

**Mt. Pleasant Planning Commission
Minutes of Regular Meeting
May 4, 2017**

I. Vice-Chair Horgan called the meeting to order at 7:00 p.m.

Present: Dailey, Friedrich, Horgan, Irwin, Joseph, Kostrzewa, Liesch.

Absent: Driessnack, Hoenig.

Staff: Kain, Murphy

II. Approval of Agenda:

Motion by Friedrich, support by Liesch, to approve the agenda.

Motion approved unanimously.

III. Approval of Minutes

A. April 6, 2017 Meeting

Motion by Joseph, support by Kostrzewa, to approve the minutes from the April 6, 2017 meeting as submitted.

Motion approved unanimously.

IV. Zoning Board of Appeals Report for April:

Commissioner Friedrich reported that the Zoning Board heard one case in April. Edward McQuaid, at 1111 Crosslanes, was requesting a variance to allow an accessory building to be placed within the three foot setback of his property and within six feet of his neighbor's garage. Mr. McQuaid had already wedged this shed between his garage and his neighbor's garage and was now coming to the Board to get approval after the fact. The Zoning Board determined that he did not meet the necessary requirements to get a variance, specifically that the need for the variance was self-created and that there were other locations on his property where the building could be placed to meet all zoning requirements, therefore, the variance was denied.

V. Communications:

Kain reported that we received one communication from RW Nims after the packets were distributed. Copies of the correspondence were placed on the dais.

VI. Public Hearings:

A. SUP-17-03 - 2397 S. Mission - 7-Eleven Inc. and Double Twins LLC.

Kain introduced SUP-17-03, submitted by 7-Eleven Inc., and Double Twins LLC, requesting a special use permit for the 7-Eleven store on the corner of Bluegrass and Mission to add a Specially Designated Merchants (SDM) license for beer and wine to the existing gas station and store. Kain noted that this site is located at the south end of Mt. Pleasant and is zoned C-3 General Business, with C-3 General Business to the north; B-4 General Business to the east and south (located in the Charter Township of Union) and U, University to the west.

Kain shared an overview of the site, noting that the Townships B-4 zoning is equivalent to the C-3 zoning in the City.

Kain explained that under the City's code, a store that has an SDM license is classified as a liquor store and is considered a Group B Special Regulated use. The use is only permitted in a C-3 zoning district, with grocery stores and pharmacies being exempt from this classification.

Kain explained that Group B special regulated uses are subject to specific location criteria, such as they shall not be approved if there are four or more special regulated uses within 1,000 feet of the boundaries, or if they are within 300 feet of a residentially zoned district, trailer park, K through 12 school, dedicated park, church or cemetery. The Planning Commission is authorized to waive these location standards based on their findings; however, Kain noted that the location criteria does not apply in this case; therefore a waiver is not required.

Kain noted that this is an operational change and therefore there is no site plan to review. He noted however, that during the routine reviews for special use permits, it was noted that there were some deficiencies in the 1993 approved site plan in regards to the landscaping. Kain noted that his recommendation for approval of this request be conditioned on the landscaping requirements being brought into compliance with the approved plan.

Commissioner Friedrich asked if the 300 ft. from residential property rule takes into account properties outside of the city limits. Kain noted that it does and that it doesn't matter what municipality the properties are in if they are within 300 feet of the site.

Commissioner Dailey questioned whether Kroger and Target, and possibly some of the restaurants that serve alcohol would be within the 1,000 ft. Kain noted that our code excludes grocery stores and pharmacies and in addition, restaurants would be classified as Class I restaurants, and not as a special regulated use.

Jason Canvasser, representing 7-Eleven and Double Twins LLC addressed the Board. Mr. Canvasser commented that although our code defines this use as a liquor store, he stated that they would only be selling beer and wine, not liquor or spirits. In addition, Mr. Canvasser stated that they are working on bringing the site into compliance with the 1993 site plan and are obtaining bids for the work.

Commissioner Joseph asked why it has taken so long to address the site plan issues from 1993. Mr. Canvasser noted that the 1993 approval was given to the property owner at that time, not 7-Eleven or Double Twins LLC. He noted however, that regardless of whose responsibility it technically is, now that they are aware of it they are planning to take care of it.

Commissioner Friedrich commented that it was likely that the landscaping was put in at the time of the approval and has since died and just hasn't been replaced.

Kain noted that the business was made aware of the deficiencies in January; however, Michigan weather does not permit that type of work in the winter. He noted that the site will be required to comply with the site plan regardless of tonight's decision; however, he stated there is no reason to doubt that the work will be done. He noted that there are several other sites along Mission that have also been put on notice for similar deficiencies.

Vice-Chair Horgan opened the public hearing.

Melinda Devine, 1105 Glenwood Drive, addressed the Board. Ms. Devine noted they have operated The Store for 40 years and noted that everyone sells beer and wine and expressed concern that even more stores would be allowed to sell. She also expressed concern that they would be selling liquor and spirits if the SUP was approved.

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

Board Discussion:

Motion by Liesch, support by Friedrich, to approve SUP-17-03 with the following condition:

1. The applicant shall bring the site into compliance with the requirements of the 1993 site plan approval.

Board Discussion:

Commissioner Dailey asked if the license would allow the applicant to sell more than beer and wine.

Mr. Canvasser explained that there are two types of Michigan liquor licenses: The SDM license allows only beer and wine. The SDD license allows spirits as well. He explained that a SDM license used to require a store to have \$250,000 inventory. There was new legislation passed this year addressing only gas stations, that temporarily rescinded the inventory quota and allowed 60 days for a business to apply for the license. He noted that this timeframe has since expired. Mr. Canvasser noted that the 7-Eleven applied only for the SDM license and approval would only allow the sale of beer and wine.

Commissioner Irwin asked if the City Commission has to approve liquor licenses. Kain noted that the City Commission only approves for Class I Restaurants, which is a different type of license. He further explained that this type of license does not require municipal approval. He also noted that several other gas stations have applied for these licenses and will be coming before the board for SUPs.

Commissioner Irwin expressed some concern on the number of gas stations that could potentially be selling beer and wine.

Kain reminded the Board that their focus needs to be on whether the site meets the criteria and whether it is compatible with the surrounding properties. He noted that if the site meets the criteria, then the Commission is compelled by our ordinance to approve.

Vice-Chair Horgan called the question.

Motion approved 6:1 with Dailey voting no.

VII. Public Comments

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

VIII Site Plan Reviews:

A. SPR-17-06-506 E. Pickard - Derek Farnan.

Kain introduced SPR-17-06 submitted by Derek Farnan, the owner of 501 E. Pickard. Kain reported that this site is the former Central Fire Protection and the current owner wishes to operate an auto detailing and accessories business from the site.

Kain shared photos of the site, noting it is located on the north side of Pickard in the I-1 Industrial district. The surrounding property is I-1 Industrial to the north, east and west, with R-3 zoning to the south. Future land use is Commercial to the north, east and west and Office to the south.

Kain explained that the auto detailing and accessories business is not specifically defined in our ordinance as an allowed use in the I-1 district; however Section 154.084 gives the Planning Commission the discretion to approve "any other use which shall be determined the Planning Commission to be of the same general character as the above permitted uses."

Kain noted that the site meets all the conditions for this type of use in regards to land area, parking, etc. Kain noted that staff believes the site fits the character of the area and is recommending approval.

Derek Farnan, owner, addressed the Board offering to answer any questions.

Commissioner Kostrzewa asked if there would be any loud machinery. Mr. Farnan stated there would not be.

Motion by Friedrich, support by Irwin, to find that the proposed use as an auto detailing and accessories business is of the same general character as the allowed uses in the I-1 district.

Motion approved unanimously.

IX. Unfinished Business:

None

X. New Business:

A. 2018-2022 Capital Improvement Plan:

Chris Saladine, Assistant Finance Director for the City, provided an overview of the City's Capital Improvement Plan.

Mr. Saladine focused his presentation on the details of 2018 projects, as the city is entering the budget phase for 2018. The 2018 CIP includes projects for Parks, Downtown, Mission Street, Major Streets, Local Streets, Public Works, Airport, Sewer, and Water.

A brief summary was also included of 2019-2022 projects. Mr. Saladine also noted what is not included in the 5 year plan, but noted that these items remain on the radar for possible future planning.

Mr. Saladine noted that the City Commission would be holding a work session on May 15th and would hold a public hearing on May 22nd. The City's Charter requires the Commission to adopt the CIP by June 12th. The projects will then be rolled into the 2018 Operating Budget.

Mr. Saladine fielded questions from the Board regarding street lighting, parking lots, and the airport.

Kain noted that he would be looking for a motion to recommend adoption of the CIP as presented or with changes the Board would like to see.

Motion by Liesch, support by Friedrich, to recommend the City Commission adopt the 2018-2022 Capital Improvement Plan as presented.

Motion approved unanimously.

B. Strong Towns Discussion:

Kain thanked Commissioners who were able to attend part or all of the Strong Towns Discussion and noted that the evening presentation was available on the City's YouTube page.

Kain asked for reactions and feedback from the event.

Vice-Chair Horgan commented that she found the discussion on the Mission Street sidewalks interesting, noting that there is not a lot of foot traffic on Mission, and that according to Mr. Marohn, everything should be leading to downtown.

Commissioner Friedrich commented that the connector streets were designed to bring traffic off Mission Street.

Kain commented that it is important to remember that Mr. Marohn is not an expert on our particular community and noted that the Planning Commission, along with the City Commission have worked very hard to transition areas into being more walkable. In addition, although there are many things that people are not fond of with Mission Street, he feels that we are taking measures to not replicate things we don't like.

Commissioner Friedrich commented that Mr. Marohn seemed to promote small scale development and also noted that he found it interesting that per the discussion, the poorer areas of a town were better for tax value.

Kain noted that large scale projects in Mt. Pleasant would likely be considered small scale in many areas. He also commented that tax revenues are generated by land and the poorer areas of a town are generally smaller lots therefore the value per acre comes out ahead. Kain commented that sometimes small changes can have a larger impact than large projects.

Commissioner Kostrzewa asked if there were any comments regarding Town Center and spoke of other countries he has visited where town center is a continual hub of activity. It was noted that CMU students have commented that there isn't anything for them to do downtown unless you are 21.

Kain noted that he has received comments from the community on the presentation and noted again that the idea of having Mr. Marohn share his ideas was mainly to generate discussion.

XI. Other:

A. Staff Report:

1. Administrative Review report:

Kain reported that staff reviewed and approved the construction of a new parking lot at 200 S. University.

2. Zoning Ordinance Update:

Kain reported that staff continues to work with TPUDC on the initial draft and will hopefully have a draft code available for the Commission to review within the next two months.

3. Planning & Zoning Essentials Training:

Kain reported that the Michigan Association of Planning will be bringing their Planning and Zoning Essentials workshop to City Hall on May 31st. The training is being co-hosted by the City of Mt. Pleasant, Isabella County, Charter Township of Union and Chippewa Township. Kain noted that this should be a very useful training and asked that Commissioner's make an attempt to attend if possible. He further asked that Commissioner's let him know by May 15th on whether they could attend.

4. June Planning Commission meeting - Anticipated items:

Kain reminded the Board that there would be two meetings in June as the July meeting got moved up to avoid the July 4th holiday. Kain noted that we will likely be reviewing several Special Use Permit requests from gas stations who wish to add beer and wine to their inventory.

Kain further reported that Dog Central has asked for a modification to their SUP to extend the hours that he could sell alcohol.

XII. Adjournment:

Motion by Kostrzewa, support by Friedrich, to adjourn.

Motion approved unanimously.

Meeting adjourned at 8:35 p.m.

bam