

**Mt. Pleasant Planning Commission
Minutes of Regular Meeting
May 2, 2013**

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

Present: Cotter, Dailey, Hoenig, Holtgreive (Vice-Chair), Kostrzewa, Quast, Shellady, Smith (Vice-Chair).

Absent: Brockman.

Staff: Gray, Murphy.

II. Approval of Agenda:

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

Motion approved.

III. Approval of Minutes:

1. April 11, 2013 Regular Meeting

Motion by Quast, support by Holtgreive to approve minutes from the April 11, 2013 regular meeting as written.

Motion approved.

2. April 11, 2013 - Worksession.

Motion by Dailey, support by Shelladay to approve minutes from the April 11, 2013 worksession.

Motion approved.

3. April 15, 2013 - Joint meeting with City Commission.

Motion by Holtgreive, support by Kostrzewa to approve minutes from the April 15, 2013 Joint Meeting.

Motion approved.

IV. Zoning Board of Appeals Report for April.

Commissioner Quast reported that the ZBA heard one case in April, which was a request for a variance for a front setback in a Commercial zone. Commissioner Quast reported that the applicant is proposing a drive-thru restaurant in a building formerly used as a bank. The ZBA approved the variance request, however, noted that there were some concerns with traffic flow and landscaping, which the Planning Commission will likely be looking at. Commissioner Quast also noted that the ZBA felt the request was in line with the Mission Overlay concept of moving buildings closer to the street and also appreciated that the applicant will be re-utilizing an existing building that has been sitting vacant for some time.

V. Public Hearings:

A. SUP-13-01 - 2013 S. Mission - Ronald McIvor.

Staff reported that the applicant is proposing reusing the building formerly used for the First Bank. The property is located on the east side of Mission Street. Staff noted that this case first appeared on the agenda in January, at which time the applicant requested a postponement to allow time to make some changes to the site plan and to address the variance issue. Following the postponement, staff noted that a meeting was held with the applicant and several city departments to address various issues. Representatives from MDOT were invited but unable to attend this meeting; however, have indicated that there are issues with the Access Management Plan that have not been addressed.

Staff noted that the Ordinance requires a 75 ft. front setback for restaurants with drive-through facilities to allow for a higher volume of stacking. The applicant has proposed moving the drive-through window to the north side of the building to allow additional stacking area around the rear of the building.

Staff also noted that although there is a requirement for a masonry wall adjacent to the abutting properties, there is currently a wood fence and landscaping that has served this purpose and there is considerable distance between the building and the neighboring property. In staff's view, replacing the existing screening with masonry would not be required in this case.

Staff reported that the site provides 11 parking spaces; which will limit the occupancy to 33. In addition, staff noted that the applicant anticipates the majority of sales will be drive-through customers.

Staff reported that the applicant has considered installation of decorative fencing and staff is willing to continue working with the applicant on this if the Commission wishes him to.

Staff noted that when the site to the south was redeveloped, driveways and vehicle circulation were considered. It was MDOT's expectation that when this site was reused, the northern driveway would be closed and the southern driveway would be reconfigured. In addition, staff noted that a cross connection with the Payless Shoes property was proposed. At this time, MDOT has indicated that the proposed configuration is not acceptable. Staff noted that this issue was discussed at the meeting with the applicant in January and it was indicated by them that they would meet with MDOT to resolve the issue; however, as of this time, the applicant has not met with MDOT to address these concerns. Staff commented that the Planning Commission will need to consider whether they wish to approve the proposed plan with the condition that they meet MDOT requirements or if they would prefer to postpone action until the applicant submits a revised plan that meets MDOT approval.

Staff referred to comments provided by DPW and the Fire Department and concluded his report noting that the site generally complies with the Ordinance; however, the site plan issues with site circulation and MDOT requirements still need to be addressed.

Chairman Smith noted that the applicant was not in attendance.

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

Board Discussion:

Commissioner Dailey asked about the screening. Staff noted that although the site plan does not show it, the applicant has expressed interest in adding decorative fencing along the front. The east side has a 6 ft. wood fence and arborvitaes, which will not be changed. Staff also noted that there is nothing proposed on the east side to allow for cross connection.

Motion by ~~Smith~~ **Holtgreive**, support by Quast to postpone SUP-13-01 based on the unresolved issues with MDOT and in addition, would encourage the applicant to continue talks with and pursue cross connection access with the Payless Shoes property.

Motion approved.

B. SUP-13-07 - 1207 E. Pickard. Staff reported that this is a proposal for the existing Crankers restaurant who is proposing adding some manufacturing of beer and root beer, which would classify them as a Class I Restaurant, requiring a Special Use Permit. The site is zoned C-3, and is surrounded by C-3 zoning to the south, east and west, with I-1 zoning to the North, which backs up to the MDOT service center.

Staff reported that Class I restaurants are licensed to serve alcohol; however, are required to maintain at least 50% of their business in food sales. Staff reported that the applicant has indicated that they expect their food sales to make up about 75-80% of their sales, with beer being only about 20-25%.

Staff noted that the applicant will be manufacturing some beer on site, and will also be bringing in beer that they manufacture off site. The applicant has indicated that there will be no off premise sale of the beer manufactured on this site and has been notified that this would be considered a different use and would require additional review.

Staff noted that the Ordinance requires a Class I restaurant to offer a variety of menu items and based on the menu provided by the applicant, it appears that this requirement will be met. Staff also noted that the applicant is required to provide an interior layout; however, we have not yet received that. The applicant has indicated that they are working with their architect to get the drawings to us.

Staff noted that the hours of operation are listed as 7:00 a.m. - 1:00 a.m.

Staff noted that although this property is governed by the Access Management Plan and regulations, because it does not require any changes to the site, nor is it expected to significantly increase traffic to and from the site, compliance with the Access Management regulations is not required under the Ordinance.

Staff referred to the comments provided by DPW and DPS, noting the applicant would need to meet those requirements if approved.

James Crank, President of J.P. Restaurant Corporation addressed the Board, noting that they are requesting a Special Use Permit to allow them to manufacture beer for restaurant use only. They are not planning on selling outside of the restaurant; they have a plant in Big Rapids that does that. Mr. Crank indicated they would likely limit their production to one type of beer and would supplement that with a few other choices from their Big Rapids plant. Mr. Crank indicated that nothing else is changing in the restaurant and he indicated he feels this addition will not only enhance the restaurant, but will also enhance Mt. Pleasant.

Chairman Smith asked for clarification on the hours of operation. Mr. Crank indicated that they are currently open 24 hours, but the new hours will go from 7:00 a.m. - 1:00 a.m.

Chairman Smith asked where the equipment would be located and if the beer would be bottled or on tap. Mr. Crank reported that the system is quite small and they intend to convert a back storage area for the manufacturing area and the beer would be served as draft.

Chairman Smith asked if the restaurant would have an actual bar. Mr. Crank responded that they would be serving beer on one side of the restaurant, but the layout would basically remain the same.

Commissioner Daily commented that it doesn't sound like much of a production. Mr. Crank responded that by law they only have to make one beer, and that will allow them to bring in additional beer from their Big Rapids plant. He further noted that they will likely have 6 different beers on draft.

Commissioner Shellady asked how much they anticipate selling. Mr. Crank stated it just depends on the demand; but they are hoping for about 20% of their sales to be from beer.

Commissioner Kostrzewa asked if their other locations were at 20%. Mr. Crank noted that they only have one other location that offers beer and their sales are at 85% food and 15% beer. He is hoping that by adding beer, it will bring more people in.

Commissioner Dailey asked why the interior layout hadn't been provided. Mr. Crank indicated he isn't sure why it is taking the architect so long. He will be following up with them and hopes to have it to staff shortly.

Chairman Smith questioned whether the restaurant already had a grease trap, as it was listed as a requirement from DPW. Mr. Crank indicated that they did.

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

Board Discussion:

Chairman Smith commented that it doesn't appear that there will be much change.

Motion by Daily, support by Quast that the Planning Commission approve the request for SUP-13-07 from James Crank; JP Restaurant Corp. for a Class I restaurant at the property located at

1207 E. Pickard St., based on the materials provided by the applicant and subject to the following conditions:

1. The applicant shall comply with the requirements of Section 154.067(C)(8) of the Zoning Ordinance and the performance standards listed in Section 154.003 related to Class I restaurants.
2. Use of the property as a Class I restaurant shall be subject to issuance of a liquor license and compliance with the requirements of the City Commission and the Michigan Liquor Control Commission.
3. As represented by the applicant, approval of the Special Use Permit authorizes the sale of alcohol for on-premise consumption. The sale of manufactured beer or other alcoholic beverages for off-premise consumption will be considered a change in use, subject to additional review and approval by the Planning Commission.
4. The applicant shall comply with the requirements of the Division of Public Works (DPW) and the Division of Public Safety (DPS).
5. The applicant provides drawings showing the interior layout, which are subject to staff's satisfactory review, approval and verification that there will be no changes.

Motion approved.

C. TC-13-02 - Industrial Setbacks and Architectural Projections.

Staff reported that the Ordinance Amendment Subcommittee met to consider changes to the required side-yard setback in the Industrial zone. The recommendation from the subcommittee is to reduce the 30' that is currently required by Ordinance down to 20'.

The subcommittee also looked at language that would permit architectural features that project into setbacks in any zoning district, while eliminating language that allows this in the Residential districts.

Staff noted that in addition, the subcommittee recommends taking care of a number of minor typographical errors at the same time. Staff shared the recommended language that would address the suggested changes.

Chairman Smith asked how the subcommittee decided on a 20' setback. Commissioner Quast responded that they looked at surrounding communities to see what they required and 20' was pretty standard. Commissioner Quast further noted that this doesn't solve all the problems, but makes it friendlier.

Staff also noted that if you reduce the setback too much, then there are higher standards for fire safety, which are much more costly for developers.

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

Motion by Holtgreive, support by Kostrzewa to recommend that the City Commission approve Text Change 13-02 to reduce the side setback requirement in the I-1, Industrial zoning district, permit certain encroachments into setbacks in all districts, and adjust numbering and correct some typographical errors.

Motion approved.

Chairman Smith and Vice-Chairman Holtgreive thanked the sub-committee for their work.

VI. Public Comments:

Chairman Smith opened the floor for public comments. There being no one who wished to speak, the public comments portion of the meeting was closed.

VII. Site Plan Reviews

A. SPR-13-01 - 2013 S. Mission - Ronald McIvor.

Motion by Kostrzewa, support by Shellady to Postpone SPR-13-01 until the applicant has worked out issues with MDOT.

Motion approved.

VIII. Unfinished Business:

None

IX. New Business:

None

X. Other:

A. 2014-2018 Capital Improvement Plan:

Staff noted that the Planning Commission annually reviews the City's Capital Improvement Plan in May to assure the proposed improvements are compatible with the Master Plan. Staff also noted that in general, the 2014 projects are further along in the planning stages and the budget figures are somewhat closer than they may be with a project that is scheduled further out. Staff highlighted a couple of projects that fit into the Community Services Division, such as the Mission Pickard DDA Financial Incentives and the Grid Streets.

Staff noted that if the Commission is comfortable with the CIP, then it would be appropriate for them to recommend that the City Commission adopt it with their budget review.

Chairman Smith asked about the intersection improvements for Pickard and Bradley and whether this would involve a round-a-bout. Staff noted that originally it did, but the treatment will require engineering study and consideration of plans for the Mt. Pleasant Center.

Chairman Smith asked if, in the process of defining downtown priorities, if downtown parking tops the list, if the downtown parking study could be moved up to 2014. Staff responded that the Planning Commission could make that recommendation; however, noted that it could mean moving something else out.

Commissioner Quast noted that the Downtown Development Board survey did not list parking as the number one issue and commented that she feels it is more of a "perceived" issue rather than a real issue.

Chairman Smith asked when the results from the Master Plan survey would be in. Staff responded they should be in prior to Memorial Day. The City Commission generally approves the budget at their July meeting, so we should know in advance if parking tops the list.

In response to Commissioner Kostrzewa's question, staff explained what a weir is.

Motion by Quast, support by Holtgreive that the Planning Commission recommend that the City Commission adopt the 2014-2018 Capital Improvement Plan, with an additional recommendation that they consider moving the Parking Study up if the Master Plan survey reveals it as a number 1 priority.

Motion approved.

B. Master Plan Update:

Staff reported that the public input phase is underway and will continue through May. Staff further reported that the open house on April 23rd was well attended. There were 53 people who signed in; however, there were many there who did not sign in.

Staff reported that seven "meetings in a box" have taken place, with three more to go. The downtown survey is still out, with 280 on-line responses so far and at least 100 surveys from the meetings in a box attendees. Staff indicated he would be working with the consultants on the next steps, and noted that we are on schedule for completing the update this year.

Chairman Smith commented that he feels the "meetings in a box" have been great.

Commissioner Quast commented that she is trying to organize a meeting with graduating CMU students to get their input on what would persuade that age group to stay in Mt. Pleasant following their graduation. She will keep everyone informed of when/if the meeting gets set up.

Staff commented that we are interested in hearing from anyone who wants to submit their thoughts and comments and noted that there are opportunities through FaceBook and the City's website to offer their input.

Commissioner Kostrzewa asked if Parcel B had been sold as the for sale sign was no longer up. Staff responded that it had not been bought and the EDC (Economic Development Corporation) is in the process of reviewing proposals for the property. Staff also noted that if there was a planned development project, it would likely need to come to the Planning Commission for approval.

C. Staff Report:

June Meeting: Staff reported that we have not received any requests for the June meeting; however, the deadline is not until May 13th.

XI. Adjournment:

Motion by Dailey, support by Kostrzewa, to adjourn.

Motion approved.

Meeting adjourned 7:50 p.m.

bam