

**Mt. Pleasant Planning Commission
Minutes of Regular Meeting
June 30, 2016**

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

Present: Cotter, Dailey, Friedrich, Hoenig, Horgan, Irwin, Kostrzewa, Liesch

Absent: Driessnack

Staff: Kain, Murphy

II. Approval of Agenda:

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

Motion approved unanimously.

III. Approval of Minutes

A. June 2, 2016 Regular Meeting:

Motion by Hoenig, support by Irwin, to approve the minutes from the June 2, 2016 regular meeting as submitted.

Motion approved unanimously.

IV. Zoning Board of Appeals Report for May:

Commissioner Friedrich reported that the ZBA did not meet in June.

V. Communications:

Kain reported that three communications were received:

- 1) Resignation of Planning Commission Chair Keith Cotter.
- 2) Communication regarding SUP-16-07.
- 3) Communication regarding TC-16-01.

VI. Public Hearings:

A. SUP-16-07 - 400 S. Main - First United Methodist Church

Kain introduced SUP-16-07, noting the request is to allow the installation of ground mounted mechanical equipment and an associated screening wall.

Kain reported that the zoning on the property is split, with a portion zoned R-3 Residential and a portion zoned OS-1 Office. Surrounding properties are also a mixture, with C-2 Central Business District to the north; OS-1 Office and R-3 Residential to the East; and R-3 Residential to the south and west. Future land use is consistent with current uses.

Kain shared a photo of the site and the ground mounted HVAC equipment that has been placed in front of the building. Kain noted that because a church is considered a special use in the R-3 zoning district, this

necessitates the public hearing. Kain further explained that special uses are not eligible for administrative review.

Kain shared the special use conditions, noting that the site complies with the access requirements; however, the building does not meet the 40 ft. setback from side or rear property lines when adjacent to single or two-family dwellings. Kain noted that this is an existing non-conformity which would not be made more non-conforming as a result of this request.

Kain shared the site plan submitted by the applicant, explaining that they are proposing the installation of a 6 ft. high wrought iron fence with additional landscaping. Kain explained that the Planning Commission is being asked to consider whether they feel the proposed screening is sufficient to address the review criteria for special uses and provide sufficient buffering for any noise generated by the equipment.

Kain concluded his report noting that he has offered a couple of options for the Planning Commission to consider:

- 1) to approve the Special Use as submitted with the condition that the applicant work with the City Planner to develop an acceptable landscape plan or:
- 2) to approve with the condition that the applicant provide a 6 ft. masonry screening wall and work with the City Planner to develop an acceptable landscape plan.

Commissioner Irwin questioned how tall the equipment was and if a 6 ft. fence would be tall enough to screen the equipment. Kain responded that the equipment is approximately 6'4" so the 6' fence would not completely screen but would be close.

Commissioner Irwin asked if the project had a stop work order on it at this time. Kain noted that the work is continuing on the overall project, with most of the equipment being placed on top of the building; however, the work has stopped on the ground equipment until the Planning Commission has made their decision.

Commissioner Irwin questioned why this unit wasn't also being placed on top of the building. Kain noted that part of the reason is financial and part is because of the functionality of the unit, noting further that placement of the unit in front of the church was not the church's first choice.

Commissioner Horgan noted she hadn't considered the noise factor and also asked about the guy wires that were located on the property and if they would interfere with a fence. Kain noted that the applicant would need to check with the utility company to see if the wires could be relocated.

Commissioner Horgan commented that the wrought iron fence wouldn't help with noise and asked about the codes regulating fencing. Kain commented that additional landscaping would help buffer the noise and as the fence would likely be attached to the building, would be considered part of the primary structure.

Commissioner Dailey asked if a masonry fence would require a foundation. Kain commented that it would.

Chairman Cotter asked if the Planning Commissioner could require a masonry fence that would be higher than 6 ft. Kain commented that with a Special Use Permit the Planning Commission can make reasonable conditions but cautioned that they may want to consider if a higher fence would be too imposing.

Commissioner Horgan asked how loud the equipment would be. Kain noted it isn't operational yet so he doesn't know.

John Jensen, representative for the request, addressed the Board. Mr. Jensen commented that he is a member of the Board of Trustees for the church and is also the architect for the project. Mr. Jensen noted that initially they wanted to place all the equipment on the roof; however, because this particular unit services the basement the cost was too high. He explained that this was the only choice they had and they are proposing landscaping to screen as best they can and to also prevent anyone from messing with the equipment. Mr. Jensen explained that the main utilities for the building run under the unit; therefore installing a foundation for a masonry wall would cause additional problems. He noted that the guy wires do cause somewhat of a problem; and noted that Consumers has indicated they do not want to move them but have no issues with them running through a wrought iron fence.

Mr. Jensen explained that they are proposing planting 5 - 5 1/2 ft. high arborvitae trees about 4 ft. apart. Over time, the trees will fill out and provide complete visual screening. Mr. Jensen also commented that the Board of Trustees unanimously voted that they did not want a brick wall and further commented that a brick wall would bounce the sound off the building.

Commissioner Horgan asked if the unit would run all night. Mr. Jensen commented that they do not anticipate a lot of usage for this unit; likely only on Sunday mornings on warm summer days.

Commissioner Irwin questioned whether there will be enough room to service the units. Mr. Jensen assured him there was.

Commissioner Friedrich asked for clarification on how tall of trees they plan on planting. Mr. Jensen stated 5 - 5 1/2 ft. high and added that they grow approximately 6" a year.

Commissioner Dailey questioned if there may be other options for absorbing sound.

Mr. Jensen noted that the trees will absorb the sound whereas the masonry wall will bounce it off the church wall.

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

Board Discussion:

Commissioner Horgan commented that she is more comfortable with the request knowing that the unit will not be running 24/7. Chairman Cotter commented that was a good point; however, noted there isn't anything that says they couldn't change their mind and run it all the time.

Commissioner Dailey commented that he would like to see the case postponed for a month to consider other options for sound. Kain commented that it may be possible to get some data from the manufacturer of the equipment but would advise against making the applicant get a sound engineer.

Kain commented that initially he was firmly in favor of a masonry wall but following several conversations with the applicant, does not have a strong enough opinion to firmly recommend a masonry wall.

Vice-Chair Hoenig commented that the one communication received was more concerned with aesthetics than noise and the wrought iron fence would look nicer than a masonry wall.

Chairman Cotter commented he likes the first option which allows the applicant to install the wrought iron and gives the City Planner some flexibility on landscape requirements.

Commissioner Liesch indicated he had some experience in landscaping and the arborvitaes are a good choice for this type of screening.

Commissioner Kostrzewa commented that he doesn't feel that a modern air conditioner unit would create a major sound issue.

Motion by Kostrzewa, support by Hoenig, to approve SUP-16-07 with the following condition:

1. The applicant shall work with the City Planner to develop a landscape plan between the fence and the public street.

Commissioner Dailey commented he would like to see the case postponed to get more information on the sound and to explore other options.

Discussion ensued on the Board of Trustees unanimous vote that they did not want a masonry wall and whether that is in their authority or the Commissions. It was noted that they did not want a masonry wall; however, that doesn't prevent the Planning Commission requiring one if they feel it is necessary.

Chairman Cotter noted there was a motion on the table and as there was no further discussion, called the question.

Motion approved 7:1.

Ayes: Cotter, Friedrich, Hoenig, Horgan, Irwin, Kostrzewa, Liesch

Nays: Dailey

B. TC-16-01 - Sign Standards and Sign Guidelines for the CBD-TIFA District

Kain introduced TC-16-01, noting that the Planning Commission would be asked to take two actions:

- 1) To endorse the Downtown Signage Design Guidelines, and
- 2) Recommend that the City Commission approve Text Change 16-01.

Kain noted that staff has spent considerable time actively working on the proposed text change and further noted that Michelle Sponseller, Downtown Development Director and staff liaison for both the Downtown Development Board and Historic District Commission was in attendance if anyone had questions for her.

Kain explained that the Guidelines are not regulatory but are suggestions and are encouraged, whereas the code is regulatory.

Kain noted that the Guidelines have been endorsed by three city Boards: the Downtown Development Board; the CBD-TIFA; and the Historic District Commission, and noted that the intent is to encourage compatibility with a historic district and be aesthetically pleasing. The Guidelines address orientation and placement; scale and shape; materials; colors; content; lighting; and installation.

Kain shared a map showing the CBD-TIFA area, noting that the intent for the text change is to create an overlay for signage within the CBD-TIFA district.

Kain reviewed the proposed text changes noting that a new section, Section 154.151 (Signs in the CBD-TIFA District) will be added. The language will address prohibited and permitted signs and will also address conditions that will need to be met with the types of signs.

Kain shared photos of the various types of signs referred to in the proposed language.

Kain explained that in addition to addition Section 154.151, four other sections will be amended.

Language will be added to Sections 154.144 (Signs in the C-1 District); Section 154.145 (Signs in the C-2 District) and Section 154.147 (Signs in the OS-1 District) to distinguish that any signage that is located within these districts but also falls within the CBD-TIFA District will follow the regulations in Section 154.151. Properties within these districts that are not in the CBD-TIFA will follow the regulations for that zoning district. Section 154.135 will be amended to include additional definitions

Kain noted that this proposed change will provide additional rights for signage in the CBD-TIFA district.

Kain further noted that any signs that become non-conforming as a result of the code change can still remain in existence and can be maintained. If the non-conforming sign were to be taken down, then any new signage would be required to be conforming.

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

Motion by Dailey, support by Friedrich, that the Planning Commission endorse the Downtown Signage Design Guidelines.

Motion approved unanimously.

Motion by Friedrich, support by Liesch, that the Planning Commission recommend that the City Commission approve Text Change 16-01.

Motion approved unanimously.

C. Z-16-01- A proposed rezoning of properties owned by Central Michigan University (CMU) and located in University Park from RCD (Research Center District) to U (University).

Kain introduced Z-16-01, noting the location is at the south end of the City and is currently zoned RCD (Research Center District). Kain noted that most of the land within this 300 acres is owned by Central Michigan University with the exception of three parcels. These three parcels would remain under the RCD zoning. Future land use of the area is designated as Industrial. Kain noted that if the Planning Commission recommends the zoning change, then he would also recommend that they approve proposed changes to Section 154.087, which is the next case on the agenda.

Kain noted that in 2013, the city rezoned the majority of properties within the City that are owned by CMU to a new U (University) district. Discussions with CMU have led to the proposal to also rezone properties owned by CMU currently zoned RCD to U.

Kain shared the implications of the proposed rezoning, noting that the City Commission recently authorized the mayor to sign an amended Infrastructure Agreement with CMU. This agreement outlines the city's involvement in the review of development projects on the properties within this area.

Kain explained that the proposed rezoning would provide consistency in how our zoning ordinance is applied to CMU properties, both on the main campus and in University Park.

Kain concluded his report with the recommendation that the Planning Commission recommend to the City Commission to approve Z-16-01.

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

Commissioner Dailey asked for clarification on the area being considered. Kain noted the area is located south of West Campus Drive, between Crawford and Mission, and north of Deerfield. Properties to the north are already zoned U (University) and this would extend that zoning to the south.

Commissioner Irwin questioned why CMU has asked that that this property be rezoned. Kain noted that basically for the same reason that the main campus was rezoned. Prior to the U District, most of main campus was zoned R-2. Most of the uses were non-conforming and new development did not go through the City's planning process. The U District is consistent with actual practices.

Kain noted that this will internalize the review process but added that the recently signed Infrastructure Agreement provides the City with more input into development projects in University Park. Kain also noted that the University Park has restrictive covenants in place that run with the land. They are consistent with the existing zoning regulations but more detailed.

Commissioner Irwin asked if this applies only to CMU owned property. Kain responded it did and if CMU owned property in this area were to be sold, then it would revert back to RCD zoning until formally rezoned by the City Commission.

Kain reminded the Board that they will only be making a recommendation to the City Commission (CC) as the CC has the final say.

Kain noted that it is important that our regulations reflect what we are actually doing and this would reflect the reality of state law.

Motion by Hoenig, support by Friedrich, that the Planning Commission recommend that the City Commission approve Z-16-01.

Motion approved unanimously.

D. TC-16-02 - Text change to Section 154.087 (U University District)

Kain noted that the proposed text change would reflect the zoning change recommended under Z-16-01. The change would reference areas in the University Park and would create language to provide for zoning reversion to RCD in the event that the properties zoned U in University Park are conveyed by CMU to another entity.

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

Motion by Friedrich, support by Hoenig, that the Planning Commission recommend that the City Commission approve Text Change 16-02.

Motion approved unanimously.

VII. Public Comments:

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

VIII. Site Plan Reviews:

A. SPR-16-10 - 400 S. Main

Kain noted that there was nothing further to report as this case was covered under SUP-16-07.

Motion by Hoenig, support by Friedrich, to approve SPR-16-10.

Motion approved 7:1.

Ayes: Cotter, Friedrich, Hoenig, Horgan, Irwin, Kostrzewa, Liesch

Nays: Dailey

IX. Unfinished Business:

None

X. New Business:

A. Administrative Staff Review

Kain reported that a year ago, the Planning Commission authorized the City Planner to review and approve applications for non-residential projects with no more than 5,000 sf of net building area change and/or 25 parking spaces unless associated with a special use permit, waivers or use determinations. Kain provided a list of the 7 site plans that were approved administratively within the past year.

Kain noted that he feels the process is working well and has been good for the applicants with small scale projects and also noted it has freed up some of the Planning Commission's time.

Kain noted that there may be the ability to expand the authority by eliminating the "non-residential" clause from the authority. He noted that there is currently a proposal submitted to put decks on a multi-family development, which may be the type of case that could be administratively approved, but under the current authority would need to come before the Planning Commission.

Kain assured the Commission that the review criteria for staff or for the planning commission is the same and as there is no public hearing involved with site plan reviews, there is no reduction in public input.

Kain also noted that all special uses (such as rooming dwellings) would continue to be approved by the Planning Commission. Kain commented that he would continue to reserve the right to bring anything eligible for administrative review to the Planning Commission that he felt merited discussion.

Kain noted he would like the Planning Commission to comment on whether they feel this is working and if they want to consider extending staff's authority.

Commissioner Horgan asked if he had received any feedback from those who have went through the administrative review process. Kain noted that most who have taken advantage of this are not the frequent flyers but that most have appreciated the reduced review timeframe.

Motion by Dailey, support by Horgan, to authorize the City Planner to review and approve applications for site plan review for projects with no more than 5,000 sf of net building area change and/or 25 parking spaces except for those associated with a special use permit application or requiring waivers or use determinations in accordance with Section 154.169(D)(2) of the zoning ordinance.

Motion approved unanimously.

XI. Other:

Kain thanked Commissioner Cotter for his time served on the Commission.

Kain commented that the by-laws don't speak about what to do when the Chairman resigns. Vice-Chair Hoenig has agreed to act as Chair for the remainder of the year. Kain noted that we will be electing a new vice-chair at the August meeting.

A. Zoning Ordinance Consultant Update:

Kain reported that the City Commission unanimously approved hiring Town Planning & Urban Design Collaborative, LLC for the purpose of creating a new zoning ordinance. Staff is in discussion finalizing the contract and anticipates that work sessions will begin in the fall.

B. Redevelopment Ready Communities Update

Kain reported that the City Commission recommended continuing with the Redevelopment Ready Communities program. This will allow review of our development practices and will provide an opportunity to become certified as a Redevelopment Ready Community, and will provide opportunities through the state for consultation, training and assistance with marketing strategies to let developers know that we are proactive and business friendly.

C. August Planning Commission Meeting.

Kain noted that we will likely have a large agenda for August. We have received two applications already and are aware of more projects that will be coming forward.

XII. Adjournment:

Motion by Dailey, support by Irwin, to adjourn.

Motion approved unanimously. Meeting adjourned at 8:45 p.m.

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