

**Mt. Pleasant Planning Commission  
Minutes of Regular Meeting  
August 1, 2013**

**I.** Vice-Chairman Holtgreive called the meeting to order at 7:02 p.m.

Present: Cotter, Dailey, Hoenig, Holtgreive (Vice-Chair), Kostrzewa, Quast,

Absent: Brockman, Shellady, Smith (Chair).

Staff: Bean, Mrdeza, Murphy.

**II. Approval of Agenda:**

Vice-Chairman Holtgreive referred to staff's memo regarding case SUP-13-09 and SPR-13-13, suggesting that rather than removing it from the agenda, that these cases be left on and tabled when we get to them.

In addition, Vice-Chairman Holtgreive suggested moving item VIII. A. Master Plan to the Work Session.

Motion by ~~Daily~~ Dailey, support by Kostrzewa to approve the agenda with the above noted change.

Motion approved.

**III. Approval of Minutes:**

A. July 11, 2013 Regular Meeting:

Motion by Kostrzewa, support by Quast to approve minutes from the July 11, 2013 regular meeting as written.

Motion approved.

B. July 11, 2013 Work Session

Motion by Quast, support by Kostrzewa to approve minutes from the July 11, 2013 Work Session as written.

Motion approved.

**IV. Zoning Board of Appeals Report for June.**

Commissioner Quast reported that the ZBA had four cases on the agenda for July, one of which was withdrawn by the applicant. Commissioner Quast reported on the remaining three cases, including a request for a variance from the required greenbelt and front setback for 102/116 N. Mission. Commissioner Quast reported that the ZBA had approved the requests, noting that the applicant would be installing a decorative brick landscape feature at the SW corner of the lot,

matching the streetscape feature across the street. In addition, Quast noted that the request removed a couple of drives off Mission and narrowed another.

Commissioner Quast reported that the ZBA also heard a request for a variance from the land area requirements to allow a duplex at 612 S. Franklin. This case was denied by the ZBA, who did not feel that the request met the criteria for granting a variance. The Board also took into consideration the numerous concerns brought forth by the neighborhood.

The third case heard by the ZBA was a request to extend the Site Plan Approval for 706 W. Pickard to allow an Environmental Cleanup effort to be completed prior to the required hard surfacing to be put in place. The ZBA granted the requested extension.

## V. **Public Hearings:**

**A. SUP-13-09 & SPR-13-13 612 S. Franklin.** Request for a Special Use Permit to utilize the existing building as a two-family dwelling and Site Plan Review for parking and site improvements associated with the request.

Vice-Chairman Holtgreive referred to the memo from Alan Bean regarding action by the ZBA to deny the applicant's request for a land area variance to allow a two family dwelling at this property. Based on the ZBA's denial, the Planning Commission cannot approve a Special Use Permit for the duplex; therefore, Vice-Chairman Holtgreive suggested a motion to table this agenda item.

Motion by Quast, support by Hoenig to table Case SUP-13-09 and SPR-13-13 submitted by John Peterson based on the ZBA's denial of the variance request.

Roll Call Vote: Yays 6; Nays 0. Motion passed 6-0

**B. SUP-13-10 102/116 N. Mission.** Request for a Special Use Permit to demo an existing building at 102 N. Mission, expand the automobile dealership and construct an addition to the building at 116 N. Mission. Case SUP-13-10 and SPR-13-15 will be presented together.

Alan Bean, Spicer Group, acting as Interim Staff Liaison for the Planning Commission, introduced the case, noting that the site is located on the northeast corner of Mission and Broadway and includes the site of the old Sweet Onion building. Staff reported that the applicant has the opportunity to purchase this property, demo the building and expand their display area.

Staff shared an aerial view of the site and the existing conditions and provided some detail on the recent action taken by the Zoning Board of Appeals.

Staff also provided some history of the property, including a conditional rezoning in 2008 to allow a portion of vacant property to be used as additional outdoor sales space. This was approved with conditions, one of which was to waive the masonry wall requirement and install a 6' wood fence along the residential property lines, which staff reported, is still in place.

Staff provided a site analysis, noting that the property to the north has both Commercial and single-family residential; to the east is single-family residential; to the south and west is commercial.

Staff reported that the owner is proposing expanding the existing building for a new service bay/drop off area, which would have a one-way ingress.

Commissioner Dailey asked what types of service would be taking place in the new addition. Mrdeza explained that the addition would be a covered drive up to drop off cars for service, which would then exit from the east side of the addition into the actual service area, with minimal stacking.

Commissioner Kostrzewa asked if the Sweet Onion site would be used for display. Mrdeza noted that the area would be slightly ramped/elevated and would be used for vehicle display. Mrdeza also noted that this is where the applicant is proposing the decorative wall/streetscape feature as well.

Staff noted that with the ZBA's approval, the site meets the greenspace requirement; however, noted he would like to see a more detailed landscape plan be submitted. Staff also noted that the proposed new site lighting will need to meet ordinance requirements.

Staff noted that the site plan submitted with the application shows a number of improvements working towards meeting the goals of the Access Management Standards, such as the closing of two curb cuts, minimizing the north drive from 60' to 30' and keeping the south drive of 24' as a one way entry only drive. In addition the plan calls for the closing of one curb cut on Broadway. Staff noted that the applicant would need to meet the requirements and conditions of MDOT as well as the city's requirements.

Staff referred to the comments submitted by the Department of Public Works and Public Safety, noting that the applicant would need to meet the requirements of these departments.

Staff concluded his report recommending the approval of both the SUP and SPR with the conditions noted in the staff report.

Commissioner Dailey asked for clarification on the location of the proposed brick wall. Commissioner Quast stated it is proposed for the SW corner of the site.

Vice-Chairman Holtgreive reviewed the various aspects of the proposed site plan, referring to the SE side of the property where it meets the residential area, questioning what is required for screening. Mrdeza noted that the requirement is for a 6' screening wall.

Commissioner Quast commented that although the ZBA discussed this issue, their charge was to look at the variance requests for the green space and setback issues.

Jim Messick, applicant, addressed the Board. Mr. Messick reported that they have a tentative purchase agreement on the Sweet Onion property. They would like to tear down the old building to extend their display area. The proposal would include regrading the lot and installing proper

drainage. Mr. Messick noted that although they will be eliminating some greenbelt, they will be putting up a 24" decorative wall on the corner.

Mr. Messick reported that following ZBA action, they were able to meet with MDOT and have submitted a new site plan for the Planning Commission to consider. The new site plan includes leaving the north entrance at the existing 60' rather than reducing it to 30'. The reasoning behind this, Mr. Messick stated, was to allow easier access for the large car haulers. Mr. Messick noted that MDOT felt that safety-wise, that would be a better plan.

Commissioner Dailey asked if the drive was currently at 60'. Mr. Messick responded that is it.

Commissioner Quast stated that if the applicant is requesting a 60' drive rather than a 30' drive, then they would need to go back to the Zoning Board of Appeals.

Staff commented that his report was based on the site plan showing a 30' drive. If the applicant is now proposing a 60' drive, he suggested the proposal may need further consideration as the Zoning Ordinance defines 30'. Deviating from the 30' maximum, the request would need to go back to the ZBA.

Mr. Messick noted that they could resubmit; however, noted they are under a time crunch to close on the property and asked if the PC could consider the request at 60'. Vice-Chairman Holtgreive explained that the Planning Commission is not authorized to grant variances so that is really not a choice they can make; however, suggested that even though they cannot act on the request until this is resolved; they would like to offer as much input on what they would like to see on a revised site plan to help expedite the process, and asked the applicant to explain what was in place for screening.

Mr. Messick responded that there is currently some fencing on the southeast side of the lot, then some natural trees, a shed and then some more fencing. Vice-Chairman Holtgreive commented that the 6' screening is a requirement and would like to see it included on the new site plan. In addition, he suggested that the location of the fire hydrants be included as well.

Commissioner Quast noted she would like to see the sign information included on the site plan and asked the applicant what they were proposing for signage.

Mr. Messick stated they are under a long-term lease from the previous owner and would therefore, not be making any changes in the type of sign at this point; however, they do plan on relocating it away from the building to allow the front fascia upgrades on the building and will move it to one of the drives that is being closed.

Commissioner Kostrzewa suggested the applicant take a look at a couple of other sites to see what the Planning Commission has approved in regards to the 6' screening. A couple of sites he suggested was O'Reilly's Auto Parts and Belle Tire.

Mrdeza reported that he had spoken with Chris Graff, one of the owners, who asked that Mrdeza share some of his concerns with the Board. Mr. Graff had indicated that they were up against a time commitment, with their option to purchase the property. He also noted that the ZBA had

stated that their approval was conditional to MDOT approval. He noted that they were not aware that the 60' drive was an issue with the Zoning Ordinance, and were under the impression that MDOT approval was the last step in the process.

Vice-Chairman Holtgreive again noted that it isn't within the Planning Commission's authority to make the change and recommended postponing action until the ZBA can make their determination, further noting that the ZBA has jurisdiction over some things that the Planning Commission does not. Commissioner Quast added that variance requests also have to meet certain criteria in order for the ZBA to grant a variance.

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

Motion by Quast, support by Hoenig to postpone cases SUP-13-10 and SPR-13-15 pending further action by the Zoning Board of Appeals.

Roll Call Vote: Yays: 6, Nays: 0 Motion approved 6:0.

## **VI. Public Comments:**

Vice-Chairman Holtgreive 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-13-14 - 1290 E. Broomfield.** Site Plan Review to re-grade the area in front of the building and rebuild the parking area to improve building access for people with disabilities.

Staff introduced Case SPR-13-14, noting the location as the south side of Broomfield, between Churchill and Sweeney. Staff shared that the purpose of the request is to improve the access to the building and includes new landscaping and sidewalks; however there are no changes proposed to the building itself.

Staff reported that the surrounding land uses are M-1 multi-family residential apartments to the north, south and west; with Union Township to the east. Staff reviewed the proposed site plan, noting that the site meets the parking requirements; however, noted that there is a non-conforming dumpster on the site. Dumpsters are required by Ordinance to have a masonry enclosure. With the proposed site changes, the applicant will be required to bring the dumpster into compliance.

Staff noted that the utilities will need to be marked prior to construction and further reported that the proposed retaining wall will require the applicant to provide plans that are sealed by a professional engineer.

Staff concluded his report noting that the proposed plan complies with most of the minimum requirements of the Ordinance, and is recommending approval of the site plan with the noted conditions.

Patrick Smith, Allied Hearing and Alex Temple, Rowe Engineering, addressed the Board as applicants and representatives for the case.

Commissioner Dailey asked the applicant if they had any issues with the recommendations such as the dumpster enclosure.

Mr. Temple stated they were fine with the recommendations.

Motion by Kostrzewa, support by Dailey that the Planning Commission approve SPR-13-14 to allow the re-grading of the site and reconstruction of the parking area and related site improvements on the property located at 1290 E. Broomfield, based on the site plan prepared by Goodreau Associates and ROWE Professional Services Company for Allied Hearing with the following conditions:

1. Any new site lighting shall comply with the requirements of Section 96.13 of the Code of Ordinances.
2. Applicant shall revise site plan to show that the existing dumpster will be properly screened and placed on a concrete pad, to ensure compliance of Section 154.025 of the Zoning Ordinance.
3. Applicant shall submit revised site plans sealed by a professional engineer, as the plans dated June 10, 2013, depict a proposed on-site retaining wall.
4. The applicant shall comply with the requirements of the Division of Public Safety (DPS) and the Division of Public Works (DPW).

Motion approved.

#### **VIII. Unfinished Business:**

**None**

#### **IX. New Business:**

##### **A. Draft Ordinance Amendment**

Staff referred to the memo included in Board packets regarding a proposed new zoning district for the property occupied by Central Michigan University. Staff noted that the City Commission met on July 22, 2013 and has referred a draft amendment to the Planning Commission. Staff reported that both the amendment language and the map are currently in draft form and still need to be reviewed by the University for their input. Staff also explained that the map does not include the University Park/Smart Zone area.

Vice-Chairman Holtgreive asked staff what is expected of the Planning Commission at this point.

Staff responded that the action being requested of the Planning Commission is to schedule a public hearing for the proposed amendment to create a new Zoning District designated by the City Commission as the University District, and revise the Zoning Map.

Commissioner Kostrzewa questioned what the advantage is of adopting a new zoning district, noting that we have managed so far without it. Staff responded that it would provide more clarity as to who has zoning jurisdiction.

Commissioner Quast commented that this may give more flexibility to adjoining properties also. The Board discussed pros and cons of creating a new zoning district. Commissioner Dailey asked if this was proposed by the University.

Mrdeza responded that the City and University have had numerous discussions over various projects taking place on University property and whether the city has jurisdiction. Both entities, along with their respective legal councils feel that by creating a separate zoning district it will be cleaner and easier to understand. Mrdeza further noted that both the wording and the map are still in draft form and need to be reviewed by both the University and the City's legal team. He anticipates that prior to the Public Hearing, we will have their reviews and comments.

Vice-Chairman Holtgreive noted an issue he sees with the map. Mrdeza asked that the Commission review the documents and provide comments to him in the next few days so that any proposed corrections to the draft district map can be included in the review by the City and University legal counsels.

Vice-Chairman Holtgreive questioned why the Smart Zone/University Park were not included. Mrdeza responded that the intention of that area was to create income producing businesses with ties to the University's research mission and to keep the property on the tax roll. (incubator site). He further noted that there is both a TIFA and LDFA tax capture district which encompasses the area in question, providing further evidence of the original intent of the property to remain on the City's tax roll. With that understanding, both the City and CMU have agreed not to include that property as part of the proposed U District.

Motion by Hoenig, support by Kostrzewa to schedule a Public Hearing on the proposed University District and Zoning changes to take place at the next regularly scheduled meeting on September 5, 2013.

Motion approved 5:1.

**X. Other:**

**A. Staff report:**

**1. September Meeting:**

Staff reported that there will be at least one public hearing for the September meeting, based on the above.

**2. Chippewa Township Correspondence:**

Staff referred to the memo from Chippewa Township regarding their Master Plan process, noting that this is provided for informational purposes and to satisfy requirements of the Zoning Enabling Act. The city is invited to provide comments regarding the Township's Master Plan if they wish to do so.

**XI. Adjournment:**

Motion by Quast, support by ~~Daily~~ *Dailey*, to adjourn to work session

Motion approved.

Meeting adjourned 8:15 p.m.

bam