

**Mt. Pleasant Planning Commission
Minutes of Regular Meeting
November 6, 2014**

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

Present: Friedrich, Hoenig, Holtgreive, Kostrzewa (arrived late), Lents, Ranzenberger, Verleger.

Absent: Cotter, Dailey.

Staff: Bean, Mrdeza, Murphy.

II. Approval of Agenda:

Motion by Hoenig, support by Lents to approve agenda.

Motion approved.

III. Minutes:

A. October 2, 2014 Regular meeting.

Motion by Lents, support by Verleger to approve minutes.

Motion approved.

B. October 21, 2014 Special meeting.

Commissioner Friedrich noted that he was listed as in attendance at the meeting; however, he was absent.

Motion by Hoenig, support by Verleger to accept minutes with noted change in attendance.

Motion approved.

IV. Zoning Board of Appeals Report:

Commissioner Lents reported that the Zoning Board of Appeals heard four cases in October. The Mt. Pleasant Community Church at 1400 W. Broomfield was granted a variance to allow additional signage. The Board approved the request based on the distance that the church sits from the street along with the increased speed limits along that stretch of Broomfield.

The ZBA also granted a variance to 2127 S. Mission to allow additional ground signage. The Board noted that the city is encouraging the use of ground signs, although the Ordinance restricts the area of this type of signage. The ZBA granted the variance and also suggested the Planning Commission may want to take a look at the sign ordinance.

Commissioner Lents reported that a variance was also granted to allow Q-Sage at 2150 JBS Trail to continue using a wood dumpster enclosure in lieu of masonry, as the site is in a heavy industrial area and not visible from public streets.

The fourth case heard by the ZBA was for a setback variance for 619 Lincoln. Commissioner Lents reported that the applicant wishes to build onto an existing garage that sits on the property line along the alley. The existing garage also encroaches into the 6' required distance between buildings. He wishes to add an additional 6 ft. to make the garage large enough for his vehicle. The Board approved the request with the stipulation that the property where the addition is to be placed be surveyed to ascertain without a doubt that it will not be encroaching on the public Right-of-Way, an approved firewall is installed along the side of the garage that is near the house, and the applicant resides the entire structure.

V. Public Hearings:

A. Master Plan Update.

Chairman Holtgreive opened the public hearing.

Lynn Simons, 304 E. High; Susan Horgan, 1010 S. Kinney; Ella Reagan, 1016 S. Kinney; Tim Finegan, 1316 Watson; William Kelley, 1330 Watson; Jeanne Reese, 1416 Ridge; and Lara Raisanen, 507 S. University spoke in regards to the proposed language under the Neighborhood Goals section of the Master Plan, in particular the wording under General Goals for Neighborhoods A which originally read *"Ensure that an appropriate mix of residential uses in available in the city by increasing the opportunities for owner-occupied housing while discouraging conversions and expansions of non-family rentals"* to *"Continuing appropriate upgrades of non-family residential rentals in the M-2 zoning district"*; and under Strategies that was changed from *"promote conversions to owner occupied and discourage further conversions of single family homes to multiple family"* to *"allow the appropriate conversion and upgrading of non-family rentals in the M-2 zoning district"*.

Individuals expressed the desire to protect owner-occupied residential neighborhoods; concerns that the proposed new language is not a family-friendly proposal; concerns about what is considered "appropriate"; an increase in noise, garbage and parties that typically occur in high-density neighborhoods; concern over a lack of enforcement in areas with rentals; concern there isn't a consideration of the wishes of long-term residents of the city; and, concerns the M-2 district might encroach into single-family residential neighborhoods.

It was also noted that the City Commission is an elected body and by extension, the ZBA and PC are as well: the Master Plan is an expression of the desires of the community and the proposed changes are confusing, and the wording clearly matters to people. It was noted that the Commissions have heard the concerns of the citizens and need to listen to their input.

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

In addition to the public comments, letters voicing similar concerns were received by Edward Clayton and Jessica Jernigan, 302 E. High; Lori Rogers, 205 S. Kinney; Peter Koper, 509 S. University; and Nancy Robinson, 1016 S. Kinney.

Board Discussion:

Chairman Holtgreive commented that the intent of the new language was apparently not articulated clearly and that the commission's intention with the proposed changes to the Master Plan are to protect family neighborhoods. The language that speaks of "appropriate conversions" is referring to areas in the M-2 zoning district, not in the other residential districts. Chairman Holtgreive noted that the Commission's goals are the same as what is being expressed by the citizens and he asked Bean to help explain the proposed changes.

Bean explained that the edit to Goal A under Neighborhood Goals was to help address the redevelopment that is occurring in the M-2 areas south of High Street and was modified based on the input in 2013 with the intent of highlighting the continued importance of owner occupied housing in the City. He commented that the proposed draft that was submitted for review in September was apparently confusing and since then the draft has been re-worded. Bean reported that the Planning Commission had a public hearing in June at which time they recommended approval of the Master Plan to the City Commission. The City Commission subsequently rejected the plan based on concern over the sections noted above, and sent it back to the City Commission for further review.

Bean commented that the intent of the resulting amended language to the goal was to acknowledge the six residential zoning districts, while recognizing that rooming dwellings are only allowed in the M-2 zoning district.

Bean went through the three bullet points listed under General Goals for Neighborhoods, A, noting that the third bullet point explicitly refers to redevelopment processes in the M-2 area.

Commissioner Kostrzewa questioned whether the language was misinterpreted. Chairman Holtgreive stated that the Commission didn't articulate it clearly enough, noting again that the only place that we would be encouraging appropriate redevelopments is in areas already zoned M-2 that are currently non-family rooming dwellings.

Commissioner Kostrzewa noted that the word "appropriate" seems to be what is bothering people.

Bean commented that the conversion and upgrading of existing rooming dwellings begins at the ZBA level if addressing non-conformities, noting that if it isn't "appropriate" it doesn't even get past the ZBA level.

Commissioner Ranzenberger commented that this doesn't refer to the single family areas - just in the M-2 zoning district. He further commented that the City doesn't have the power to "chain a person to their home" and not allow them to sell. He further commented that homes in any of the residentially zoned areas can be single-family rentals (no more than two unrelated) with proper

licensing; however, if someone is renting to more than two unrelated in a single-family unit, they are breaking the law.

Commissioner Kostrzewa commented that he is interested in hearing from those who spoke during the public hearing to see whether the explanation given for the proposed language has changed their feelings.

Commissioner Lents commented that she thought part of the reason for the modified language was to keep the door open for future development on the Mt. Pleasant Center Property. She further commented she doesn't feel that the language supports that and therefore feels that based on the public input received, the language for the Neighborhood Goals portion of the Master Plan should revert back to the 2006 wording.

Chairman Holtgreive commented that the proposed language articulates the current policy and reflects what is currently being done for redevelopments in the M-2 zoning district. He further commented that the proposed language actually protects those in the R districts. He noted that he feels it is important that the Master Plan reflect what is currently taking place.

Bean also noted that the 2006 wording appears to be in contradiction to the M-2 Redevelopment procedures being used by both the ZBA and PC in the M-2 zoning district.

Commissioner Ranzenberger noted that he feels that removing old rundown, worn out rentals and upgrading them is making the M-2 area look much better and also agreed that the 2006 wording seems to discourage the upgrades.

Commissioner Hoenig commented that the M-2 policy is focused on the redevelopment of existing rentals, not the conversions or expansions of such.

Commissioner Ranzenberger noted that it seems the public concerns are that the M-2 district will expand. Chairman Holtgreive noted that it can't unless it is re-zoned and the Master Plan doesn't change the zoning, noting he feels that is part of the confusion.

Chairman Holtgreive closed the Board Discussion and opened the floor for Public comments.

VI. Public Comments:

Lynn Simons, 304 E. High, addressed the Board stating she was neither confused nor has she been appeased, noting a request to rezone a property on E. Gaylord a few years ago that the Planning Commission recommended be approved. The City Commission rejected the re-zoning request, but she commented that there is nothing stopping the Planning Commission from doing this in the future. She stated she does not trust a Board that comes and goes to keep her neighborhood residential.

Lara Raisanen, 507 S. University, commented that as a member of the ZBA she has the responsibility of deciding what is an "appropriate" conversion, noting that what may be appropriate to one person may not be to others and that it is a very subjective word. She noted

the concern of the neighborhoods that they want to be protected from being re-zoned and feels that the word "discourage" gives a totally different message than encouraging "appropriate" conversions.

Sue Horgan, 1010 S. Kinney, also commented that she was not confused, but is offended and frustrated that house after house is allowed to be over-occupied. She also noted she was offended by City Commissioner Kulick's suggestion that the language will help developers and commissioners but doesn't speak to assuring citizens that they are not going to have their zoning changed. She cited Code Enforcement not doing their job to address the over-occupancies.

Ella Reagan, 1016 S. Kinney, noted that the wording is very important and that expansions and conversions are much different than upgrading existing and suggested the Board work on the language.

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

Commissioner Kostrzewa questioned whether a special meeting to discuss the wording would be helpful.

Motion by Lents, support by Hoenig to revise the Master Plan and revert to the 2006 wording under General Goals for Neighborhoods and send it back to the City Commission.

Roll Call Vote:

Ayes: Friedrich, Hoenig, Kostrzewa, Lents, Ranzenberger, Verleger. Nays: Holtgreive.
Motion passed 6:1.

VII. Site Plan Reviews:

A. SPR-14-19 - 617 W. Pickard. Site Plan review for a 32' x 34' addition to existing building.

Chairman Holtgreive commented that he doesn't feel that there was sufficient information submitted by the applicant to proceed with the case.

Commissioner Lents agreed that there are several pieces of information missing.

Motion by Lents, support by Kostrzewa to postpone Case SPR-14-19 until the additional information is submitted by the applicant.

Motion Carried.

VIII. Unfinished Business:

A. Sidewalk Construction Prioritization Policy:

Bean reviewed the draft changes to the Proposed Sidewalk Construction Prioritization Policy based on last month's discussion, noting the inclusion on page four which refers to the Non-motorized Transportation Plan and the Complete Streets section on the City's Master Plan.

Bean shared a map from the Non-Motorized Plan showing the primary corridors. Board discussed how the plan relates to the priorities outlined in the Sidewalk policy and how the two plans overlap. Further discussion took place on what is meant by "complete streets".

Based on the discussion, Bean stated he would have something drafted up for the Board to look at during their December meeting.

IX. New Business:

None.

X. Other:

A. December Planning Commission Meeting:

Bean noted that the following issues will be on the December agenda:

- 2015 Meeting Schedule
- Discussion on Community Improvement Awards
- Public Hearing for M-2 Codification
- Draft of Sidewalk Policy, integrating key points from the complete streets policy and non-motorized transportation plan.

XI. Adjournment:

Motion by Lents, support by Verleger to adjourn.

Motion carried.

Meeting adjourned at 8:30 p.m.

bam