

**Mt. Pleasant Planning Commission
Minutes of Regular Meeting
September 4, 2014**

I. Chairman Holtgreive called the meeting to order at 7:10 p.m.

Present: Cotter, Dailey, Friedrich, Hoenig, Holtgreive, Kostrzewa, Lents, Ranzenberger, Verleger.

Absent: None

Staff: Bean, Mrdeza.

II. Approval of Agenda:

Motion by Hoenig, support by Kostrzewa, to approve agenda.

Motion approved.

III. Approval of Minutes:

A. August 7, 2014 Regular Meeting

Motion by Verleger, support by Kostrzewa to approve minutes from the August 7, 2014 regular meeting as submitted.

Motion approved.

IV. Zoning Board of Appeals Report for July.

Commissioner Lents reported that the Zoning Board of Appeals heard two cases: one for 1400 N. Harris, which was a request to allow crushed concrete in lieu of hard surface parking for a new building on the site. The request was approved based on the nature of the proposed use of the building and the fact that it would not be accessed by the public. The second request was for a modification of a previous approval at 403 & 431 E. Bellows. The applicant was asking for a modification in the parking and screening requirements to allow a tree to remain on the site where two parking spaces had been approved. Lents noted that although the ZBA would've liked to see the tree remain, they had no authority to grant the request.

V. Public Hearings:

A. SUP-14-10 - 911 S. Main - Joseph Olivieri.

Bean introduced case SUP-14-10, noting that site plan review SPR-14-16 corresponds with this case and would be reviewed together.

Bean provided the background for the case noting that the applicant is requesting permission to demolish the existing rooming dwelling which currently is licensed for 8 occupants and replace it with a two-unit rooming dwelling with a total of nine occupants. (5 occupants in one unit, 4 in the other). The applicant is proposing 10 parking spaces. The case was approved by the Zoning Board of Appeals to reduce the land area per person from 900 square feet to 894.7 square feet, based on a finding that the redevelopment would markedly reduce the degree of nonconformance.

Bean shared the proposed site plan, noting that the duplex will face Main Street, with the parking off the back. There will be greenspace on both sides and in front of the unit, totaling approx. 32% of the lot.

The property is zoned M-2 and is surrounded by M-2 zoning and rooming dwellings.

Bean shared the proposed elevations, and noted that there are no new signs intended for the site. The proposal includes the use of trash carts rather than a dumpster; therefore, there is no need for a dumpster enclosure. In addition, Bean noted that the Access Management Rules do not apply in this area and in regards to the height, bulk and density, the site is in compliance.

Bean noted that the Zoning Ordinance requires a screening wall; however, the Planning Commission may waive or modify this requirement where it can be shown that no good purpose would be served. In this particular case, the applicant is asking for the waiver as it abuts like uses.

Bean reported that the parking would be hard surfaced and sidewalks will be installed on the site. If the applicant proposes new lighting for the site, they will need to submit a photometric grid overlay to show the lighting meets the requirements of the Ordinance.

Bean noted that the Department of Public Safety has indicated the need to secure a rental license for the proposed rooming dwelling. The Department of Public Works has requested storm water calculations to be submitted.

Bean concluded his report noting that the Special Use Request is being recommended for approval with listed conditions.

Commissioner Verleger asked Bean to point out on the map the area of the property.

Commissioner Dailey asked if the access to the site would be off the alley. Bean verified it would. Dailey asked for clarification on the density, noting that instead of 1 occupant for every 900 square feet, there would be 1 occupant for every 8.94 square feet.

Chairman Holtgreive noted that the applicant was not in attendance.

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

Board Discussion:

Commissioner Lents commented that the ZBA concerns with this request were centered around the number of code violations over the past few years. It was noted at the ZBA meeting that the owner was an out of town landlord; however, Mr. Olivieri indicated that he would be taking over the property management duties and that the property would be following the stricter lease agreements.

Commissioner Dailey noted that the staff report indicated that Mr. Olivieri was the owner. Bean clarified that the application provided the owner's name, and although Mr. Olivieri is listed as the owner on the staff report, that is incorrect.

Commissioner Kostrzewa questioned how many mature trees would be coming down with this request, noting that this is becoming an issue with him, again noting that he was disappointed in the Zoning Board of Appeals not finding a way to save the tree on 403/431 E. Bellows.

Commissioner Lents suggested postponing the case until the applicant could attend to answer questions.

Motion by Lents, support by Dailey, to postpone Case SUP-14-10 and SPR-14-16 to allow the applicant the opportunity to attend the PC meeting to answer questions about the site plan.

Roll Call vote: Yays: Dailey, Friedrich, Hoenig, Kostrzewa, Lents: Nays: Cotter, Ranzenberger, Holtgreive, Verleger.

Motion to postpone passed 5:4.

B. SUP-14-11 & SPR-14-17 - 821 E. Broadway - Graff Buick GMC Cadillac.

Bean introduced Case SUP-14-11, noting that site plan SPR-14-17 corresponds with this case.

Bean explained that this request involves a lot that it is adjacent to the existing parking lot and is the last remaining C-3 lot on the Broadway/Mission corner. The lot currently has a house and garage on it, which is being proposed for demolition to expand the existing parking lot for the car dealership.

Bean noted that to the east of the property is single-family residential property. Land use to the north and west is commercial and to the south is zoned commercial with a mixture of land uses.

Bean reported that new and used car lots are subject to special use permits and shared the requirements and criteria that needs to be met, i.e., greenbelts, access to outdoor sales area, screening requirements, etc. Bean noted that the applicant is changing the layout of the existing site along with some screening walls and is removing the house and garage that currently sits on the lot.

Bean shared the proposed site plan, noting that the applicant plans to extend the existing wooden fence to the south to help buffer the neighboring property.

Bean noted that all site plan review standards have been met. Sidewalks will extend across the site, the 30' distance between drives has been met noted that the applicant would need to submit a photometric plan for any new lighting that may be proposed.

Bean reported that comments were received from the department of Public Safety and Public Works, noting that Public Works has asked for storm water calculations. In addition, Bean noted that we received a letter from Mr. Edward Roberts, a neighboring property owner, which has been included with the information provided to the Board.

Bean concluded his report noting the Special Use Permit and Site Plan Review are being recommended for approval with the conditions listed in the staff report.

Commissioner Kostrzewa questioned whether there has already been a waiver granted in the past to allow the wood fence. Bean noted that this appears to be the case as it normally would be a masonry wall.

Jim Messick, representative of Graff Buick GMC Cadillac, addressed the Board. Mr. Messick referred to their request several months ago when they extended the dealership onto what was once the Sweet Onion property. At that time they did not have any specific plans to purchase this property; however, since then the property owner approached them to see if they were interested. Mr. Messick stated that since the property is already zoned C-3 and would square up their space, they proceeded with the purchase.

Mr. Messick stated that they had met with some of the neighbors, including Mr. Roberts, and feels that they have worked through some of the concerns, which included light shining onto their property and outdoor speakers. Mr. Messick noted they have no plans to install outside speakers. Mr. Messick stated that the existing fence goes around 3/4 of the property and they would extend it to the south. He further noted that they have agreed to transplant trees that would be removed from the site onto Mr. Robert's property to provide additional buffering. Mr. Messick noted that there would be no business conducted back there, it will be strictly parking area. He also noted that it would likely be used for employee parking, and further noted that the lighting actually gets dimmer as you move to the back of the property. Mr. Messick also noted that they do not plan to extend their operations any farther into the neighborhood and only purchased this property because it squares up the property.

Commissioner Lents questioned when the corner landscaping would be taking place that was approved when the previous request was approved. Mr. Messick stated that the footings are scheduled to be put in on Monday. He further reported that a portion of the corner property has been purchased by MDOT for the new street lights.

Chairman Holtgreive opened the public hearing.

Ed Roberts, 823 E. Broadway, addressed the Board, noting that he met with Mr. Messick on several occasions and noted that Mr. Messick has alleviated some of his concerns. He noted however, that his main concern was pushing commercial uses into residential neighborhoods. He expressed his appreciation to Mr. Messick for his offer to replant the vegetation.

Linda Dielman, 908 E. Broadway, addressed the Board, noting that she met with Mr. Messick by chance when she saw him conferring with Mr. Roberts. Mrs. Dielman expressed that Mr. Messick made it sound as if this request was a "done deal" so basically was wondering what they could do to make it better for the neighbors. Mrs. Dielman noted that the trees that will be removed from the lot are 80 year old trees and will not be able to be transplanted as Mr. Messick stated, and noted that they would likely be much younger trees and this was only being done for Mr. Roberts. Mrs. Dielman stated she feels that the area is becoming less of a neighborhood and becoming more and more commercial.

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

Mrdeza reported that he had received a phone call from a neighboring property owner who shared concerns regarding fencing and lighting, which he shared with Mr. Messick.

Board Discussion:

Commissioner Kostrzewa asked Chairman Holtgreive if he felt that a six foot wooden fence is enough of a buffer. Chairman Holtgreive stated he did not, and did not feel it would provide any sound protection.

Discussion on the fences that have been required for other areas, i.e., Belle Tire, were discussed.

Chairman Holtgreive asked Mr. Messick if his plan was to transplant trees or place new plantings. Mr. Messick stated that they would transplant what they could and would add others. He noted also that if they will be required to put in a masonry wall, then there would be no need to replace the trees.

It was noted that the fence would be discussed further during the site plan review.

Motion by Lents, support by Holtgreive to approve SUP-14-11 from Jim Messick for the property located at 821 E. Broadway to allow the demolition of the existing 775-sf residential structure to allow for parking improvements with the following condition:

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

Motion approved 8:1.

C. SUP-14-12 - 915 E. Broomfield

Bean introduced Case SUP-14-12 submitted by 915 E. Broomfield LLC, noting that this was a request under the Mission Redevelopment Overlay Zone for a new mixed use building with both retail and residential space. Bean explained that under the Mission Redevelopment Overlay Zone, there is no separate site plan. In addition, he noted that the Planning Commission is authorized to grant waivers to traditional standards if the request is found to advance the goals and objectives of the Master Plan and meet the Design Considerations for Mission Street as adopted by the City in 2009.

Bean shared an aerial view of the site, noting that there is currently a Charter Communications operation at the site. The property is zoned C-3 and is connected with the C-3 properties that run along Mission Street.

Bean shared the surrounding land uses, noting that to the east there is R-3 single-family residential; to the north is C-3 Commercial; to the south is Multi-family residential, zoned OS-1 and to the west is C-3 Commercial.

Bean explained that the development will include 10 residential units for a total of 36 occupants (two 2-bedroom units and eight 4-bedroom units), along with approximately 2,500-sf of unspecified commercial space. Bean further explained that the project includes two buildings; one two-story building and one three-story building.

Bean shared photos of the existing site from various angles, noting the staging of the Charter Communication trucks.

Bean reviewed the criteria necessary for approving a special use permit under the Mission Redevelopment Overlay Zone as noted:

- (a) The project will be designed to advance the design considerations for Mission Street of current adoption;
- (b) The project will be consistent with the intent and purpose of the Master Plan and the Mission Redevelopment Overlay Zone;
- (c) The project will be compatible, harmonious, and appropriate with the intended character and uses of the neighborhood and adjacent properties;
- (d) Potentially adverse effects arising from the project on the neighborhood and adjacent properties will be minimized through the provision of adequate parking, the placement of buildings, structures and entrances, as well as the location of screening, fencing, landscaping, buffers, or setbacks;
- (e) The proposed project will not be detrimental, hazardous, or disturbing to existing or future adjacent uses or to the public welfare by reason of excessive traffic, noise, smoke, odors, glare, and/or visual clutter;

- (f) The proposed project will not adversely affect the walkability of the neighborhood, impair pedestrian circulation patterns, or otherwise hinder the creation of a pedestrian-oriented environment;
- (g) Approval of the special use permit will result in beneficial impacts that could not be achieved utilizing the conventional regulations in the underlying C-3 General Business zoning district.

Bean noted that the applicant has included accommodations for bicycle parking and has incorporated landscaping around the building along with other site improvements which will help reduce water runoff.

Bean shared the proposed site plan, noting that the buildings have been brought closer to the street and front Broomfield. Rather than the traditional 50' setback, the buildings have been brought to within 8' as preferred in the Mission Overlay guidelines and noted this would require a waiver from the Planning Commission.

Bean further noted that the site plan shows parking within the street Right-of-Way, which will need to be discussed further with the various city departments. The front building has a sidewalk and patio area. Bean also shared the proposed elevations from various angles and shared the floor plans that were submitted with the request.

Bean reported that the applicant has proposed a 6' masonry screening wall along the east property line. The dumpster enclosure is shown near the street and there has been some discussion with staff on the desire to move it back onto the site. Bean noted that the off street parking requirements call for 49 spaces and the applicant has proposed 53.

Bean stated that the proposed signage is on the building with no free-standing signs proposed at this time. Sidewalks are shown on the site plan and the applicant will need to work with DPW on layout, connections, materials, etc. Bean also noted that any proposed lighting would require a photometric plan be submitted to assure compliance with the ordinance.

Bean concluded his report noting that staff is recommending authorization of the waivers to reduce the front yard setback and reduce the land area per occupant from 900 sf to 673.1 sf. In addition, staff is recommending approval of the Special Use Permit with conditions noted in the staff report.

Commissioner Lents questioned the need for a density waiver as there does not appear to be any density calculations for the C-3 zoning district. Bean noted that the calculation was taken from the M-2 language and further noted that the overlay zoning allows flexibility, and spoke of the permitted uses in the C-3 district, which allows residential on the 2nd floor and above if the area functions as a transition to single-family residential uses.

Commissioner Dailey questioned whether this would increase traffic at an already dangerous intersection.

Garrett Seybert, applicant, addressed the Board, noting that he has had conversations with many of the neighbors and there has not been any real resistance. He referred to one letter from Mrs. Smith, whose main concern was the dumpster location and screening wall. He noted that they are planning to install a 6' masonry wall and also noted that there are several large trees on the lot and there is no plan to remove them. Mrs. Smith's concern with the dumpster was that she did not want it moved back on the property as it would be closer to the residential area and she was concerned with odor and rodents that may be attracted to it. Mr. Seybert stated they are open to suggestions on what would be the best location for the dumpster.

Mr. Seybert referred to a traffic study that was conducted, which indicated no major impact. He commented that they would be closing a curb cut on Broomfield and also noted that the current operation has 30-35 trucks that are in and out of the site all day so he does not feel that residential use would be any increase.

Commissioner Lents asked what type of finish is proposed for the north and east sides of the building. Mr. Seybert stated it is an engineered siding that is very durable, but more modern than vinyl. The bottom will be brick with brick rising up between each unit as well. The commercial building will be mostly brick, metal panels and glass.

Chairman Holtgreive commented that although staff has indicated a desire to get the dumpster off the road, he feels it will be nicer for the neighbors to have it there rather than in the back.

Commissioner Dailey asked what the "engineered product" is made of. Mr. Seybert stated it is almost like a plywood backing with a composite durable front surface.

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

Board Discussion:

Chairman Holtgreive asked if Mr. Seybert would consider an 8' wall rather than 6'. Mr. Seybert stated he would.

Commissioner Kostrzewa questioned the allowed maximum density for the site. Bean stated that the language doesn't actually give a density calculation for residential - the language notes that the property should act as a transition to single-family residential.

Commissioner Lents commented that she likes the dumpster location at the street and feels that this project is exactly what the Mission Redevelopment Overlay Zone is designed for.

Commissioner Lents asked how many commercial spaces there would be. Mr. Seybert stated that it is open right now - they anticipate two doors/storefronts; however, if one tenant wishes to utilize the entire space, they are open to that as well. He did clarify that it would be commercial rather than office.

Chairman Holtgreive commented that based on the floor plans submitted with the request, it appears tht the living spaces are generous.

Commissioner Ranzenberger commented that by bringing the buildings closer to the street, it helps slow traffic.

Motion by Kostrzewa, support by Verleger that the Planning Commission authorize the following waivers to the traditional standards of the Zoning Ordinance, pursuant to the provisions of the Mission Redevelopment Overlay Zone, Sections 154.068(C)(2), (3), (4), and (5):

- A reduction in the front yard setback required for uses in the C-3 General Business District from the public right-of-way from 50 feet to 8 feet.
- A reduction in the required land area per occupant from 900-sf per occupant to 673.1-sf.

The waivers are granted on the basis that they advance the goals and objectives of the Master Plan and the findings of the Mission Redevelopment Overlay Zone ordinance and Design Considerations for Mission Street as adopted by the City in 2009.

In addition, the Planning Commission approve Special Use Permit 14-12 (and Site Plan 14-18) from 915 E. Broomfield, LLC as shown on the drawings provided by Progressive AE, to allow the construction of a 19,650 square foot building development inclusive of 10 residential units and approximately 2,500-sf of commercial floor space on the property located at 915 E. Broomfield Street under the Mission Redevelopment Overlay Zone. Approval is subject to the following conditions:

1. Prior to seeking a building permit, the applicant shall provide a revised site plan with dimensions of all proposed signs in order to show compliance with section 154.146 of the Zoning Ordinance (Signs – Signs in the C-3 District).
2. The applicant shall work with City staff to finalize landscaping treatments along the east face of the property based on the listed design considerations, and shall submit a new site plan showing any proposed layout adjustments or site improvements, including considerations for a revised location for the bicycle parking and dumpster.
3. A lighting plan demonstrating conformance to Section 96.13 shall be submitted.
4. Per Section 154.124, a loading space area will need to be shown on a revised site plan, if the site's commercial use requires the loading and unloading of goods.
5. The applicant shall comply with the requirements of the Division of Public Safety (DPS) and the Division of Public Works (DPW).
6. Prior to seeking a building permit the applicant shall work with city staff to work out an acceptable plan for the parking that is shown within the city Right-of-Way.

7. The applicant will install an 8' masonry wall rather than a 6' masonry wall.

Commissioner Lents suggested modifying the motion to exclude the waiver for the required land area per occupant, as this is not actually spelled out in the ordinance.

Commissioner Kostrzewa modified his motion as noted and Commissioner Verleger supported the motion.

Motion approved.

D. ZC-14-01 1040 E. Broomfield - Seybert New LP.

Bean introduced ZC-14-01, noting that this is a request to conditionally rezone the property located at 1040 E. Broomfield from C-3 to M-2. Bean shared an overview of the site noting the surrounding land uses. The property to the north is zoned R-3 residential; to the east is C-3 Commercial; to the west is M-2 multi-family and to the south is C-3 Commercial.

Bean explained that unlike a conventional rezoning request, the applicant offers specific conditions that will be tied to the zoning district. Bean noted that if the re-zoning request is approved, the applicant would need to submit for a Special Use Permit and site plan review. Bean reviewed the overall concept plan noting that the applicant is proposing to construct rooming dwellings which will be built in phases. The plan includes a six-foot high black chain-link fence along the east, west, and south property lines and will include closing two existing curb cuts on Broomfield and the construction of a single curb cut. A future access easement to the property to the east will be something they will keep under consideration.

Bean noted that if approved the conditions will need to be formalized into a Conditional Rezoning Agreement to comply with Section 154.172(C) of the zoning ordinance and will be referred to the City Attorney for review.

Bean noted that this will be considered a map amendment and reviewed the conditions that the Planning Commission should consider with a conditional rezoning request as noted below:

- (a) The proposed rezoning or map amendment will interfere with the orderly development of nearby properties according to the existing zoning districts(s).
- (b) The proposed certain use and development of the land will interfere with existing permitted uses of nearby properties.
- (c) Any proposed condition on the use and development of the land will protect existing permitted uses on nearby properties from significant negative impacts of the rezoning.
- (d) The requested rezoning with certain use and development of the land as a condition to the rezoning is consistent with the Master Plan for the area.

Bean noted that although staff would not be comfortable recommending approval of a conventional rezoning request, based on this proposal and the conditions offered and because the

property to the west is zoned M-2, it is recommended that the Planning Commission recommend approval to the City Commission.

Commissioner Dailey asked for clarification of the process for conditional rezoning requests.

Bean commented that the State Statute regarding conditional rezoning requests specifically provides for the applicant to offer the conditions and they are not a negotiated project.

Commissioner Dailey noted that the last request for this property was denied by the City Commission. Commissioner Lents noted that it was a different project.

Mrdeza commented that the City Commission denied the traditional rezoning request; however left the left door open for the applicant in case they wished to come back with conditions. They have waited the appropriate time and are now back with the new request.

Commissioner Kostrzewa noted that one thing that caused the project to fail last time is the new traffic that would be introduced and questioned whether there should be more specific information on how they plan to address this concern.

Commissioner Dailey reminded Commissioner Kostrzewa that we can't negotiate.

Bean noted that this is a preliminary site plan with a notation for a potential future cross connection.

Mrdeza commented that staff has been in contact with the applicant and the applicant has assured staff that if the adjacent properties were available to access they would be willing to provide language for an easement. The applicant is showing good faith to pursue at a time it is agreeable to neighboring property owners.

Garrett Seybert, applicant, addressed the Board, noting that they are definitely interested in cross connections if the neighboring property owners are open to that.

Mr. Seybert stated that this has turned into an "inventory property". The plan, assuming everything goes well with 915 E. Broomfield, is they would expand as the need is there. The project would likely take place over the course of several years in phases, which would allow any traffic issues that arise to be dealt with as they evolve.

Bean added that internal traffic issues could be dealt with at the SUP stage.

Mr. Seybert stated he met with residents of Winchester Towers and discussed their concerns, which mainly dealt with fencing issues.

Chairman Holtgreive opened the public hearing.

Kelly and Nicolas Gadbury, 1101 E. Broomfield, addressed the Board, noting that when the rezoning request came up two years ago they were opposed. Since that time, they have met with

Mr. Seybert and overall are pleased with the project. They did express concern over plans for a black chain link fence, noting that they felt this would take away from the project and feel that a more decorative wrought iron fence would be more appealing. They also noted that additional lighting on the corner would help with some of the issues they have with students/pedestrian traffic in the area.

Mr. Seybert commented that the chain link fence was discussed as an option; however, it has not been determined yet and would be something they would be willing to discuss during site plan review.

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

Board discussion:

Chairman Holtgreive noted that there will be several opportunities to discuss site plan issues; therefore, the Board just needs to consider the conditional rezoning request.

Motion by Kostrzewa, support by Ranzenberger that the Planning Commission recommend that the City Commission approve conditional rezoning ZC-14-01 from Seybert New LP/Garrett Seybert for the property located at 1040 East Broomfield Road from C-3, General Business District to M-2, Multiple Family Residential, with the proposed conditions offered by the applicant to be formalized into a Conditional Rezoning Agreement.

Motion approved.

VI: Public Comments:

Chairman Holtgreive opened the floor for public comments.

Marie Koper, 509 S. University, addressed the Board, commenting that she appreciates the sense of neighborhood and feels that aspect should be maintained. She also noted she feels it is important to preserve the historic value of older buildings and feels this has an intrinsic worth to the community. She noted she appreciates all the work that has been done with the Master Plan and urged the commission to keep in mind what we have and can preserve.

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

VII. Site Plan Reviews

A. SPR-14-17 -821 E. Broadway - Graff Buick GMC Cadillac.

Bean shared an aerial view of the site, noting that the site plan had been reviewed with the SUP. He noted that during the discussion the issue of the screening fence was discussed and noted that the Board may wish to continue that discussion.

Mrdeza shared the Ordinance language from Section 154.106 regarding wall requirements, noting the Ordinance requires a 4-6 ft. high obscuring wall made of common or face brick, poured or precast masonry or decorative block. Mrdeza also noted that the Ordinance provides some flexibility to the Planning Commission, noting continuity as a major consideration. It was also noted that the Commission is authorized to waive or modify the requirements where it can be shown that no good purpose would be served.

Commissioner Lents stated she is not comfortable with anything less than a 6' masonry fence.

Chairman Holtgreive asked if any of the Commissioners were concerned with how the parking space would be used. Commissioner Kostrzewa stated he feels that is irrelevant. Vice-Chairman Cotter stated he feels it is the applicant's parking and there will be differing opinions on what is preferred.

Motion by Kostrzewa, support by Lents that the Planning Commission should approve the request for SPR-14-17 from Jim Messick for the property located at 821 E. Broadway, based on the site plan provided by Tim Beebe, to allow the demolition of the existing 775-sf residential structure and the installation of approximately 140-lf of 6' masonry fencing with parking improvements, as subject to the following condition:

1. The applicant shall comply with the requirements of the Division of Public Safety (DPS) and the Division of Public Works (DPW).

Motion approved.

VIII. Unfinished Business:

A. Master Plan.

Bean reviewed the list of proposed edits to the Master Plan Document, along with a draft resolution to be considered by the Planning Commission.

Commissioner Lents noted that it had been brought to her attention that there was a change in the language on page 67 regarding neighborhood strategies/goals, where the language was changed from "discouraging" the conversion to rentals to allowing appropriate conversions. It was felt that this was a wide shift in viewpoints of the neighborhood goals and does not even specify "where" we would allow it.

Bean noted that the discussion regarding this took place earlier in the year and at that time he recommended the edit which was proposed to address the M-2 redevelopments that are occurring in areas of the city. He noted that at that time the Planning Commission, by consensus, said they are not necessarily discouraging conversions of expansions of non-family rentals; in fact the redevelopment process actually permits that. The policy described in the letter "A" goal didn't ring true so changing the wording to "allowing appropriate" conversions got closer to what the M-2 redevelopment process is designed to do.

Commissioner Lents asked if the wording could be changed to state in the "M-2" area as she isn't sure they want to allow conversions outside of the M-2 district.

Bean noted that goal A is broadly for the city.

Chairman Holtgreive commented that the language proposed by Commissioner Lents may affect areas of the city that are not yet developed, noting that the goals speak to how this would also move forward - i.e. Crawford Road, north of Pickard, etc. would also be part of that.

Bean also commented that a 5th strategy was added to specifically address the M-2 concerns.

Commissioner Lents thanked Bean for clarification.

Commissioner Dailey also commented that it is quite a jump between "discouraging" redevelopments and allowing "appropriate" redevelopments, and asked to hear from the other commissioners.

Chairman Holtgreive asked if there was a consensus to change the language or if the Commission was comfortable with Bean's explanation.

As no one voiced any concerns, Chairman Holtgreive asked if there was a motion.

Motion by Lents, support by Dailey to make a resolution to recommend approval and adoption of the Master Plan for the City of Mt. Pleasant by the City of Mt. Pleasant Planning Commission:

Whereas, the City of Mt. Pleasant Planning Commission has elected to draft, review and adopt an update to the current Master Plan, adopted in 2006, pursuant to the procedures set forth in the Michigan Planning Enabling Act, PA 33 of 2008, MCL 125.3801m et seq; and

Whereas, the City of Mt. Pleasant Planning Commission held a public hearing on the proposed Master Plan, inclusive of the charts, maps, demographic data, future land use plan, and goals, for the City on June 5, 2014, at the City Hall.

Now Therefore Be It Resolved that the City of Mt. Pleasant Planning Commission hereby recommends approval and adoption of this Master Plan with the inclusion of the Non-Motorized Transportation Plan as a document rather than a reference document as recommended by the City Commission in their March 2012 meeting to the City Commission.

Commissioner Dailey questioned how this changes the document. Commissioner Lents provided some history on the creation of the Non-Motorized Transportation Plan, noting that a lot of work went into the creation of the plan and there was a lot of public response showing a great interest. Commissioner Lents further noted that when it was adopted by Union Township it was proposed

to the City Commission, who indicated they would like to see it included in the Master Plan. She further noted that it was included as a reference document only and does not feel that is sufficient. Commissioner Lents indicated that if we don't adopt the plan we may lose potential funds.

Vice-Chairman Cotter asked what Union Township has done so far with the document. Commissioner Lents noted they have put wider sidewalks along Deerfield and have created a sidewalk committee. She further noted it is a "bits and pieces" type of thing.

Commissioner Ranzenberger commented that the existence of the plan was critical in getting the funding for the non-motorized portion of the Deerfield Road project that is currently under construction.

Commissioner Verleger asked if adopting the plan would open up the door for future grants. Commissioner Lents stated it would. Chairman Holtgreive questioned if that was accurate. Mrdeza noted that if applying for some type of non-motorized grant, the existence of the plan would likely be helpful.

Chairman Holtgreive expressed that he feels the plan should be used as a guide but that it can't be an end-all and doesn't feel it is wise to lock us into something that would not give us any flexibility.

Bean commented that the introduction to the non-Motorized Transportation Plan does recognize some flexibility.

Chairman Holtgreive called for a roll-call vote:

Yays: Dailey, Friedrich, Hoenig, Verleger, Kostrzewa, Lents, Ranzenberger. Nays: Cotter, Holtgreive.

Motion passed 7:2.

B. M-2 Codification Process

Commissioner Dailey asked if this was a continuation of the discussion. Chairman Holtgreive stated that the hope is to have a recommendation to the City Commission from this meeting.

Commissioner Dailey and Commissioner Lents both indicated they had thought that there would be an additional meeting for public input.

Commissioner Lents stated that we brought in the developers and then brought in the City Commission and she was not pleased with that meeting as she did not feel that there was enough direction and there was no discussion on possible incentives, i.e., Brownfields, etc. She also noted she still feels that we need to invite the homeowners/residents in.

Commissioner Verleger stated he would like the opportunity to further discuss incentives.

Commissioner Lents again stated she feels the residents should be invited in. Chairman Holtgreive questioned whether we would really get any additional input as this issue has been discussed at numerous meetings.

Commissioner Hoenig asked if we ever actually sent residents invitations.

Commissioner Lents stated she had also hoped to discuss the buffer area with the City Commission and that discussion didn't happen.

Mr. Piggott commented that there has been a lot of discussion the last several months about the buffer zone and commented that this isn't necessarily tie-barred. He stated it feels like the Planning Commission feels that they need to tie the buffer and the codification process together - as they are concerned that once the codification process takes place the buffer may be placed on the back burner. Mr. Piggott commented that it seems that the consensus of the group is that the "as is" approach, which maintains a ZBA role is the preferred approach. This may be something they could move forward with as they view alternatives in regards to the buffer zone.

Commissioner Lents asked Mr. Piggott about Commissioner Kulick's comment that there may be a Special Use Permit option where the SUP would go to the City Commission. Mr. Piggott acknowledged that under the Michigan Zoning Enabling Act there is nothing that specifies that the Planning Commission has to be the final authority on SUP requests. He noted that the majority of the communities do it this way; however, there is a small percentage where the Planning Commission makes a recommendation to the legislative body who makes the final decision. He questioned however, if the City Commission would really want every SUP to go to them, noting that he has never seen an Ordinance structured where some do and some don't - it is generally an all or nothing approach.

Commissioner Ranzenberger commented that he has covered communities where the main board makes decisions on SUPs and it is not that functional and he doesn't like that idea.

Commissioner Dailey again commented that he is concerned politically that we spoke with people on one side of fence and not formally on the other side of the fence.

Chairman Holtgreive reminded the Commission that with a recommendation there will be additional public hearings.

Mrdeza reminded the Commission that as part of the codification process, we actually did reach out to the public on several occasions and held several public open houses with very little turnout.

Commissioner Cotter questioned how many more people we need to ask before making a decision and reminded his fellow commissioners that this is just a recommendation.

Motion by Cotter, support by Ranzenberger, to recommend using the "As Is" process moving forward.

Commissioner Lents stated she is uncomfortable with the projects going through as they have been when they abut a residential area.

Chairman Holtgreive noted that by using the "as is" approach and not changing the boundaries, whether we give them equal occupancy or an increase isn't going to change dramatically their issue.

Commissioner Lents stated she feels we need to solve the problem with the M2/R3 line and this approach allows projects anywhere in the M-2 district without fixing the problem.

Commissioner Ranzenberger stated there are two issues - the M-2 zoning and how we are going to handle nonconforming uses. The Planning Commission has also identified a second issue and needs to keep working on it - and that is the boundary issue between the high-density and lower density single-family district. He noted that we need to continue talking about this issue; however feels that we can solve the first issue and move on from there.

Commissioner Holtgreive agreed that we need to get something in place and then come back and deal with this. This has been discussed repeatedly and in the meantime, we are not moving forward with any other issues.

Commissioner Hoenig commented that she does not feel like we are accomplishing anything by voting for the "as is" approach. Chairman Holtgreive noted that it gives us the ability to go outside the target zone that was set by the CC.

Commissioner Dailey stated he is opposed and feels it is worth one more shot to solve the buffer issue.

Commissioner Ranzenberger stated that the City Commission has asked the Planning Commission to formalize the procedures for how we take a nonconforming property and make the deals that make them less non-conforming. He stated he feels we can take care of that issue now but reiterated that we need to keep working on the buffer issue.

Chairman Holtgreive asked for a roll call vote:

Roll Call vote:

Yays: Cotter, Kostrzewa, Ranzenberger, Verleger, Holtgreive. Nays: Dailey, Friedrich, Hoenig, Lents.

Motion passed 5:4.

IX. New Business:

A. None

B. October Planning Commission Meeting:

Bean reported that the deadline for submittals is Monday, September 8, 2014. Joe Olivieri's request will likely be back.

XI. Adjournment:

Motion Kostrzewa, support by Dailey to adjourn.

Motion approved.

Meeting adjourned 10:25 p.m.