

**Mt. Pleasant Planning Commission
Minutes of Regular Meeting
December 2, 2010**

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

Present: Kostrzewa, Lux, Holtgreive, Orlik (Chair), Rautanen, Robinette, Smith (Vice-Chair).

Absent: Brockman, and one vacancy.

Staff: Gray, Murphy.

II. Approval of Agenda:

Motion by Kostrzewa, support by Robinette to approve agenda.

Motion approved.

III. Approval of Minutes

A. November 4, 2010 regular meeting.

Chairman Orlik noted the following corrections to the minutes:

Page 6: Commissioner Lux ~~amended the~~ **modified her** motion to allow the approval to extend for two years. Brockman accepted the ~~amendment~~ **modification**.

Motion by Rautanen, support by Kostrzewa to approve the minutes from the November 4, 2010 regular meeting with noted corrections.

Motion approved.

B. November 4, 2010 work session minutes.

Motion by Smith, support by Rautanen to approve the minutes from the November 4, 2010 work session as submitted.

Motion approved.

IV. Zoning Board of Appeals Report.

In Commissioner Brockman's absence, staff provided the ZBA report for November. Staff reported that the ZBA heard three cases in November. Two of the cases involved adjoining lots at 1005 S. Main and 1007 S. Main. Both cases involved the demolition of existing dwellings and reconstruction of Registered Student Organization rooming dwellings. Both cases were postponed.

Staff reported the third case was for L-1 Inc., proposing a nightclub at 1705 – 1721 S. Mission, requesting a waiver to the 8’ screening wall requirement. The ZBA granted this waiver and also approved a variance from the required 50’ separation from Residentially zoned properties based on the location of the proposed establishment within the existing suite, which places it approximately 400’ from the Residentially zoned properties.

V. Public Hearings:

Chairman Orlik explained board proceedings and reported that staff had received a request earlier in the week from the applicant asking that the first case, **Item V.A. SUP-10-11 – 1705-1721 S. Mission - L-1 Inc.**, be postponed to allow them to fill in some blanks and provide some updated information. Chairman Orlik stated that because the notices had been sent out, the Public Hearing would take place as scheduled to allow anyone who wished to speak to the request to do so. He noted that anyone interested in the case will also be allowed to speak to it after the new information is received.

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

Chairman Orlik asked staff to introduce the next case.

B. SUP-10-12 – 1029 S. Main – Tim Driessnack. - Special Use Permit to construct a new 2-unit rooming dwelling on a vacant parcel with a total of 8 occupants.

Staff reported that this site is currently vacant and recently received a variance from the minimum lot size requirements of the Ordinance from the Zoning Board of Appeals to allow construction on a non-conforming lot. Staff stated the property is zoned M-2 and is surrounded by M-2 on three sides, with C-1 zoning to the east. Staff commented that this case, along with the next two cases all have Site Plan Reviews associated with the SUP and therefore, he will be covering both issues with his report.

Staff stated that with the variance, the project meets the requirements of the ordinance and is consistent with the surrounding area. The applicant has proposed 12 parking spaces, which exceeds the requirement of 8 for this development, to help provide parking for the property to the south. Staff further commented that the applicant has proposed foundation plantings and landscaping and suggested the Board may also want to include a condition regarding the enclosure of trash receptacles.

Staff reported that DPW and DPS have both provided comments with fairly standard requirements, which the applicant will need to comply with. In addition, DPS has *recommended* fire suppression for these types of developments. The applicant will be subject to licensing prior to occupancy. Staff concluded his report stating the proposed project meets the requirements of the ordinance and is therefore recommended for approval.

Tim Driessnack, applicant, addressed the Board, offering to answer any questions. He commented that although the lot was considered a non-conforming lot based on lot size, it

was actually one of the largest on the street. He further commented that he choose a duplex to keep the groups smaller and to break up the look.

Commissioner Kostrweza asked Mr. Driessnack about his background. Mr. Driessnack stated that he has been a landlord and developer since 1995.

Commissioner Smith asked who owned the adjacent properties. Mr. Driessnack stated that he owns both the property to the north and to the south of the subject property.

Chairman Orlik opened the Public Hearing. There being no one who wished to address the Board, the Public Hearing was closed.

Chairman Orlik reported that one piece of communication had been received, co-signed by Brigid Hinkley and John & Elaine Davis, in opposition of the request, citing parking problems and congestion.

Commissioner Rautanen asked for and received clarification on the location of the request.

Motion by Lux, support by Rautanen, to approve the request for SUP-10-12 from Tim Driessnack to allow construction of a 2-unit rooming dwelling with a maximum occupancy of 8 at the property located at 1029 S. Main Street with the following conditions:

1. The applicant shall comply with the Department of Building Safety and the Fire Department requirements to obtain and retain a Rental license.
2. Applicant shall comply with all site plan review requirements.

Commissioner Smith asked for clarification on the Fire Department's recommendation regarding sprinklers. Staff stated that it was a recommendation, but not listed as a requirement.

Commissioner Robinette asked for clarification on the trash enclosures. Staff commented that it was actually shown on the site plan, contrary to what he had originally stated.

Motion approved unanimously.

- C. SUP-10-13 –1001 S. Main – Joe Olivieri.** Request for a Special Use Permit to demolish the existing rooming dwellings and replace them with a new Registered Student Organization (fraternity) dwelling with a maximum of 12 occupants.

Staff stated this property is located at the SE corner of Gaylord and Main. There are currently two existing rooming and boarding dwellings, which will be demolished and replaced with one building. The combined sites are currently licensed for a total of 11. The new RSO dwelling will be licensed for up to 12 occupants. Staff reported the site is zoned M-2 and is surrounded by M-2 zoning. The applicant recently received a variance from the Zoning Board of Appeals to increase the allowable occupancy from 11 to 12. The ZBA

granted the variance on the basis that the applicant would be joining two non-conforming lots to form one conforming lot. In addition, the applicant will be bringing the parking into conformance with ordinance requirements. Staff stated that the site meets the requirements for a Special Use Permit for a Registered Student Organization dwelling. In addition, in regards to the Site Plan Review, staff reported that the site meets the requirements of the ordinance. The applicant has proposed 14 parking spaces and has included some foundation plantings. There will be a fence along the north side of the parking area where it faces Gaylord Street and additional plantings will be placed along the fence to help screen the parking lot. The site plan includes trash enclosures.

Staff reported that the comments received from DPS and DPW are fairly standard, in regards to storm water review and the posting of address numbers. In addition, as with the previous case, the Fire Department has recommended fire suppression.

Staff stated with the variance granted by the Zoning Board of appeals the proposed project meets the requirements of the Ordinance, therefore is recommended for approval with stated conditions.

Joe Olivieri, applicant, addressed the Board. Mr. Olivieri commented that this development would be the same quality as the 802 S. Main site.

Chairman Orlik asked if the fence depicted on the site plan as a picket fence would be wood. Mr. Olivieri stated it would be vinyl with the look of a picket fence.

Commissioner Kostrzewa questioned whether the parking would be available off Main Street or the alley. Mr. Olivieri stated the parking access will be off the alley with no driveways coming off either Main Street or Gaylord Street.

Chairman Orlik opened the Public Hearing. There being no one who wished to address the Board, the Public Hearing was closed.

Board Discussion:

Commissioner Kostrzewa mentioned the letter that was received in opposition. Chairman Orlik acknowledged the letter from Brigid Hinkley, and John & Elaine Davis, which voiced opposition to both this case and the previous case based on parking and congestion concerns.

Chairman Orlik commented that the previous case included parking above ordinance requirements and this case meets ordinance requirements.

Motion by Lux, support by Rautanen to approve the request for SUP-10-13 from Olivieri Management, Inc. to allow construction of a Registered Student Organization dwelling with a maximum occupancy of 12 at the property located at 1001 S. Main Street with the following conditions:

1. The applicant shall comply with the Department of Building Safety and the Fire

Department requirements to obtain and retain a Rental license.

2. Applicant shall comply with all site plan review requirements.

Motion approved uniamously.

D. SUP-10-14 – 506 W Broadway – Mountain Town Station. Request for a Special Use Permit to construct a 2,135 square foot banquet and dining addition to the existing Class I Restaurant.

Staff explained that this request is for a proposed addition to Mountain Town Station. Class I restaurants are regulated by Special Use Permits in the C-2 zoning District. Staff explained that by definition, Class I Restaurants are subject to the requirement that at least 50% of their gross revenue is from the sale of food and 50% of their floor area is used for seating. Staff reported that this establishment received a Special Use Permit in 1995 and are now looking to expand the SUP. Staff shared the site plan and proposed elevation drawings submitted by the applicant, explaining that the proposed addition will be at the north end of the east side. Along with the proposed addition, the applicant is proposing to upgrade the facade of the existing building. Staff stated that the applicant has provided documentation on the percentages of revenue from the sale of food.

Staff reported that the applicant has indicated the addition would be for additional banquet and dining facilities and will feature additional menu items. The applicant has indicated they are expecting a slight increase in food sales as a result of the addition.

Staff stated that the proposed addition meets the standards of the Zoning Ordinance for setbacks and parking. There are no changes indicated in regards to the dumpster location, signs or lighting and the sidewalks are already in place. Staff stated that comments have been received from the Departments of Public Works and Public Safety and include standard requirements in regards to grease traps, storm water management, posting of property address and Knox box, etc.

Staff concluded that the proposed request meets the requirements of the Zoning Ordinance, and is therefore being recommended for approval.

Jim Holton, applicant addressed the Board. Mr. Holton stated that he is looking to create a different ambiance, with a more upscale atmosphere with the proposed addition, which will include white tablecloths, different food items, a cathedral ceiling, fireplace, better lighting, carpeting, etc. Reservations will be required for diners. He further stated that the menu would be different from the main restaurant, offering more fresh food, seasonal items and will possibly have a different chef specifically for this restaurant.

Mr. Holton stated he is aware that grease traps will need to be changed out and will work with DPW on that. He also stated that storm water runs into the river and adjoining wetlands and they are not using any municipal services. He is looking to start the project in the spring.

Commissioner Lux questioned how Class I Restaurants can determine that they are meeting the 50% food sale requirement. Mr. Holton indicated it is evident from his financials and tax returns. In addition, invoices for food and alcohol sales can be reviewed. He further stated that he is operating at greater than 70% food sales. He stated he is closing at 10:00 p.m. so he is not in the bar crowd business and he stated he doesn't want to be in that business; he is in the food business.

Chairman Orlik asked how many he intends to seat in the addition. Mr. Holton stated it would seat 48, possibly more if the entire area is being rented –the Fire Department will set the maximum occupancy when they do their walk-through.

Chairman Orlik asked if the facility would be rented out to private parties and if that would change the hours of operation. Mr. Holton stated that he has already had some inquiries regarding private parties. He further stated that they usually are open until 11:00 p.m. but the posted hour is 10:00 p.m. He further stated that they have had special events in the restaurant itself and their main goal is midnight to get people out the door. He stated they would probably try to maintain that as well.

Commissioner Kostrzewa asked if the room would be referred to under a separate name and if so, could he share that. Mr. Holton stated that it would have a distinctive name, and right now it is being referred to as the Conductor's Room, however, that is not a sure thing at this time and he may even consider holding a contest to name the room. He added that the entrance would remain the same.

Commissioner Kostrzewa questioned what his gross profit was on food sales. Mr. Holton stated it was close to 36%.

Commissioner Rautanen commended Mr. Holton for his proposed project, stating that it is a positive thing that he is in a position to expand and feels it is a wonderful addition to the downtown.

Mr. Holton stated he is looking for something to keep his establishment fresh and alive and appealing to different generations.

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

Board Discussion:

Commissioner Rautanen asked staff to clarify if the parking meets requirements and what the required ratio is. Staff stated that it is 1 space for every 65 square feet of usable floor area. He further stated that the applicant exceeds that and in the event of overflow, there is a city lot located just across the street.

Motion by Rautanen, support by Holtgreive to approve the request for SUP-10-14 from Mountain Town Station for an expansion to the Class I restaurant at the property located at

506 W. Broadway St., based on the materials provided by the applicant and subject to the following conditions:

1. The applicant shall comply with the requirements of Section 154.066(D)(3)(a) of the Zoning Ordinance and the performance standards listed in Section 154.003 related to Class I restaurants.
2. The applicant shall comply with all previous conditions of approval related to the subject site.

Motion approved unanimously

- E. ZC-10-05 – 309 N. Main – Jean Prout.** A request to conditionally rezone the property from OS-1 to C-3 to allow the renovation and conversion of 309 N. Main to a “bed and bistro,” or what might commonly be referred to as an inn and restaurant.

Staff explained that the property is located on the west side of Main Street across from the Isabella County Courthouse. It is currently zoned OS-1 and is owned by the City of Mt. Pleasant Economic Development Corporation (EDC). The neighboring property at 315 N. Main is owned by the City’s Central Business District Tax Increment Finance Authority (CBD-TIFA). Both properties were purchased by the city in 2008 for possible development.

A Request for Proposals was sent out earlier this year, with no responses. A proposal has now been submitted by Jean Prout to purchase both properties on a land contract to convert 309 N. Main into a Bed and Bistro, with the upper two levels renovated for lodging and the first floor serving as a restaurant/bar open to the public. Both the EDC and CBD have approved Mrs. Prout’s proposal. Staff stated this is a unique proposal with uses that are common to downtowns. Staff initially expected to recommend a conditional rezoning to C-2; however the C-2 zoning district does not provide for inns, hotels or temporary lodging, therefore the applicant was advised to apply for a conditional rezoning to C-3.

Staff further commented that Mrs. Prout has indicated some long term plans for the neighboring properties, which she recently acquired and we may see some additional proposals in the future for this area. She is moving forward with the proposal for the subject property at this time, as she plans to move forward with the bed and bistro in the near future.

Staff referred the Board to the floor plans that were included in their packets, stating that the applicant plans to preserve the historic character of the building and plans to use vintage furnishings, etc.

Staff referred the Board to the proposal and conditions offered by the applicant, which would be tied to property and summarized them as follows:

- Commit to development of the site, as shown on the plans submitted with the request.

- Assure that the bed and bistro will be the only use authorized by the rezoning and that no additional buildings or structures will be built on site.
- Commits to upgrading the property to accommodate the use, including electrical, plumbing, kitchen, garden and safety improvements.

Staff stated that the work to finalize the land contract agreement is underway and reminded the Board that if the property is recommended for conditional rezoning by the Planning Commission and approved by the City Commission, the applicant would come back to the Planning Commission for Special Use Permit and Site Plan Approval. It was noted that there are some minor corrections that will be needed on the plans to meet ordinance requirements. Also, the applicant will need to provide a parking agreement to utilize nearby available parking for evening use by the proposed restaurant.

Staff stated this project is on a scale consistent with the Master Plan and the future use in the downtown.

Staff stated that DPW and DPS have listed standard conditions. DPS has indicated that sprinklers will be required. Staff is recommending approval.

Chairman Orlik commented that he feels the C-2 district should allow for these uses and would like the Planning Commission to look at modifying the ordinance at some time in the near future.

Chairman Orlik reminded the audience that unlike the previous cases, the Planning Commission will be making a recommendation to the City Commission, who will make the final decision.

Jean Prout, applicant, addressed the Board, stating she has been in the field of hospitality for more than 20 years. She has always wanted to do something like this and feels this is the perfect spot. She stated she would like to encourage people to come and stay downtown. Mrs. Prout shared pictures of the rooms in their current condition along with what she has planned for them. She stated there will be five rooms for overnight guests, eleven parking spaces and a kitchen addition.

Commissioner Kostrzewa asked what the plans were for the cement block garage that is on the site. Mrs. Prout stated the garage is actually very nice, with a drywall interior. She envisions outside picnics overlooking the river with possible storage of bikes, etc. She further stated that she has no intentions of putting vinyl siding on anything. She will refurbish with paint and trim will be replacing the windows.

Commissioner Kostrzewa asked if there was any historical significance to the building and also asked about parking. Mrs. Prout stated there was historical significance to the building and she plans to reestablish its charm. In regards to the parking, she has a letter from Isabella Bank, who has agreed to let her utilize their parking lot provided her patrons are out of the lot by 8:00 a.m. In addition, she is going to check with the County, as their lot is basically empty by 4:40 p.m. each evening. She does not expect her patrons before 5:30 and

there will be parking on site for her overnight guests.

Commissioner Kostrzewa asked if the property extended to the river. Mrs. Prout stated it does not. The property line ends approximately where the land falls away to the river.

Chairman Orlik opened the Public Hearing.

Peter Reale, 233 N. Main Street, spoke to the Board. Mr. Reale expressed some concern that there was a fire hydrant near his home at one time that has been removed and questioned whether there would be one installed. Mr. Reale also stated that he is not against the bed and breakfast proposal; however, he is strongly opposed to the serving of alcohol at this location. He referred to issues such as noise and control where alcohol is served, and also expressed some concern over parking.

Jim Holton, 506 W. Broadway, spoke in favor of the request. Mr. Holton stated he feels this would be a great addition to the downtown, and speaking to Mrs. Prout's character, stated she would control the liquor.

There being no one else who wished to speak, the Public Hearing was closed.

Chairman Orlik asked staff if DPS would look at the use and determine the need for a fire hydrant if the request is approved. Staff stated they would. Chairman Orlik also stated that the SUP and SPR process would automatically trigger a review of the parking situation.

Commissioner Kostrzewa questioned whether there were any plans to raze any of the buildings. Staff stated that there are no plans to raze any buildings at this time.

Commissioner Kostrzewa questioned future plans for the properties to the north and south. Staff stated that there are no plans at this time for these houses, which are currently both licensed as single-family rentals – each with two units. He further stated that there will be parking constructed and expanded with asphalt at 315 N. Main to accommodate overnight guests.

Chairman Orlik commented that this, along with the previous request, is exactly the kinds of projects we are looking for. He noted that this type of use should be permitted in the downtown, and asked that staff prepare a recommendation to amend the ordinance for lodging in the future.

Commissioner Lux spoke to Mr. Reale's concern, stating that the review from DPS not only requires sprinklers, but also states that a fire hydrant will be required within 150 ft. of the site.

Commissioner Kostrzewa asked what the maximum occupancy would be in the proposed restaurant. Mrs. Prout stated it would be 48.

Commissioner Kostrzewa stated he feels this is a creative and innovative project.

Motion by Kostrzewa, support by Rautanen to recommend that the City Commission approve conditional rezoning ZC-10-05 from Jean M. Prout for the property located at 309 N. Main from OS-1, Office Service to C-3 General Business, in accordance with the Conditional Rezoning Agreement offered by the applicant. Approval of the Conditional Rezoning is recommended on the following basis:

1. The applicant has proposed a development that includes a building and site design that is consistent with the intended character of downtown.
2. The planned bed and bistro use is compatible with the intended uses in the downtown.
3. The use and development of the property advances the goals and objectives of the Master Plan, which calls for this area to be utilized as a part of the Central Business District.

Motion approved unanimously.

VI. Public Comments

Chairman Orlik opened the Public Comments portion of the meeting, stating that this would be the last opportunity for audience members to speak, other than applicants.

Peter Reale, 233 N. Main, spoke to the Board stating he wanted to be clear that he was not speaking against Mrs. Prout. He reiterated that he is against the use of alcohol.

There being no one else who wished to address the Board, Public Comments was closed.

VII. Site Plan Reviews

- A. Case SPR-10-22-1029 S. Main** – Site Plan review to construct a 2-unit rooming dwelling for up to 8 occupants.

Motion by Rautanen, support by Lux to approve SPR-10-22 to construct a rooming dwelling at 1029 S. Main Street based on the site plan and elevation drawings provided with the request with the following conditions:

1. The applicant complies with the requirements of the Zoning Board of Appeals.
2. The applicant shall provide for the screening of any outdoor trash containers prior to occupancy.
3. The applicant shall comply with the requirements of the Division of Public Safety (DPS) and the Division of Public Works (DPW).

Motion approved.

- B. Case SPR-10-23 1001 S. Main** – Site Plan review to construct RSO rooming dwelling for up to 12 occupants.

Chairman Orlik addressed the applicant, commenting on the positive kind of developments he has brought to the Commission, stating we have seen some pretty poor buildings go away and some nice developments in their place. Chairman Orlik further commented that he hopes the developers will continue to bring new designs to the Board as they would like to see variation.

Mr. Olivieri stated that he has four different facades for the same building plan to avoid the cookie cutter appearance.

Commissioner Kostrzewa commented that he is excited to see more of Mr. Olivieri's work.

Motion by Robinette, support by Rautanen to approve SPR-10-23 to construct a Registered Student Organization dwelling at 1001 S. Main Street based on the site plan and elevation drawings provided with the request with the following conditions:

1. The applicant complies with the requirements of the Zoning Board of Appeals.
2. The applicant shall provide for the screening of any outdoor trash containers prior to occupancy.
3. The applicant shall file all necessary paperwork to combine the subject parcels prior to occupancy of the proposed structure.
4. The applicant shall comply with the requirements of the Division of Public Safety (DPS) and the Division of Public Works (DPW).

Motion approved unanimously.

- C. SPR-10-24 – 506 W. Broadway.** Site Plan Review to construct a 2,135 square foot banquet and dining addition to the existing Class I Restaurant.

Motion by Lux, support by Rautanen to approve SPR-10-24 to construct an addition to the Mountain Town Station Class I restaurant located at 506 W. Broadway based on the site plan and elevation drawings provided with the request 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).

Motion approved unanimously.

VIII. New Business:

Chairman Orlik commented that during the November work session, the Planning Commission indicated they are very serious about the conditions that are placed on approvals and they expect applicants to adhere to these conditions.

IX. Other

A. January Planning Commission Meeting: Staff reported that the deadline for the January meeting is December 13.

X. Adjournment.

Motion by Kostrzewa, support by Robinette to adjourn. Motion passed unanimously.

Meeting adjourned 8:14 p.m.

bam