

**Mt. Pleasant Planning Commission  
Minutes of Regular Meeting  
June 29, 2017**

**I.** Chair Hoenig called the meeting to order at 7:00 p.m.

Present: Driessnack, Friedrich, Hoenig, Irwin, Joseph, Kostrzewa, Liesch.  
Absent: Dailey, Horgan.

Staff: Kain, Murphy

**II. Approval of Agenda:**

Motion by Liesch, support by Kostrzewa, to approve the agenda.

Motion approved unanimously.

**III. Approval of Minutes**

**A. May 5, 2017 Meeting**

Commissioner Friedrich noted a change under the Zoning Board of Appeals report, changing the word "face" to "fact".

Motion by Friedrich, support by Liesch, to approve the May 5, 2017 minutes as amended.

Motion approved unanimously.

**B. June 1, 2017 meeting**

Motion by Joseph, support by Friedrich, to approve the June 1, 2017 minutes.

Motion approved unanimously.

**IV. Zoning Board of Appeals Report for June:**

Commissioner Friedrich reported that the Zoning Board did not meet in June.

**VI. Public Hearings:**

**A. SUP-17-10 - 910 W. Pickard**

Kain introduced SUP-17-10, submitted by David Coyne/Pickard Street Citgo, to add a Specially Designated Merchants (SDM) license for beer and wine to the existing gas station and store. Kain noted that this site is located on the north side of Pickard on the NE corner of Pickard and Harris and is zoned C-3 General Business. Properties to the north, south and east are zoned I-1 Industrial and property to the west is zoned A, Agricultural, and includes the Mt. Pleasant Center Property.

Future land use on surrounding properties is Industrial to the north, south and east and Redevelopment Opportunity Area to the west.

Kain shared an overview of the site, along with photos showing current conditions.

Kain noted that the SDM license allows for the sale of beer and wine and explained that under the City's code, a store that has a SDM license is classified as a liquor store and is considered a Group B Special Regulated use. The use is only permitted in a C-3 zoning district, with grocery stores and pharmacies being exempt from this classification. Kain noted that this case is similar to previous requests the Board has heard this year.

Kain explained that Group B special regulated uses are subject to specific location criteria, such as they shall not be approved if there are four or more special regulated uses within 1,000 feet of the boundaries. Kain noted that there were no other special regulated uses within that area.

In addition, they shall not be approved if they are within 300 feet of a residentially zoned district, trailer park, K through 12 school, dedicated park, church or cemetery. Staff found that there are three such uses within that area.

Kain reminded the Board that the Planning Commission may waive these locational standards which limit Group B uses as they relate to residentially zoned districts, trailer parks, K through 12 schools, parks or churches provided that a validated petition requesting such a waiver, signed by the owners or purchasers of at least 51% of the parcels of land within 500 feet of the proposed location is presented to the board. It was found that there were 31 properties located within the 500 feet of the proposed site and a petition signed by 18 (58%) of the property owners was submitted, which exceeds the minimum requirement.

Kain noted that it is within the rights of the Planning Commission to impose additional conditions if they wish.

Kain noted that in review of the special use permit application it was noted that there are deficiencies at the site from the site plan approved in 1991 in regards to the greenbelt requirements. Kain noted that his recommendation for approval of this request be conditioned on the greenbelt requirements being brought into compliance with the approved plan.

David Coyne, applicant, addressed the board, offering to answer any questions.

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

Board Discussion:

Commissioner Kostrzewa asked about the hours of operation and for verification that all the SDM licenses are just for beer and wine.

Kain verified that the SDM license is for beer and wine and noted that the hours of operation vary from each location, with this particular location operating 24/7. Based on the location of this store, staff isn't recommending limiting the hours.

Mr. Coyne commented that although they could ask for Sunday sales from the State, they did not choose to do so.

Motion by Liesch, support by Friedrich, to approve SUP-17-10 with the following condition:

1. The applicant shall bring the greenbelt into compliance.

Motion approved unanimously.

### **C. SUP-17-11 - 1004 S. Franklin**

Kain introduced case SUP-17-11, submitted by Olivieri Builders on behalf of the owners, to construct a two unit rooming dwelling for six occupants.

Kain reported that the site is located on the west side of Franklin, south of Gaylord. The site is zoned M-2, Multiple Family, with future land use designated as Multiple Residential Medium. Surrounding properties share the same zoning classification and future land use.

Kain noted that the proposed use is a permitted use in the M-2 zoning district subject to a special use permit. Kain reviewed the special use conditions, noting that the site meets these requirements.

Kain also reviewed the site plan review requirements, noting that the proposed site complies with these requirements and meets all requirements in regards to building height, lot and building area, lot width and setbacks.

In addition, Kain noted that the project meets the requirement for 6 parking spaces, and further noted that bicycle parking is proposed although there is no minimum requirement for bicycle parking.

Kain noted that the site meets the greenbelt requirements, and shows five shrubs and two trees, along with an additional street tree. Sidewalks already exist along S. Franklin and the applicant is proposing screening for trash carts at the rear of the building.

Kain concluded his report with the recommendation to approve.

Joseph Olivieri, representing the owners, addressed the Board offering to answer questions.

Commissioner Kostrzewa referred to the three large pine trees on the property and whether they would or could be saved. Mr. Olivieri responded that they would need to be removed. Kain added that staff had met with the owners and walked the site and feels that it would be next to impossible to save the trees, noting that based on the shallow root system any ground disturbances would likely

destroy the trees. Kain also commented that the trees have matured to a size that they would likely need to come down soon as they have outgrown the lot.

Chair Hoenig noted that there will be new trees per the site plan.

Kain noted there would be two trees in front along with shrubbery and an additional street tree along Franklin. There will also be two trees in the rear to replace the two that will be taken down.

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

Board Discussion:

Motion by Friedrich, support by Irwin, to approve SUP-17-11.

Motion approved unanimously.

## **VII. Public Comments**

Chair Hoenig opened the floor for public comments. There being no one who wished to speak, public comments was closed.

## **VIII Site Plan Reviews:**

### **A. SPR-17-09-1004 S. Franklin - Olivieri Buildings**

Kain noted that there was nothing new to present as the information was presented with the Special Use Permit review.

Motion by Friedrich, support by Joseph, to approve SPR-17-09 with the following condition:

1. The applicant shall comply with the requirements of the Divisions of Public Works and Public Safety.

Motion approved unanimously.

## **IX. Unfinished Business:**

None

## **X. New Business:**

None

**XI. Other:**

**A. Staff Report:**

**1. August 3, 2017 Planning Commission meeting - Anticipated items:**

Kain reported that we have already received two applications; one for a SUP for a liquor store on East Pickard and another for a redevelopment at 901 S. University. In addition, it is likely that the postponed case will reappear on the agenda. Kain noted that there is still time before the August deadline so we may see other cases as well.

Kain reminded the Board that TPUDC will be here on July 27th for the public release and presentation of the new zoning ordinance. This will take place at 7:00 p.m. in the Commission Chamber and all Planning Commissioners are strongly encouraged to attend. In addition, Kain reminded the Board that a work session will take place after the regular August 3rd meeting to begin discussion on the proposed new zoning ordinance, and on August 17th, a special meeting of the Planning Commission has also been set. Kain also noted that the Planning Commission will be asked at a later date to set a special meeting for October 19th for the purpose of holding a public hearing for the new ordinance.

**XII. Adjournment:**

Motion by Friedrich to adjourn.

Chair Hoenig adjourned the meeting at 7:22 p.m.

bam