

**Mt. Pleasant Planning Commission
Minutes of Regular Meeting
September 5, 2013**

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

Present: Brockman, Cotter, Dailey, Hoenig (arrived following roll call), Kostrzewa, Quast, Shellady, Smith (Chair).

Absent: Holtgreive (Vice-Chair).

Staff: Bean, Mrdeza, Murphy, City Attorney Scott Smith.

II. Approval of Agenda:

Motion by Brockman, support by Quast to approve agenda.

Motion approved.

III. Approval of Minutes:

A. August 1, 2013 Regular Meeting:

Commissioner Dailey noted that his name is spelled incorrectly in a couple of places.

Motion by Quast, support by Shellady to approve minutes from the August 1, 2013 regular meeting with correction to the name.

Motion approved.

B. August 1, 2013 Work Session

Motion by Dailey, support by Quast to approve minutes from the August 1, 2013 Work Session as written.

Motion approved.

IV. Zoning Board of Appeals Report for June.

Commissioner Quast provided a report on ZBA action for the month of August, noting that there were four cases on the agenda:

1. 2150 JBS Trail was granted a variance to reduce the number of parking spaces from 36 to 20, provided there was area held in reserve if additional parking was required in the future. Commissioner Quast noted that this site is on the PC agenda for Site Plan Review.
2. 903 S. Main was a request for permission to remove a fence that was required by the ZBA in 1983 as part of the screening requirements. Although the ZBA did not feel the fence was of concern as the applicant now owns the adjacent property and both are

- rooming dwellings, they postponed action on the case, requesting the applicant bring back a site plan that addresses the need for parking on both sites.
3. 215 Pine Street - was a request for a duplex on a lot that lacked the required land area. The case was postponed as the Board wished to see a more detailed site plan, floor plans and wanted more information on the types of building materials the applicant was planning to use.
 4. 102 & 116 N. Mission was a request from Graff to keep the existing 60' driveway. The Board postponed action, requesting a new site plan that illustrates the turning radius as determined by a traffic engineer or MDOT.

V. Public Hearings:

A. SUP-13-10 - 102 & 116 N. Mission.

Alan Bean, Spicer Group, acting as Interim Staff Liaison for the Planning Commission, announced that based on the ZBA action, the applicant has requested a postponement. Bean further noted that the Public Hearing on this case took place last month, and commented that the applicant may be reconsidering their site plan.

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

Motion approved.

B. SUP-13-11 - 808-810 Pleasant.

Bean reported that the applicant has requested this case be postponed to address some issues with the site plan.

Chairman Smith noted that because the case had been published, he would open up the Public Hearing in case anyone wished to speak.

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

Motion by Brockman, support by Quast to postpone action on SUP-13-11 and SPR-13-17 until the applicant submits an updated site plan.

Motion approved.

C. SUP-13-12 - 1016 S. Main.

Bean reported that the applicant has requested that this case be postponed to address some issues with the project/site plan identified by staff.

Chairman Smith noted again that because the case had been published, he would open the Public Hearing.

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

Motion by Quast, support by Dailey to postpone action on SUP-13-13 and SPR-13-18 until the applicant submits updated information.

Motion approved.

D. Z-13-02 1027 S. Franklin.

Bean reported that he has been in contact with the applicant regarding this request and there are some unanswered questions. Based on their discussion, the applicant has requested a postponement of this case as well.

Chairman Smith noted again that because the case had been published, he would open the Public Hearing.

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

Motion by Shellady, support by Hoenig to postpone Case Z-13-02.

Motion approved.

E. TC-13-03 - Proposed Ordinance to amend the Zoning Ordinance and Zoning Map to create the U - University District.

Bean reported that at last month's meeting the proposed Ordinance was introduced to the Planning Commission. Bean reported that the intent of the proposed new zoning district is to address the uniqueness of CMU's campus. The purpose of creating this district is to provide some clarity to the City's Zoning Ordinances as they relate to CMU's property. Generally, the University property is under the control of the University Board of Control and is not subject to the City's zoning regulations.

Bean noted that the proposed Ordinance also specifies that if the University conveys any portion of land within the main campus and ceases to use that land as part of the University, then that land will be treated as C-2 Central Business District.

Bean reported that the Planning Commission is being asked to consider two actions: one to recommend approval of a text amendment to the Zoning Ordinance and one to recommend approval to amend the Zoning Map.

Commissioner Dailey asked what happens if the University wants to put something next to a residential area that the City does not approve of - does the city have any recourse?

Chairman Smith noted that right now the City wouldn't be able to do anything as they are outside of our control.

Commissioner Dailey asked who is responsible for inspecting construction/drainage, etc. on University property.

Scott Smith, City Attorney, addressed the Board, noting that essentially, the University property will be treated the same as a school, Federal Government building, etc. The controls are within the authority of CMU. Mr. Smith also explained that currently the City has no control over CMU's property, this will just formalize what historically has been done.

Mr. Smith reported that the University has expressed that they will engage in conversation with City staff to address concerns that adjoining residential properties may have.

Commissioner Dailey commented that this is mostly assumed anyway. Mr. Smith acknowledged that was correct - this will bring the Ordinance into compliance with the practice.

Commissioner Dailey asked if this gives the University more rights. Mr. Smith responded that it will not give any more, nor will it take anything away.

Commissioner Brockman questioned how this would affect the University President's residence that is located on Forest Lane and how it would affect the Smart Zone.

Mr. Smith noted that the Smart Zone is not included in the Zoning District and noted that the U University district will be for the University's main campus.

Chairman Smith opened the Public Hearing.

The owner of The Grotto, spoke to the Board, noting his business was located within the area and asked how this would affect him.

Mrdeza responded that the property where the business is located is shown on the updated map as being one of the islands that would maintain its current zoning classification.

There being no one else who wished to speak, the public hearing was closed.

Board Discussion:

Commissioner Kostrzewa asked for clarification on the zoning map, and what the small yellow rectangles represented. Chairman Smith responded that they were areas excluded from the new zoning classification, noting some were churches, businesses, cell towers, etc.

Commissioner Quast noted that there are some areas along Mission that were required to place fences when abutting R-1 Zoning, noting this would no longer be a requirement. Chairman Smith commented that in the past, the Planning Commission didn't generally require screening when abutting CMU property.

Chairman Smith commented that the Commission may still want to require those things - depending on what is there, noting that this doesn't take away any of the Commission's discretion, it is just recognizing what we have done historically with CMU campus.

Commissioner Dailey commented that statement would imply that they have to go through Site Plan Approval. Chairman Smith clarified that only if the site was in the City, not on CMU property.

Bean noted that currently the Zoning Ordinance requires commercial uses that abut residential property to provide a buffer. This will still be a part of the Site Plan Review process, with Residential Uses/Residential Zones, and commented that it may be appropriate to address a text change in the future.

Commissioner Kostrzewa questioned whether the excluded areas would remain zoned as they currently are. Chairman Smith noted they would be.

Motion by Quast, support by Shallady that the Planning Commission recommend that the City Commission approve a text amendment to the Mount Pleasant Zoning Ordinance by adding Section 154.087 U University District; and the Planning Commission recommend that the City Commission approve an amendment to the Zoning Map, as part of Section 154.036, District Boundaries: Zoning Map, that depicts the proposed boundary of the U University Zoning District and effectively rezones the underlying properties to this new zoning district.

Motion approved 6:2.

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.

VI. Site Plan Reviews

A. SPR-13-15 - 102 & 116 N. Mission

Chairman Smith noted that this site plan review was already postponed from earlier action.

B. SPR-13-16 - 2150 JBS Trail

Bean introduced Case SPR-13-16 submitted by JBS Contracting for an 11, 375 square foot addition to the existing Q-Sage industrial building.

Bean noted that the property is zoned Industrial, as are the surrounding properties. Bean reported that the original building was approved in 2003 with an addition approved in 2010 with routine conditions. Bean noted that the current plan is consistent with the prior approvals.

Bean reported that the site complies with all building height and setback requirements and with the variance granted by the Zoning Board of Appeals, it also complies with parking requirements.

Bean noted that the requirement to waive sidewalks along Gover Parkway and JBS Trail was previously waived and noted that the Commission will need to determine if they wish to continue to waive the sidewalk requirement.

Bean referred to the comments submitted by the Fire Department, noting that any approval should include the stipulation that these requirements are met.

Commissioner Dailey asked Commissioner Quast to verify what action was taken by the Zoning Board of Appeals.

Commissioner Quast stated that the ZBA approved the request to reduce the number of spaces from 36 to 20, with the stipulation that the applicant hold in reserve land area to extend the parking if needed in the future.

Tim Throop, Q-Sage, addressed the Board, offering to answer questions.

Board Discussion:

Chairman Smith stated that the Board should first make a determination on the request for a sidewalk waiver, noting that there were no other sidewalks in this area.

Motion by Brockman, support by Dailey to 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.

Commissioner Quast noted that this area is not one that is included in the Non-Motorized Transportation Plan.

Motion approved.

Motion by Brockman, support by Dailey to approve SPR-13-16 for the property located at 2150 JBS Trail, based on the site plan dated July 3, 2013 and prepared by JBS Contracting, Inc. for Q-Sage, with the following conditions:

1. The applicant shall comply with the requirements of the Division of Public Safety (DPS) and the Division of Public Works (DPW).
2. The applicant shall comply with the requirements of the Zoning Board of Appeals.

Motion approved.

VII. Unfinished Business:

None

VIII. New Business:

IX. Other:

A. Staff report:

1. October Meeting:

Bean reported that there have been a couple of inquires for cases for the October meeting, including a possible conditional rezoning request in the Industrial Park and another for a Group Day Care. In addition, there is the potential that some of the postponed cases will be ready for review.

X. Adjournment:

Motion by Quast, support by Brockman, to adjourn to work session

Motion approved.

Meeting adjourned 7:44 p.m.

bam