Shellady, to adjourn.

Motion approved.

Meeting adjourned 7:58 p.m.

bam