

**Mt. Pleasant Planning Commission
Minutes of Regular Meeting
July 10, 2014**

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

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

Absent: None

Staff: Bean, Mrdeza.

II. Approval of Agenda:

Motion by Kostrzewa, support by Cotter to approve agenda.

Motion approved.

III. Approval of Minutes:

A. June 5, 2014 Regular Meeting

Motion by Kostrzewa, support by Dailey to approve minutes from the June 5, 2014 regular meeting as submitted.

Motion approved.

B. June 26, 2014 Work Session

Motion by Kostrzewa, support by Ranzenberger to approve the minutes from the June 26, 2014 Work Session as submitted.

Motion approved.

IV. Zoning Board of Appeals Report for June.

Commissioner Lents reported that the Zoning Board of Appeals heard two cases in June. The first case, submitted by Joe Olivieri, was a request for a finding on a non-conforming use at 911 S. Main to permit the construction of a two unit rooming dwelling for a total of nine occupants. The concerns brought forth by the ZBA included whether there would be a local management company as the owners are out-of-town. Mr. Olivieri reported that his company would be acting as the manager of the property, and it was further noted that the lease language would be the same as his. The ZBA also expressed some concern with the lack of trees/landscaping along with some aesthetic issues with the building, noting there were no windows for the back side of the building. The ZBA asked that the Planning Commission address some of those issues in their review when the case is brought before them.

The second case the ZBA considered was for 1707 W. Pickard. The applicant revised their original request and were only asking for relief from the maximum amount of impervious surface from 40% to 54%. The ZBA discussed concerns with drainage issues and water runoff, which the applicant will need to address prior to obtaining a building permit. In addition, the ZBA listened to concerns from a couple of neighbors regarding screening. The neighbors generally were in favor of the request, provided a fence be placed along the back of the property and the drainage issues were addressed.

Commissioner Lents reported that both cases were approved unanimously.

V. Public Hearings:

A. SUP-14-08 - 1707 W. Pickard.

Alan Bean, Interim City Planner, introduced case SUP-14-08, noting that his review would also include the site plan review (SPR-14-09) for the property located at 1707 W. Pickard. Bean reported that the site is located on the south side of Pickard Street on the west side of town. The property is zoned R-3, as are the properties to the east, west and south. The property to the north is the former Mt. Pleasant Center property, which is zoned Agricultural.

Bean provided some background on the request, noting that the applicant is proposing keeping the existing single-family home and building a new duplex on the east side of the property. Bean reported that the applicant received a variance from the Zoning Board of Appeals for relief from the 40% maximum impervious lot coverage to allow 54%. The approval was contingent on the applicant successfully addressing any drainage issues.

Bean shared photos of the existing single family dwelling, noting that the property is in need of repairs, which the applicant has committed to.

Bean reported that the properties both have drives off of Pickard Street, and referred to the revised site plan that was placed on the dais to show landscaping and fencing details.

Bean reported that the parcels have the required minimum lot width (65' and 67' respectively) and contain the minimum required lot area with the single family parcel containing 8,531 square feet and the two-family parcel containing 8,877 square feet. Bean further noted that all setback and parking requirements will be met; there are no new signs planned for the site; and the Access Management Plan does not apply to this particular case.

Bean noted that although the site plan does not include the existing or proposed sidewalks, there is currently a sidewalk that exists along Pickard Street, which will remain.

Bean referred to the comments provided by the Department of Public Works, as noted:

Engineering:

- Comply with storm water management requirements.
- Grading for storm water runoff from site/parking improvements shall not adversely affect adjacent properties.
- Comply with Isabella County SESC requirements.
- Sewer capacity charge will apply based on water meter size.
- Sidewalk through driveways must be minimum 6" thick.
- All broken sidewalk must be replaced.

Water Department:

- Water service must comply with Section 52.06; separate water taps and services or separate meters and key lock valves in a central, separate room accessible to City staff.

Wastewater Department:

- Each building must have its own sewer lead to the main.

In addition, Bean noted the comments provided by the Department of Public Safety, noting that the property will need to be licensed as a rental and comply with the requirements of the Mt. Pleasant housing code for new rental properties and the building identification numbers will need to be provided in accordance with Chapter 5, Sections 505.1 and 505.2 of the 2006 Edition of the International Fire Code.

Bean concluded his report noting a recommendation for approval for the Special Use Permit provided the applicant meet all site plan review requirements. In addition, it is recommended that the Site Plan be approved with conditions noted in the staff report.

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

Chairman Holtgreive opened the floor for public comments, noting this would be the final time that the public would be allowed to speak. There being no one who wished to speak, the public comments were closed.

Commissioner Dailey asked if we had received any correspondence regarding the case. Commissioner Lents noted that the Zoning Board of Appeals had received 2-3 letters and had also heard from a couple of neighbors during their public hearing. She noted that everyone was supportive of the project provided the concerns with drainage and screening were addressed.

Chairman Holtgreive called the applicant forward. Garrett Seybert, applicant, addressed the Board, noting he would be happy to answer any questions. Mr. Seybert also noted that he has been in contact with John Zang, Director of Public Works regarding storm drainage on the site and Mr. Zang has indicated he does not see any real issues.

Commissioner Dailey noted he felt it was somewhat unusual to request permission to construct a building in a single-family area that has no intent of being used as a single-family dwelling. Mr. Seybert noted that the property is almost adjacent to another duplex on Pickard Street.

Commissioner Kostrzewa asked if the applicant has identified a contractor yet. Mr. Seybert indicated it would likely go out for bid.

Commissioner Ranzenberger noted that the site seems to slope down and questioned whether there would any on-side retention. Mr. Seybert responded that in talking with the County Drain Commissioner and Mr. Zang, there is enough area if needed to have a retention area on site. He further noted however, that if they can, they will likely tie into the County drain that runs through the property.

Chairman Holtgreive asked if there would be a storm grate. Mr. Seybert noted he wasn't sure, he thought it would likely be tiled; however noted they would figure that out with the County Drain Commissioner and Mr. Zang.

Commissioner Dailey referred to a comment made that they thought they could prevent any pooling and questioned whether the applicant was going to wait and see before addressing the issue. Mr. Seybert assured Commissioner Dailey that if they were approved tonight they will begin working with the Drain Commissioner to address the issue prior to construction.

Commissioner Lents asked staff if the approval would be contingent on the storm water plan being approved prior to a building permit being issued. Bean noted that the approval is contingent on meeting DPW requirements, which includes storm drainage.

Board Discussion:

Commissioner Lents commented that she was not comfortable with the original request that came before the ZBA, which included two duplexes. She indicated she is still fairly uncomfortable with putting up more rentals properties as there are so many already in the City. She noted; however, that the applicant is gearing this particular site towards seniors rather than students and commented that there may be a market for this type of rental. Commissioner Lents further noted that the applicant revised their original request, which included several variances and reduced their request to only one variance to allow an increase in the impervious surface, which was easily passed by the ZBA. Commissioner Lents noted that she has lingering concerns with the proposed landscaping and fencing, noting she would like to see fences separating the back yards, commenting that the properties may be sold separately at some point in the future.

Motion by Verleger, support by Ranzenberger , that with the variances approved by the ZBA, it is recommended that the Planning Commission approve the request for SUP-14-08 from Garrett Seybert for the property located at 1707 West Pickard to allow a Special Use Permit for the continued use of Parcel 1 for a single family residential structure and the development of a new 2,124-sf two-family residential structure on Parcel 2, with the following conditions:

1. The applicant shall comply with all site plan review requirements.

Motion approved.

VII: Site Plan Reviews

A. SPR-14-09 1707 W. Pickard.

Commissioner Kostrzewa questioned whether the mature trees on the site would need to be removed. Mr. Seybert stated that most of the trees are towards the back of the lot, with one large pine in the front and they will make every effort to retain the trees - that they have no intentions of clearing the site.

Chairman Holtgreive asked Mr. Seybert to speak about Commissioner Lents' comments regarding the fencing.

Mr. Seybert stated that the only concerns he had heard from the neighbors was for a fence along the south property line. There is currently a six foot privacy fence that runs behind the single family home and they plan on extending it behind the duplex. They currently have no plans to put any fence between the properties and Mr. Seybert noted that he didn't hear any concerns regarding that from any of the neighbors. Mr. Seybert also noted that he plans on holding onto the house - there are no plans to sell.

Commissioner Lents asked the other Commissioners what their thoughts were on the fence. Consensus from the group indicated no concerns.

Motion by Ranzenberger, support by Kostrzewa that the Planning Commission should approve SPR-14-09 to allow for the continued use of Parcel 1 for a single family residential structure and the development of a new 2,124-sf two-family residential structure on Parcel 2, based on the site plan and elevation drawings provided by Lorenz Surveying & Engineering, Inc., with the following conditions:

1. The applicant shall display any existing and proposed sidewalks prior to seeking a building permit.
2. The conditions for approval provided by the ZBA in case ZBA-01-2014 at their meeting on June 25, 2014.
3. The applicant should work with city staff to seek appropriate landscaping and grading solutions along the rear property line of Parcel 2 to mitigate drainage patterns which could be potentially harmful to neighboring properties.

4. The applicant shall work with City staff to install a suitable landscaping screen on the south end of Parcel 2.
5. The applicant should work with city staff to negotiate appropriate landscape screening adjacent to proposed parking areas.
6. The applicant shall comply with the requirements of the Division of Public Safety (DPS) and the Division of Public Works (DPW).

Chairman Holtgreive asked that a 7th condition be added that the site plan that was received showing the minimum screening and fencing be part of the record.

Motion approved 8:1.

VIII. Unfinished Business:

A. Master Plan

Bean provided some background on the progress of the Master Plan Update, noting that the draft plan has went out for review to the surrounding jurisdictions and the Road Commission for the 63 day period, and the Public Hearing has taken place. Bean further noted that at this point the plan could be adopted, however, noted that with the number of comments received, a further refinement of the draft may be in order.

Bean reviewed the four areas that he has classified the comments into, noting that some are typos which can be easily corrected; some are minor content changes that should be easy to incorporate; however, he noted that some of the comments fall outside of the original scope of the Master Plan project and he will need input from the Commission on how to proceed, noting that some of these will increase the time involvement of the project.

Bean reviewed the summary of the comments received, highlighting several of them.

Under the Future Land Use map, Bean noted that the area of the Mt. Pleasant Center has been named the Mt. Pleasant Center, commenting that the explanation is clarified in the Goals section of the Master Plan. Bean asked the Commission if they feel this area should have a more "land use map name." It was noted that there are actually two areas, with some of the properties identified as Tribal. Commissioner Ranzenberger clarified that the Tribal property areas are actually Trust land, but still fall within the boundaries of the City of Mt. Pleasant.

Other areas for the Future Land Use map that Bean indicated he would like additional input on include the Future Study Area, currently zoned PRD; Mission Street to the west - from the C-3 to Residential areas - should there be a transitional area; Main Street north of High; Broomfield east of Mission; and Broadway west of City Hall.

Bean noted that if the Commission wishes to entertain changes to the Future Land Use map, we will need to dedicate a future work session to it. He noted that there are a lot of good ideas which came up late in the process; noting that there is an opportunity to make changes to the Future Land Use map, but cautioned the Commission that they may need to be mindful of the time and budget

Mrdeza also cautioned that the Commission should be mindful of what he referred to as "scope creep" noting that some of the comments refer to things that are outside of the original scope. He also noted the timeframe and budget and suggested that once the Master Plan is adopted the Commission could follow up on some of the items that fall outside of the scope, but are important.

Chairman Holtgreive commented that previous groups voted on what the study should entail and the Commission has an obligation to get this out to the public. He noted he is strongly opposed to dealing with the map at this step, noting that once the Master Plan is adopted, we can deal with the map. He suggested dealing with the piece that was funded under the original scope.

Chairman Holtgreive noted he did not feel it necessary to discuss the typos, noting those are easily addressed. Chairman Holtgreive asked if the minor content changes could be handled with Bean and staff working together. Bean indicated that they could.

Chairman Holtgreive commented that perhaps staff could identify which portions that fall outside of the scope would involve extra time and money and determine which could be accomplished with the remaining time and budget, questioning whether there were any issues the Commissioners felt passionate about.

Commissioner Lents noted that currently the Master Plan only refers to the Non-Motorized Transportation Plan as a reference guide and she strongly feels it should be adopted in its entirety.

Commissioner Ranzenberger commented that he feels the City should consider the effects of the Saginaw Chippewa Tribe vs. Granholm, in regards to City Code Enforcement issues, noting that this is a reality of the community.

Discussion ensued on whether the name Mt. Pleasant Center is suitable for the map.

Commissioner Lents stated she feels that although the local community is familiar with the property, she feels that the name should more clearly reflect the future use of the property. Bean suggested naming it "Redevelopment Opportunity", or something similar which would call it out as future development land, with Mt. Pleasant Center in parenthesis.

Commissioner Lents addressed Mrdeza, suggesting that when hiring a future Planner, one of their duties involve continuously looking at the Master Plan.

Chairman Holtgreive noted that once Bean puts the final refinements on the Master Plan, the Planning Commission will need to vote on it and asked if it would be prepared in time for the August meeting. Bean noted that the September meeting would be more feasible. He noted he would be able to get the information out to the Commission prior to the meeting so that they would be ready to make a recommendation to the City Commission at their September meeting.

IX. New Business:

Bean introduced a proposed text change for the Mission Redevelopment Overlay Zone, noting that the intent/purpose does not match up with the applicability language. The intent/purpose section states "The Mission Redevelopment Overlay Zone is intended to promote the redevelopment and rehabilitation of buildings and properties along and adjacent to Mission Street by allowing flexible and sensible zoning", where as the Applicability portion notes that "The standards of the Mission Redevelopment Overlay Zone shall be available as a development option on all properties having frontage along Mission Street between the southern border of the City and Pickard Street that are also located within the C-3 General Business zoning district".

Bean introduced proposed language that would allow the option to be available to the C-3 properties that have frontage along specified side streets which intersect Mission which are located no more than 660 ft. from the centerline of Mission.

Bean noted that the proposed text change would help match up the language. He further noted that the Planning Commission would need to discuss and if they would like to proceed with the proposed text change. If so, then a Public Hearing would need to be scheduled. He further noted that the proposed text change would have the effect of opening up some of the C-3 sites for redevelopment on the specified side streets.

Board Discussion:

Commissioner Lents stated that she has a hard time with the proposed text amendment, noting that she feels it may cause future problems by limiting the options to certain streets. She also noted that the 660 ft. number seems somewhat arbitrary. Commissioner Lents continued, noting that we have not had any requests yet for these areas.

Commissioner Friedrich commented that maybe it would be better to eliminate the language that includes adjacent properties and just include the ones with frontage.

Commissioner Lents commented that she likes the Overlay Zone and would be OK opening it up to all C-3 properties rather than arbitrarily pick streets.

Bean explained his rationale with the 660 ft. number, noting the varying depths of the C-3 zone along Mission Street. He further explained the rationale behind the selected side streets, noting they have more of a commercial and higher traffic nature and he was trying to be sensitive to neighborhoods.

Commissioner Dailey asked if the original intent was to allow for any C-3 properties along Mission Street to take advantage of the Overlay Zone.

Commissioner Hoenig suggested language that would include adjacent parcels that are zoned C-3 rather than identifying specific streets.

Bean noted that if we keep the language general, there are certain properties east of Mission on Broomfield that have a similar depth, but are separated by a street and questioned whether that would complicate things.

Chairman Holtgreive noted that the properties can redevelop under traditional zoning; however, if the Overlay District option is offered, we may get better development.

Bean noted that rather than an actual text change, we could define a boundary on the map. Commissioner Lents noted that she was not in favor of that and questioned why we are trying to fix something that isn't broken, as no requests have come forward. She suggested waiting until a request comes forward and then deal with it as a Board.

Commissioner Lents again noted she would be okay with applying the Overlay District to all C-3 zones, but noted there are different treatment options based on the location.

Commissioner Hoenig noted she would not have a problem applying the Overlay District to all C-3 zones.

Mrdeza noted that one of the goals of the original Overlay zone was to incent better developments and lower speeds along the Mission Corridor.

Chairman Holtgreive agreed, noting that Mission was the original target; however Pickard has always been considered as the next place to extend it to.

Commissioner Ranzenberger noted that he would like to see the Mission Overlay be applicable to all C-3 properties along Mission Street, but is not sure he is ready to include all C-3 zoned properties.

Commissioner Lents suggested tabling the discussion for now, wrap up the M-2 discussion and Master Plan and then re-visit and consider including all C-3 zoning with varying treatment options.

Commissioner Ranzenberger cautioned he would suggest looking very closely at this.

Mrdeza questioned whether in the meantime, if we have a request from a developer if we should bring the request to the commission or wait, noting that although the Commission has not seen any requests, staff has received inquiries in the office. Chairman Holtgreive stated that the Commission would be happy to review any requests.

Discussion took place on whether to postpone or table the discussion.

Motion by Dailey, support by Kostrzewa, to table discussion on the proposed text change.

Motion passed.

X. Other Business:

A. Vacation of Franklin Street

Bean referred to a request from a property owner that the City vacate a portion of Franklin Street, north of Pickard. The property owner has a potential sale pending on the property and found that there is an encroachment on the City right-of-way. Bean noted that to proceed, the City has to go through the Charter process and will be required to hold a Public Hearing before the City Commission.

Mrdeza apologized to the Commission for the lateness of the information they received regarding the proposed street vacation. Mrdeza noted that during the process of selling the property, the owner became aware that there was an encroachment into the City's Right-Of-Way. In an effort to accommodate their timeline, the request is being brought forward.

Mrdeza noted that the area in question is a 12' x 60' strip of land. The Department of Public Works has noted that there are no underground utility lines, no poles or wires, etc. that would create any problems. Mrdeza further noted that the building has likely been there for over 30 years and noted that the vacation would not affect the street. From staff perspective, there does not appear to be any issues with the vacation of the area. Mrdeza noted that the procedure is outlined in the City Charter and even though it does not involve the Planning Commission, it appears that the history has been to hold a public hearing before the Planning Commission, who then would make a recommendation to the City Commission. The City Commission is required to publish a resolution for four consecutive weeks and then hold a public hearing and take action on the request.

Mrdeza noted that speaking with the City Attorney, and discussing with staff, he isn't sure that two public hearings are necessary, however, wished to make sure the Planning Commission was aware of the request.

If the Planning Commission is comfortable with the request, they could make a recommendation to the City Commission to vacate the area for the purposes of providing a clear title to the property owners. The City Commission would then begin the process. If not comfortable with making a recommendation the Planning Commission can postpone to allow more time for consideration of the request.

Commissioner Kostrzewa commented that the area is pretty obscure and sees no reason to reject the request.

Commissioner Dailey stated he doesn't feel there is another option for the property owner.

Motion by Dailey, support by Kostrzewa. to recommend that the City Commission approve the vacation of a 12' x 69' piece of property located in the City's Right-of-Way at 1101 N. Franklin Street.

Motion approved.

XI. Adjournment:

Motion by Dailey, support by Kostrzewa to adjourn.

Motion approved.

Meeting adjourned 9:00 p.m.