

**Mt. Pleasant Planning Commission  
Minutes of Regular Meeting  
July 1, 2010**

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

Present: Brockman, Holtgreive, Lux, Orlik (Chair), Rautanen, Robinette

Absent: Kostrzewa, Smith (Vice-Chair), with one vacancy.

Staff: Gray, Murphy.

**II.** Approval of Agenda:

Motion by Rautanen, support by Brockman to approve the agenda. Motion approved.

**III.** Approval of Minutes

A. June 3, 2010 regular meeting.

Motion by Brockman, support by Holtgreive to approve the minutes from the June 3, 2010 regular meeting as written.

Motion approved.

B. June 3, 2010 Work Session.

Motion by Brockman, support by Rautanen to approve the minutes from the June 3, 2010 work session as written.

Motion approved.

**IV.** Zoning Board of Appeals Report.

Commissioner Brockman reported that the ZBA heard three cases at their June meeting.

1) The first case involved a request for a sign variance for MC Sports, which was approved by the ZBA. The applicant was requesting a variance to allow a sign exceeding the 100' cap for stores within a shopping center. The Board granted the request based on the fact that the applicant was keeping within the 1ft<sup>2</sup> per 1 foot of building frontage ratio and they felt that this location was somewhat unique based on the amount of store frontage, as there are very few stores within a shopping center that exceed 100' of store frontage.

2) The second case heard was a request to allow a second driveway access onto Fancher Street within the first 100 foot of lot frontage for the new warehouse going up at 1280 N. Fancher. The ZBA granted the request based on the fact that the second driveway would be used as a service drive only and also took into consideration the small lot sizes on the North end.

3) The third case heard was a request for a setback variance for an addition to be built on an existing residential structure. The addition will be used to extend the kitchen and carport and will not extend into the setback any more than the existing structure, but will maintain the existing line. The Board considered the lot size as a factor in making their determination.

**V. Public Hearings:** None Scheduled.

**VI. Public Comments:**

Chairman Orlik opened the floor for public comments. There being no one who wished to address the Board, the public comments session was closed.

**VII. Site Plan Reviews:**

- A. SPR-10-11– 1029 S. Douglas -** Site Plan Review for expanding the parking area and adding two additional parking spaces. Staff reported that the site currently is licensed for 17 occupants with a total of 16 parking spaces. The site is currently non-conforming as it does not meet the current ordinance requirements of a 1:1 parking ratio. Adding the additional two spaces would bring the site into compliance in regards to parking. Staff reported the two additional parking spaces would be located off the alley, with the size complying with ordinance requirements. Staff further commented that the applicant is willing to provide landscaping along the front of the property and also along the south property line. Staff referred to the landscaping plan that the applicant brought to the meeting. Staff stated there is currently a dumpster on site and noted that the site has been the target of illegal dumping in past years. The applicant has indicated they would look into the possibility of eliminating the dumpster and possibly using trash carts as a way to help solve this issue. Staff reported that the proposal complies with the minimum requirements of the Zoning Ordinance.

Laura Harter, representing the applicant for the case, addressed the Board. Ms. Harter stated they have a meeting set up with the waste hauler to address the trash issues referred to by staff.

Chairman Orlik asked if the space designed for the compact car would remain on site. Ms. Harter indicated it would.

Commissioner Robinette asked for specifications on the proposed landscaping. Ms. Harter stated they would be adding some mulch, boxwoods, a burning bush, ground cover, etc. She also indicated that they would be adding some arborvitaes along the parking area as a living shield for the two additional parking spaces.

Chairman Orlik indicated that with the landscape plan submitted so late, he would like to see a

clause that the proposed landscape be acceptable to the Planning Director.

Motion by Robinette, support by Rautanen, to approve SPR-10-11 for the property located at 1029 S. Douglas, based on the site plan dated May 17, 2010 and prepared by Mears Engineering, for William F. Marshall, with the following conditions:

1. The applicant shall provide a landscaping plan acceptable to the city staff prior to commencing with construction.
2. The applicant shall provide a plan to address illegal dumping on the site to staff prior to commencing with construction.
3. The applicant shall comply with the requirements of the Division of Public Safety (DPS) and the Division of Public Works (DPW), including storm water management.

Commissioner Lux asked if staff would be telling the applicant what types of plants to use in the landscaping and where the landscaping should be placed. Gray stated that staff would not be designing the landscape plan, but would review the plan designed and submitted by the applicant.

Motion approved unanimously.

- B. SPR-10-12 – 1280 N Fancher.** Chairman Orlik referred the Board to the updated information provided by staff following new information submitted by the applicant earlier in the day. Staff reported that the site recently received approval from the ZBA, allowing a second driveway. Staff reminded the board that this site was approved by the Planning Commission in May for the proposed warehouse. The proposed tenant has asked for some modifications to the site plan to accommodate their needs, therefore this request is back before the Board. Staff outlined the changes to the plan, including the addition of an overhead door and driveway facing Fancher Street; the addition of a self-contained cleaning station on the north side of the building; the addition of 3 maple trees along the south property line; and a reconfiguration of the parking area. Staff further commented that the applicant has included some stone and vinyl shake siding to help dress up the building. The plan calls for a phased construction, with the back 2,400 square feet of the proposed 8,400 square foot building to be built at a later time. Staff commented that with the cleaning station having outdoor exposure, the applicant has been asked to provide some screening. They are currently working with the tenant to determine needed clearances.

Wally Link, applicant, addressed the Board. Mr. Link reported that the tenant is in the business of servicing water pumps for the oil industry. He addressed the screening issue, stating they are not sure yet how they are going to screen the cleaning station, but will do what they need to do.

He stated they would like to keep the screening as close to the tanks as possible without hindering operations. He further reported that there will be no drains in the cleaning station – the system is self-contained with the waste put into a storage tank and hauled away. Chairman Orlik questioned whether the cleaning station was the property of the owner or the company. Mr. Link stated it was the tenant's station and if they moved out, the cleaning station/tanks

would go with them.

Commissioner Rautanen asked if there were chemicals used in the process. Mr. Link stated there were no chemicals – the process uses steam and hot water to clean. They are cleaning mainly mud, sand and dirt, with possibly some paraffin.

Motion by Lux, support by Rautanen to approve SPR-10-12 for the property located at 1280 N. Fancher, based on the site plan dated May 12, 2010 and elevations dated May 27, 2010 prepared by Dennis Maloney, architect, for Wally Link, with the following conditions:

1. All conditions related to the original Site Plan Review (SPR-10-08) remain in effect.
2. The applicant shall comply with the requirements of DPS and DPW, including requirements related to the installation of the self-contained cleaning station.
3. Construction of phase 2 of the project may proceed provided that the Site Plan Review remains current. Construction after one year from the date of this approval will require the applicant to seek an extension of this approval or a new site plan approval.

Motion by Holtgreive, support by Brockman to amend the motion to include the following condition:

4. The applicant shall submit a revised plan to the Community Development Department that screens views of the self contained cleaning station when not in use prior to occupancy of the building, along with a financial guarantee to assure its completion.

Motion to amend the original motion carried.

Motion to approve SPR-10-12 with stated conditions 1-4 approved unanimously.

- C. SPR-10-13 – 2000 S Mission.** Site Plan request to allow an expansion of the outdoor dining patio in front of O’Kelly’s. Staff explained that the applicant is requesting approval to increase the current patio of about 1,900 square feet to over 2,900 square feet. The use is a permitted accessory use in the C-3 zoning district. Staff noted that DPW has indicated there is a utility easement and a sanitary sewer in close proximity to the proposed patio. Staff further noted that the surface placement of the patio would be allowed with an agreement, which would be drafted to state that any restoration/replacement costs incurred due to necessary excavating to repair the sanitary sewer would be the responsibility of the owner. The applicant has agreed to enter into such an agreement. Staff also noted that it was also the applicant’s responsibility to coordinate the patio installation with other utilities that may be located within the easement. Staff stated that the proposed patio advances the outdoor amenities that the Planning Commission has encouraged through the Redevelopment Overlay Zone for Mission Street.

Commissioner Robinette questioned whether the agreements would be in place prior to the commencement of the construction. Staff indicated they would be.

John Hunter, applicant for the case, addressed the Board. Mr. Hunter stated they wish to expand the patio to benefit their food business and to gain a Mission Street presence. He stated

he feels the plan fits with the City's plan for Mission Street. He indicated they wish to put in some decorative stone, along with decorative fencing to enhance the appearance. They wish to extend the patio around the north side of the building for overflow during larger gatherings.

Chairman Orlik asked if there would be an entrance to the patio from Mission Street. Mr. Hunter indicated the entrance would remain in the back with fire gates available from the patio. He further stated that the existing patio is 80% covered and they wish to extend the patio for those who wish to enjoy the weather.

Commissioner Lux asked if it would be possible to have an entrance in the front. Mr. Hunter indicated they did not wish to do so right now as it would be difficult to monitor two entrances.

Commissioner Lux expressed concern with the proximity to Dr. Osbeck's drive. Mr. Hunter did not believe this would pose any problems, and further stated Dr. Osbeck has an easement for the drive, and stated they may be able to "jog" the proposed patio if needed.

Brief discussion ensued regarding the proximity of Dr. Osbeck's drive to the proposed patio and whether they had been notified of the proposal. Staff stated that notices do not go out for Site Plan Reviews and that the project meets the requirements of the ordinance and easement issues are a private issue between the involved parties.

Motion by Robinette, support by Lux to approve SPR-10-13 to allow the installation of an outdoor patio at the property located at 2000 S. Mission Street, based on the drawings submitted with the request, with the following condition:

1. The applicant shall comply with the requirements of the Division of Public Works (DPW) and the Division of Public Safety (DPS).
2. The applicant shall enter into an agreement with the City regarding the placement of the patio within the utility easement and in close proximity to the City's sanitary sewer prior to construction of the patio. The agreement shall be in a form acceptable to the City Attorney.

Motion approved unanimously.

- D. SPR-10-14 – 1705-1720 S. Mission** - request for final Site Plan review for 5,000 square foot retail building with drive-through. Staff reminded the Board that the applicant was granted conceptual site plan approval under the Mission Redevelopment Overlay Zone in February, based on the upgraded materials and site appearance. Staff reported that the site layout is the same as what was approved, with the landscaping focused on the public side of the development, to include a green buffer with decorative fencing, including shrubs and trees. Staff further reported that the applicant has indicated they would dress up the existing sign with some brick on the piers, similar to what is proposed for the building. The building itself will be a mix of glass and brick, with some changes in building height, awnings, etc.

Commissioner Robinette asked why the north entrance into the parking lot was significantly

smaller than the south. Staff explained that the south entrance is the existing entrance. The north entrance is being designed to line up with the cross connector road that is being pursued by the city to run through the Gordon Food Services parking lot. MDOT has indicated that there is sufficient distance between signals on Mission to entertain the idea of a signal at this entrance. With a signal, there wouldn't be a need for a wider entrance.

Chairman Orlik asked for clarification on the location of the water main. Staff stated that there is a hydrant at the end of the main and since the main was not located on the site plan, it is unclear if this will be an issue or not. If so, the applicant may either need to relocate the main or shift the building. Staff further stated this would be the applicant's responsibility.

Brandon LaBelle, representing Lacozy LLC, addressed the Board.

Chairman Orlik questioned Mr. LaBelle on why staff just received the landscape plans. Mr. LaBelle stated there was a miscommunication between himself and his architect and the landscape elements were left out of the site plan that had been initially submitted.

Board Discussion:

Mr. Robinette stated he feels this will add some life to the area and approved of the appearance.

Motion by Lux, support by Brockman to approve SPR-10-14 from Lacozy, LLC and grant final plan approval for Special Use Permit 10-01 to allow construction of a 5,000 square foot retail building on the property located at 1705-1721 S. Mission Street under the Mission Redevelopment Overlay Zone. Approval is subject to the following conditions:

1. The applicant shall comply with all conditions and requirements associated with the conceptual approval of Special Use Permit 10-01.
2. Approval is based on the materials submitted by the applicant with the request, including the elevation drawings prepared on June 7, 2010 by Case Architecture; the site plan prepared by CMS&D (job no. 0802-031), last revised on January 15, 2010; and the landscape plan prepared by Case Architecture, Inc. for Lacozy LLC (project number 10-148-10).
3. Details on the proposed decorative fencing shall meet the requirements of the Mission-Pickard DDA.
4. The applicant shall comply with the requirements of DPW, DPS and MDOT.

Commissioner Holtgreive stated that given the lateness of the submittal of the landscape plan, he would like to amend the motion to include the following condition:

5. Final placement and type of landscape materials shall be subject to approval by the Community Development Director/Planning Commission Secretary.

Motion supported by Commissioner Robinette. Chairman Orlik agreed.

Commissioner Lux stated she is happy with what the applicant has submitted and feels we are not giving the developer enough freedom to choose the type of landscaping he prefers and indicated that based on the requirements we have set, the lateness of the submission was not entirely the fault of the developer.

Commissioner Brockman questioned whether the landscaping had already been approved by the staff. Staff indicated that this was the Planning Commission's decision, and although he stated he appreciates that things may look minor, this is the first development to be approved under the Mission Redevelopment Overlay Zone and we want to get it right.

Chairman Orlik called the vote on the amendment to the motion. Motion passed to include condition #5.

Chairman Orlik called the vote on the approval of SPR-10-14 with stated conditions. Motion approved unanimously.

#### **VIII. New Business:**

Commissioner Brockman reported that the ZBA had asked the Planning Commission to entertain looking at the Sign Ordinance, in particular the 100 ft. cap on building signs in shopping centers. Chairman Orlik asked if the request was for the Planning Commission to look at the ordinance this year. Commissioner Brockman stated they did not expect it to happen this year, but asked that this be put on the list of things to consider, along with the density issue, and setbacks in the North End Industrial zones.

#### **IX. Other**

**A. Proposed Amendments to the OS-1 and OS-2 Zoning Districts:** Chairman Orlik introduced discussion on the proposed amendment to the OS-1 and OS-2 zoning districts, and asked staff to give a report.

Gray stated that following last month's discussion the consensus of the Planning Commission was to amend the ordinance under the Special Use Permit option, which would allow all single family uses and multi-family uses that require a Special Use Permit to also require a SUP in the OS-1 and OS-2 districts. Uses allowed by right in these districts would continue to be allowed by right in the OS districts as well. Although not specifically discussed at last month's meeting, staff included the OS-2 district, which is also used as a transition between residential and commercial uses.

Chairman Orlik stated he feels the proposed language provided by staff is in line with what the Planning Commission requested and indicated he would endorse a motion to set a Public Hearing for August.

Motion by Brockman, support by Holtgreive to set a public hearing for August 5, 2010 on the

proposed ordinance amendment.

Motion approved unanimously.

- B. August Planning Commission Meeting:** Staff stated no cases have been submitted at this time; however the deadline is not until July 12.
- C. Staff Report: Master Plan:** Staff stated that the Master Plan was adopted in 2006. State law requires the plan to be reviewed every five years. The review can be a simple endorsement of the existing plan, or the Commission can take this opportunity to address additional issues. Staff stated that he feels that although the Master Plan is still relatively new and good, there are some things that could be updated/added, such as: New demographic data; Mission Street Overlay, Perpendicular/grid streets, Access Management plan, Neighborhood Module, etc.

Chairman Orlik asked if there were any plans for Pickard Street. Staff stated it would make sense to include Pickard as the Access Management Plan addresses both Mission and Pickard.

Discussion included a proposed time frame for the review. Staff indicated the process would likely take at least 6 months to assure all state requirements are met. Board consensus was to include update of the Master Plan in their 2011 Goals.

**X. Adjournment**

Motion by Brockman, support by Holtgreive to adjourn. Motion passed unanimously.

Meeting adjourned 8:08 p.m.

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