

**Mt. Pleasant Planning Commission
Minutes of Regular Meeting
February 6, 2014**

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

Present: Cotter, Hoenig, Holtgreive (Vice-Chair), Ranzenberger, Verleger

Absent: Dailey, Kostrzewa, Lents, and one vacancy.

Staff: Staff, Mrdeza, Murphy.

II. Approval of Agenda:

Motion by Hoenig, support by Cotter to approve agenda.

Motion approved.

III. City Manager

Interim City Manager, Nancy Ridley, introduced herself to the Board and thanked them for the service they provide to the city.

IV. Election of Officers

Vice Chairman Holtgreive suggested that the Commission postpone electing officers until a full board is present.

Motion by Ranzenberger, support by Cotter to postpone election of officers until next month.

Motion approved.

V. Approval of Minutes:

A. January 2, Regular Meeting

B. January 2, Work Session

Motion by Hoenig, support by Verleger to approve both sets of minutes as written.

Motion approved.

VI. Zoning Board of Appeals Report for January.

The Zoning Board of Appeals did not meet in January.

VII. Public Hearings:

A. SUP-14-01 & SPR-14-02 1015 Andre.

Bean shared a map of the area along with an aerial view of the property, noting the request was to allow a duplex in a R-3 zoning district. Bean noted that the surrounding property is zoned Residential and is made up of single-family residences with a few duplexes in the area as well.

Bean provided some history on the property, noting that the owner purchased the property in 1999/2000, at which time it was being rented as a duplex. The home was apparently converted to a duplex in the early 1990s and has been operating as such without a rental license and is considered a non-conforming use. The owner was approached by the Fire Department in 2013 and informed that he would need to obtain a rental license to continue the use. Because duplexes are subject to a Special Use Permit, the applicant has submitted his request to the Board.

Bean noted that in reviewing the request, it appears that the existing garage encroaches into the required side yard setback. If this is the case, then the applicant may need to seek a variance from the Zoning Board of Appeals. Bean noted that the original site plan placed the garage 4' from the property line. Based on his measurements, the applicant has revised the site plan, showing the garage at 5', which still encroaches on the 6 1/2' required setback. The applicant may wish to get the property surveyed to determine the actual lot line, or may also consider removing or reducing the size of the garage to meet the setback requirement. The applicant meets all other setback requirements.

Bean shared photos provided by the applicant of the property and also a map of the surrounding area noting the uses. Bean also shared the original site plan that was submitted with the application along with a revised site plan that the applicant provided based on comments in the staff report.

Bean reported that duplexes require 3 parking spaces per unit, which the applicant has provided based on the revised site plan. In addition, based on the staff report, the applicant has addressed the "flaring" issue that would have created a need for an additional variance. Bean noted that the property has two storage sheds that meet ordinance requirements.

Bean noted that the overall landscape requirements do not fully apply to this site, based on the layout - they are designed more for a parking lot configuration.

Bean reported that there are no proposed changes to the lighting or the sidewalk and the applicant has addressed the impervious surface requirements.

Bean reviewed the comments/requirements submitted by the Department of Fire Safety and Department of Public Works, noting that any approval would need to include the condition that these departments' requirements were met.

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

Vice-Chairman Holtgreive commented that if the applicant needs a variance, the Planning Commission would typically postpone action to allow the applicant to go to the Zoning Board of Appeals first.

Commissioner Ranzenberger questioned whether the gravel driveway on the east side of the site meets the City's requirements for hard surface. Bean noted he would need to confirm with staff to determine if the gravel was appropriate.

Commissioner Verleger asked for clarification on whether the applicant purchased the property as a duplex.

Vice-Chairman Holtgreive called the applicant up to the podium.

Rodney Deming, owner of the property, addressed the Board, noting that he purchased the property as a duplex and provided additional background.

Mr. Deming stated he purchased the property in 1999/2000 as a duplex, which was being rented as such. He indicated that he purchased the property from a former fire fighter, who converted the property during his ownership. Mr. Deming noted that he had no knowledge at that time of the City's licensing process. Mr. Deming noted that two years following his purchase he was approached by the Fire Department, however at that time the family lived in the home. Mr. Deming commented that the property has been assessed as a duplex since he has owned it added that it had been rented to a City Commissioner for 9 years. Mr. Deming continued with the sequence of events that brought him before the Board, noting that the Fire Department visited him again in 2013 and informed him that he had an unlicensed rental. In response, Mr. Deming applied for a rental license, at which time he was notified that there were also some zoning requirements that needed to be met as duplexes are regulated under Special Use Permits.

Mr. Deming indicated he is interested in the most expedient way to move on, noting that a variance request puts him another month out and then an additional Planning Commission meeting delays the process even more. In addition, he noted that there may be an issue with the ceiling height, which requires another Board hearing, and commented that this has been a frustrating experience.

Vice-Chairman Holtgreive asked about the existing driveway. Mr. Deming noted it consisted of road gravel.

Vice-Chairman Holtgreive asked Mr. Deming how sure he was of the property line. Mr. Deming stated the property has not been surveyed, but when he purchased it, he was told the fence was the line.

Commissioner Cotter asked if there were tenants in the home right now. Mr. Deming stated his stepson is living in one unit with a friend and the other side is currently vacant.

Commissioner Cotter asked how many issues the applicant has addressed with the Fire Department. Mr. Deming stated that he is in the process of addressing the minor issues and still needs to install one egress window. In addition, he will need to hardwire the smoke detectors, but would like to wait on the Planning Commission's decision before he decides which way to go with the property. He further commented that he is a proponent of any safety issues that need to be addressed, but doesn't really get the issue of the existing setback and questioned what the setback requirement was when the property was developed; however, no one was able to answer that question.

Board Discussion:

Commissioner Cotter noted that the setback is the only issue he sees as a problem, provided the applicant meets the Fire Department requirements for obtaining a rental license.

Motion by Hoenig, support by Cotter to postpone a decision on Cases SUP-14-01 and SPR-14-02 to allow the applicant to appear before the Zoning Board of Appeals for a decision on the setback.

Motion approved.

Mrdeza clarified for the applicant that following ZBA action, the applicant could appear in front of the Planning Commission at the following meeting, which will somewhat cut back on the delay.

VIII: Public Comments:

Vice-Chairman Holtgreive opened the floor for public comments. There being no one who wished to speak, the public comments session was closed.

IX. Site Plan Reviews:

A. SPR-14-02 - 1015 Andre. Reviewed and postponed along with SUP-14-01.

B. SPR-14-03 - 1799 Gover Parkway - SWS Properties.

Bean introduced Case SPR-14-03 for 1799 Gover Parkway, noting that this site is located north of Broomfield, between Isabella Road and Highway US-127 in the Industrial Park. Bean shared an aerial view of the site noting that the property is zoned I-1 and is surrounded by Industrial zoned property on the north, south and west and Union Township on the east.

Bean noted that the applicant is proposing a 44,723 square ft. addition to the existing Dayco Industrial building, which is currently 60,428 square feet. Bean reported that the site will employ 217 employees in three shifts, with 91 employees working the peak shift. The proposal includes 156 parking space, five of these being barrier-free.

Bean provided some background on Dayco Industrial, reporting that they specialize in the research, design and manufacturing of automotive, construction, agricultural and industrial parts. The company is a global company with 14 locations in the United States; three in Michigan.

Bean provided information on the Zoning Ordinance requirements for Site Plan Reviews.

Bean noted that parking requirements for this site can be calculated two different ways, noting that either way, the applicant meets the requirements for the number of parking spaces. Bean further reviewed the requirements for the loading/unloading area, noting that the applicant meets the surface area required; however, noted the applicant should justify the layout of the zones, which differ from what is required in the zoning ordinance.

Bean reported that the applicant proposes no new signage at this time and in addition, the proposed landscaping meets ordinance requirements.

Bean noted that sidewalks are not being proposed, nor are there any sidewalks in the area and the Planning Commission will need to consider granting a waiver for sidewalks.

Bean reported that the proposal does not show any new dumpsters for the site and if the applicant proposes new dumpsters, they will need to meet the conditions for screening and placement.

Bean reviewed the comments and requirements submitted by the Department of Public Works and Public Safety, noting that any approval would be contingent on the applicant meeting those requirements.

Tim Bebee, Central Michigan Surveying and Development, addressed the Board on behalf of the applicant. Mr. Bebee explained the layout of the loading and unloading area, noting that the entire south end of the area will be used strictly for loading/unloading. Mr. Bebee stated that this was done intentionally to separate the area from the parking area for both staff and customers.

Mr. Bebee noted that there is currently a trash compactor on site, which sits on a concrete slab and further indicated that if additional dumpsters are required, they would be screened as required by ordinance; however, it is not anticipated that they will be needed.

Mr. Bebee spoke of the fire suppression lines, noting that the main is sized adequately and will be part of the building review, and they are not proposing any new fire leads at this time.

Mr. Bebee noted that he has reviewed the comments from the Fire Department and will make sure the plan meets their requirements. In addition, in reference to the DPW requirements, Mr. Bebee indicated the storm water plan is ready to submit, and commented that generally they wait until after the Planning Commission meeting to submit it. Mr. Bebee also stated that the owner would get with the water and wastewater departments to discuss the use of the property.

Board Discussion:

Motion by Hoenig, support by Ranzenberger to waive the sidewalk requirements.

Motion approved.

Motion by Verleger, support by Hoenig to approve the request for SPR-14-03 for the property located at 1799 Gover Parkway, based on the site plan dated January 13, 2014 prepared by CMS&D Surveying/Engineering, with the following conditions:

1. The applicant shall comply with the requirements of the Division of Public Works (DPW), the Division of Public Safety (DPS), and the Fire Department (MPFD).
2. The applicant shall display labels for all existing and proposed loading areas on the site plan.

Motion approved.

X. Unfinished Business:

A. M-2 Amendment Project

Mrdeza reported that although the report has been received, staff needs to review the report and suggested this item be postponed until March.

Motion by Hoenig, support by Cotter, to postpone discussion on the M-2 Amendment Project until the March meeting.

Motion approved.

XI. New Business:

A. Annual Report:

Bean introduced the Annual Report that includes a summary of activities undertaken over the last year along with the status of the goals. Bean noted that generally, the Commission takes action to approve the report as written or they may take action to amend it and then refer it to the City Commission for consideration.

Motion by Hoenig, support by Ranzenberger to approve the report as written and refer it to the City Commission at a joint meeting to be held in March or April.

Motion approved.

B. 2014 Goals:

Motion by Hoenig, support by Ranzenberger to postpone discussion on 2014 Goals.

Motion approved.

C. Community Improvement Awards:

Bean referred to past practice by the Planning Commission to award properties that have made substantial improvements over the past year. It was suggested that the Commission give some thought to possible nominees. Categories include Residential; Commercial and Multiple-Family. The Commission was asked to e-mail the Planning Office with possible nominees, which will be compiled and distributed with the March packet for discussion.

D. Representative to the Zoning Board of Appeals:

It was suggested that this be postponed until the March meeting.

XII: Other Business:

A. Staff Report:

Bean noted that we currently have three properties that have submitted requests for the March meeting. The deadline for submission is February 10, 2014.

XIII: Adjournment

Motion by Cotter, support by Ranzenberger to adjourn to work session.

Motion approved.