

**Mt. Pleasant Planning Commission
Minutes of Regular Meeting
March 5, 2015**

I. Chairman Cotter called the meeting to order at 7:03 p.m.

Present: Cotter, Dailey, Driessnack, Friedrich, Hoenig, Horgan, Irwin, Ranzenberger.

Absent: Kostrzewa

Staff: Bean, Kain, Mrdeza, Murphy.

II. Approval of Agenda:

Chairman Cotter requested that Item X.B.1. be moved up on the Agenda to IX.A.

Motion by Cotter, support by Driessnack to approve amended agenda.

Motion approved.

III. Approval of Minutes

Motion by Dailey, support by Ranzenberger to approve the minutes from the February 5, 2015 meeting as submitted.

Motion carried.

IV. Zoning Board of Appeals Report for February :

Commissioner Friedrich reported that the ZBA heard three cases at their February meeting. They approved a variance for the reconstruction of the parking lot at the Chippewa River District Library to allow a four foot reduction in the overall width of the lot.

In addition, the ZBA heard a request regarding 1024 & 1026 S. Main where the applicant wanted to raze the existing buildings, combine the lots and build a RSO. The applicant was requesting two additional occupants (one per lot) as part of the request. After listening to the Board's comments and discussion on whether the request met the criteria established by the ZBA and PC to allow two additional occupants, the applicant asked for a postponement.

Commissioner Friedrich reported that the third case heard by the ZBA involved the redevelopment of 1023 S. Main, which would include razing the existing building and building a new rooming dwelling. The applicant demonstrated a reduction in the non-conformities and as part of the request asked to increase the licensed occupancy from 5 to 6. The request was granted.

V. Public Hearings:

A. SUP-15-01 - 807 S. Mission. Bean introduced Case SUP-15-01, noting that this request was submitted for Popeye's Restaurant, seeking to modify the Special Use Permit granted in 2014 to allow a reader board on the side of the building.

Bean shared an aerial view of the site and the approved site plan from 2014.

Bean reviewed the background for the request, noting that the project was approved under the Mission Redevelopment Overlay Zone, which allows some flexibility in the zoning regulations. Projects approved under the Mission Redevelopment Overlay Zone are given a status of a Preferred Development project. Bean reiterated that this request is a modification of the previously approved Special Use Permit, noting that location and style of the various signs on the site were part of the original package. Bean noted that the signage that was approved was found to be in compliance with the Mission Redevelopment Overlay standards. In addition, he noted that the Zoning Ordinance allows up to 200 square feet of signage for this site. Currently the applicant has 150 square feet and the proposed digital reader board would add approximately another 15 square feet of signage to the site.

Bean reported that typically when considering requests under the Mission Redevelopment Overlay zone, the Board is looking at waiving standards; however with this request the applicant is only adding a reader board. The Board will need to determine if the modification to the signage is still compatible in size and material to continue to meet the objectives of the Mission Redevelopment Overlay Zone.

Commissioner Dailey asked for clarification of the Fire Department comments.

Tim Lapham, Lapham and Associates, addressed the Board as representative for the applicants, noting that the owner, operator and IT/Human Resources representatives for the company were also in attendance, along with Lori Eager from Barrett Signs.

Mr. Lapham spoke about the original project that was approved under the Mission Redevelopment Overlay zone, noting the elements of the project that were designed to meet the objectives of the zone. Mr. Lapham referred to the brick on the building, the decorative fencing, the added architectural features that aren't typical of Popeye's, and the building being brought closer to the street. In addition, he noted that pedestrian access was improved by installing bike racks and the commented on the work that took place with staff to include additional greenspace by reducing the number of parking spaces. He further noted that they were able to close four drives by working out an easement agreement with the City, allowing for safer vehicle circulation.

Mr. Lapham reported that the proposed signage doesn't increase the overall square footage of what was previously approved. The original request included a wall sign that was not a digital reader board. Mr. Lapham referred to a number of businesses along Mission and Pickard that are using this type of signage and also noted that the billboard on the site is actually a detriment to Popeye's as anyone, even a competitor, can advertise on it.

Mr. Lapham shared with the group that the Mt. Pleasant Popeye's was listed as one of the top ten "Popeyes Gold Shovel Finalists" which recognizes the most successful franchise opening project for 2014.

Lori Eager, Barrett Sign, addressed the Board, providing details on the sign, noting that this type of signage allows for better communication between the customers and the business.

Chairman Cotter asked for clarification on the actual size of the sign. Ms. Eager stated that the casing is 2'5" x 6'7" with the actual display area being 2'1" x 6'3". Bean interjected that would calculate to approximately 15.9 square feet inclusive of the frame.

Commissioner Ranzenberger asked if the sign was capable of full motion and how bright it is. Ms. Eager stated it has the capability for full motion but is used generally for listing specials, etc. In regards to the brightness, she indicated that they can be really bright; however they brightness can be adjusted.

Commissioner Dailey noted his concern is that the sign may be a distraction, and asked about the purpose for the sign. Ms. Eagers stated they are generally used for direct advertising - to announce specials and menu items/changes.

Chairman Cotter commented that he can see the point of having this type of signage but also recognizes the concern that it may be a distraction and questioned if there were regulations in the Ordinance.

Bean stated that the sign ordinance does not address LED signs.

Commissioner Driessnack stated that the owners will do what they have to do to attract customers - it is all about driving business, which would indicate they would stick to advertising of menu items to bring business in. He indicated that eliminates his fears of this type of sign.

Chairman Cotter noted that the size of the sign is pretty small and stated that if it becomes a problem, there may be something that could be done about it.

Kain reminded the Commission that they are empowered to impose conditions on a Special Use Permit, noting that if it is approved without conditions the City would have no authority to require changes at a later date - they would have to rely on negotiating with the owner at that point.

Commissioner Horgan referred to the number of similar signs already on Mission noted by Mr. Lapham, questioning whether we receive any complaints on distractions for traffic, etc.

Kain commented that we would need to do some research in order to address that question.

Commissioner Ranzenberger commented that he feels confident that the business owner would be willing to work with the City if problems arose in the future.

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

Motion by Ranzenberger, support by Friedrich to approve Special Use Permit 15-01 from D & D Real Estate/Popeyes Louisiana Kitchen/Barrett Sign to allow a single-sided LED reader board that is 6'7" x 2'5" (total area of about 15.9 square feet) in order to replace a previously approved 7.1 square foot logo sign on the west elevation of the Popeyes Chicken located at 807 S. Mission under the Mission Redevelopment Overlay Zone. Approval is subject to the following conditions:

1. Approval is based on the revised elevation rendering submitted with the request.
2. The applicant shall comply with the requirements of the Division of Public Safety (DPS) and the Division of Public Works (DPW), and the Michigan Department of Transportation.

Motion approved 7:1.

B. SUP-15-02 - 1101 S. Mission - Panda Restaurant Group.

Kain introduced case SUP-15-02, submitted by Panda Restaurant Group for the construction of a new drive-through quick service restaurant with associated parking and site improvements.

Kain shared the proposed site plan, noting the location as the southeast corner of Mission and Bellows. Kain reported that the previous use of the site was for a medical office complex, which currently sits vacant.

Kain reported that the property is zoned C-3 with C-3 zoning to the south and east, University Zone to the west, C-3 and R-3 to the north and a small section of the SE corner also abutting residential. Future land use designation is compatible with the request.

Kain shared an overview of the site, and noted that the applicant is applying under traditional C-3 zoning standards rather than the Mission Redevelopment Overlay Zone.

Kain reviewed the conditions that need to be met with the Special Use as:

- 1) Setbacks of at least 75 feet from the public right-of-way. As this site sits on the corner, it is required to meet two 75 ft. setbacks.
- 2) Access points to be located at least 40 feet from the intersection of any two streets.
- 3) All lighting shall be shielded from adjacent residential districts.
- 4) A six-foot high screening wall shall be provided when abutting or adjacent to districts that are zoned A, R, M-1, M-2, OS-1, C-1, C-2 or C-3.
- 5) Drive-in theaters are not permitted.

Kain reported that the proposal meets the five criteria listed, - including a 6 ft. masonry wall along the east boundary line that wraps around and along the south line to the dumpster enclosure. Kain reported that the plan meets the requirements of the Ordinance for height, bulk and density, and provides 37 parking spaces, where 32 would be required based on the occupancy load of the building. In addition, the signs that are proposed are within the parameters allowed by Ordinance,

sidewalks already exist, and the plan includes a dumpster enclosure meeting the minimum standards. Kain noted that although the Ordinance requires an area for off street loading and unloading that does not interfere with maneuvering or parking spaces, the applicant has indicated that all deliveries will occur outside of normal business hours.

Kain reported that the site is subject to the Access Management Plan and shared the modifications that are proposed by the applicant to comply with these standards:

- 1) Closure of three existing curb cuts, one on Mission Street and two off Bellows.
- 2) Construction of two new driveways, one on Mission, which will be a right in and right out only; and one full access drive on Bellows.
- 3) A potential cross connection has been identified to connect with the property located to the south.

Kain shared the proposed elevations, noting that the signage shown varies somewhat from what was submitted, however, reiterated that the proposed signage meets requirements.

Kain concluded his report with the recommendation for approval with the condition that the applicant complies with DPW and DPS requirements.

Chris Pope, representing the applicant, addressed the Board, thanking them and staff for their time and consideration of the request. Mr. Pope stated that he feels the proposal will be an improvement to this site, noting that the design allows for increased pedestrian access and walkability. He noted that this is a new prototype for this chain of restaurants. Mr. Pope commented that he has worked closely with staff to make modifications of the initial site plan to assure that Ordinance requirements were met and to increase the greenspace and landscaping.

Commissioner Driessnack asked for clarification on what type of screening wall was proposed. Mr. Pope responded that it would be a masonry wall finished to match the building. Commissioner Dailey asked if it would be cinder block. Mr. Pope stated it would be a block wall, but with a stucco finish to match the building.

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

Board Discussion:

Motion by Friedrich, support by Driessnack to approve SUP 15-02 (Panda Restaurant Group) with the following condition:

- 1) The applicant shall comply with the requirements of the Divisions of Public Works (DPW) and Public Safety (DPS).

Motion approved.

C. SUP-15-03 - 1024 & 1026 S. Main - Joseph Olivieri. *Postponed.*

VI. Public Comments:

Chairman Cotter opened the public comments portion of the meeting.

There being no one who wished to speak, the Public Comments session was closed.

VII. Site Plan Reviews:

A. SPR-15-01 - 301 S. University - Chippewa River District Library.

As owner of the property, Commissioner Friedrich recused himself from the discussion.

Bean introduced Case SPR-15-01 submitted for the reconstruction of a parking lot for the Chippewa River District Library. Bean shared photos of the existing site conditions along with an aerial view of the site, noting that the property is zoned OS-1, with the property to the north zoned C-2 Central Business; to the east, south and west is OS-1. The surrounding properties consist of a mixture of institutional, residential and semi-public uses.

Bean provided some background, noting that the Zoning Board of Appeals granted a variance to allow a reduction in the overall width of the parking lot. Bean shared the demolition plan along with the proposed site plan. The proposal includes a one way configuration with one access drive.

Bean noted that the site plan meets the setback requirements and there are no changes proposed to the library structure itself. Although the plan will replace 37 parking spaces with 26 angled spaces, Bean explained that the off-street parking requirements for this site are not applicable due to its proximity to a municipal lot. In addition, Bean reported that the plan will include 10' landscaped greenbelts on all three sides. Bean reported that the parking spaces will be approximately 9' wide and 18' deep with a 60 degree angle to the maneuvering lane. In addition, the Ordinance requires maneuvering lanes to be at least 16' wide for spaces angled between 54 and 74 degrees. Based on the proposed plan, which includes two sets of two tiers and single maneuvering lanes, additional requirements would require a total width of 116'. Bean reiterated that the ZBA granted a variance from this additional requirement to allow the total width of 112'.

Bean reported that the vacated alley will be converted to greenbelt; the parking area will be asphalt and there will be two barrier-free spaces. Bean also reported that the site includes an existing dumpster, which meets regulations.

Bean concluded his report recommending approval with conditions noted in his staff report.

Commissioner Dailey asked where the four foot variance would come from. It was explained that there would be steeper angles; however the width of the stalls would be consistent with width requirements. The variance granted the applicant some flexibility to have a different configuration.

Commissioner Ranzenberger asked about the alley that would be converted to greenspace. Bean explained that the alley was vacated in 2003. Generally when this happens the property is split between the two adjacent land owners.

Commissioner Irwin asked about storm water run-off.

Steve Clark, Rowe Professional Services Company, addressed the Board, representing the applicant. Mr. Clark explained that they have been hired by the applicant to design the lot. Mr. Clark explained that the City requires them to treat this site as an undeveloped site. The current facility does not meet the storm water requirements; -there is no restrictor in the pipe and no green space, etc. Mr. Clark provided additional information on the measures they will take to address storm water issues.

Mr. Clark explained that the current lot is in a state of disrepair and doesn't function well. To meet Ordinance requirements, they will have only one entrance. In addition, they will be adding 20' of greenspace where the alley is currently hard surfaced. They have received permission from the church (adjacent property owner) to put the entire alley into greenspace. In addition they will be adding landscaping and will maintain clear vision.

Motion by Driessnack, support by Dailey to approve the request for SPR-15-01 from the Chippewa River District Library for the property located at 301 S. University Avenue, based on the site plan provided by Rowe Professional Services Company, to allow the redevelopment of a 16,800-sf parking area, with the following conditions:

1. The applicant must submit plans displaying any proposed lighting in accordance with sections 96.13 and 154.121(M) prior to seeking a building permit.
2. The applicant shall submit plans or elevations showing any proposed signs in compliance with section 154.147 prior to seeking a building permit.
3. The applicant shall comply with the requirements of the ZBA resulting from the meeting on February 25, 2015 and the review of case ZBA-01-2015.
4. 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-15-02 - 1101 S. Mission - Panda Restaurant Group.

Kain stated that this request was reviewed with the Special Use Permit, noting that he had nothing to add.

Commissioner Driessnack asked about the height of the greenery around the sign. Kain explained that based on the proposed species, they would likely be 3-4' tall. In addition to the smaller shrubs and grasses, the applicant will be required to install trees that are 10' tall and 2" in diameter.

Commissioner Ranzenberger expressed some disappointment in the City's Ordinance.

Motion by Ranzenberger, support by Hoenig to approve SPR-15-02 (Panda Restaurant Group) with the following condition:

1) The applicant shall comply with the requirements of the Divisions of Public Works (DPW) and Public Safety (DPS).

Motion approved.

3. SPR-15-03 - 1024 & 1026 S. Main - Joseph Olivieri. *Postponed.*

VIII. Unfinished Business:

A. Community Improvement Awards:

Kain reported that following input from the Planning Commission on eligible projects, there was a clear winner in the Commercial category, with Graff Buick GMC Cadillac emerging as the top choice. Kain further reported that in the single family category there was a two way tie and in the Multiple-family category there was a three way tie. Kain suggested for the single family category that the award go to 1042 Watson, as it was found that the other property did not follow proper protocol for pulling permits. In the multiple family category, he suggested the Commission consider one of the individual properties that were in the top rather than the multiple property nomination, noting some logistical problems in awarding multiple property owners. Kain asked for thoughts from the Commission on how they wished to proceed.

Chairman Cotter agreed the award for single-family go to 1042 Watson and asked for a vote. Commission unanimously voted for 1042 Watson.

For the multiple-family category, it was suggested that staff email the two individual properties to the Board and solicit their input. The winner will be determined prior to the next meeting.

B. Joint Meeting Discussion:

Kain referred to the notes provided from the joint meeting, asking if there were any questions, and noting that a later agenda item will be to set a work session.

Commissioner Driessnack commented that he would prefer to push most of the M-2 discussion to the work session. Chairman Cotter agreed.

IX. New Business:

A.2015 Meeting Schedule:

Kain reported that at the request of the Chair, the Board has been asked to revisit the 2015 meeting schedule. Mt. Pleasant Schools are on spring break the week that the April meeting is scheduled, creating a conflict for a couple of Commissioners. Board consensus was to

reschedule the April meeting to April 9th with a work session immediately following the regular meeting.

B. Parks & Recreation Master Plan:

Kain reported that the Parks staff is interested in getting public input for their Master Plan update and would like the Planning Commission to hold a Public Hearing at their April meeting.

Motion by Ranzenberger, support by Irwin, to schedule a public hearing for the Parks & Recreation Master Plan, to take place at the April 9, 2015 meeting.

Motion approved.

C. Goal Setting:

Kain commented that traditionally the Planning Commission sets goals at their February meeting; however, this was delayed based on not having a Planner on staff and the update of the Master Plan. Following the joint meeting with the City Commission, it was made clear that the City Commission wants the Planning Commission to focus on the M-2 area. Kain suggested that the Planning Commission not develop any additional goals until that issue is resolved.

Motion by Friedrich, support by Driessnack, to suspend further goal setting until a new recommendation on the M-2 process has been forwarded to the City Commission for consideration.

Motion approved.

X. Other:

A. Correspondence from Nancy Ridley regarding Sidewalk Policy:

Kain referred to the memo from Nancy Ridley which was included in packets, complimenting the work the Planning Commission has completed the past year, and formally sharing the City's appreciation.

B. Staff Report:

1. April Planning Commission: Kain noted that depending on the applicant, 1024 & 1026 S. Main may appear on the April agenda. In addition, it is anticipated that the request from 1023 S. Main will also be submitted prior to the deadline.

Kain commented that he has had the opportunity to meet with several Board members one on one and would like to meet with each one over the course of the next month or so. He will reach out to those who he has not had the opportunity to meet with.

XI. Adjournment:

Motion by Friedrich, support by Ranzenberger to adjourn.

Motion carried.

Meeting adjourned at 8:47 p.m.

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