

**MINUTES OF THE MEETING OF THE MIDLAND CITY PLANNING
COMMISSION
WHICH TOOK PLACE ON TUESDAY,
APRIL 13, 2010, 7:00 P.M.,
COUNCIL CHAMBERS, CITY HALL, MIDLAND, MICHIGAN**

1. Roll Call

PRESENT: Ballard, Brown, Hanna, King, Mead, Pnacek, Senesac, Stewart and Young

ABSENT: None

OTHERS PRESENT: Keith Baker, Planning Director, Cheri King, Community Development Specialist, Cindy Winland, Consultant Planner and 7 others.

2. Approval of Minutes

Moved by Senesac, seconded by Hanna, to approve the minutes of March 23, 2010 as written. Motion passed unanimously.

3. Public Hearing

- a. **Site Plan No. 295 from Three Rivers Corporation on behalf of Community Mental Health for Central Michigan** for site plan review and approval of a 22,940 square foot mental health clinic located at 218 Fast Ice Drive on 4. Acres.

Cindy Winland showed an aerial photograph of the subject property. A rezoning petition for this parcel was approved by City Council at its April 12th meeting so it is officially zoned LCMR. The Midland County Jail is to the east, the Apothecary Shoppe is to the southwest. The remainder of the property is vacant. The zoning map shows this parcel is zoned LCMR. There is Agricultural to the north and east, there is Community and LCMR to the south and Agricultural to the west.

The site plan shows a proposed 22,940 square foot facility. The site plan is complete. The design characteristics will not impede any of the surrounding properties. It meets all the landscaping requirements. It shows now 57 trees and 189 shrubs. It meets all the setback, height and other requirements of the LCMR district. The site is totally vacant at this time. The emergency vehicle access and vehicle access around the site has had a lot of attention. It is anticipated that Dial-A-Ride will be making a significant number of trips to this site. The fire department has also approved access to this site. There are two drives on this site plan. Generally speaking, only one driveway is allowed but the road frontage far exceeds the required 300 feet required to allow a second driveway to the parcel. The pedestrian and vehicular traffic patterns are separate. There is room for a proposed future expansion. Parking for this site plan exceeds the parking spaces allowed or permitted. The applicant has requested additional parking be allowed. 74 spaces would be the required number of spaces. In the staff's review of this use, they agreed they would support the applicant's request for additional parking spaces as they anticipate 40-50 clients per hour to be served at this

facility. The utility plan is settled to the satisfaction of the city's Engineering Department. Screening is only required for the outdoor refuse container. This is adequately screened and located on an appropriate pad. This is a compatible use with the surrounding parcels.

Contingency items:

1. The Storm water detention system is designed and constructed in accordance with the City of Midland Engineering Department specifications.
2. All landscaping shall comply with Article 6 of the Zoning Ordinance.
3. All exterior lighting shall comply with Section 3.12 of the Zoning Ordinance.
4. All exterior signage shall comply with Article 8 of the Zoning Ordinance.
5. All parking spaces shall comply with Section 5.01D of the Zoning Ordinance and be delineated by the "box" style striping. A total of 150 parking spaces shall be provided.
6. The location, access and flow of any proposed fire hydrants and water service shall be in accordance with the City of Midland Fire Department and City of Midland Utility Department specifications. They now are.
7. All water connections and irrigation systems will comply with the City of Midland Water Department specifications. This contingency has been met.
8. Two driveways are permitted in accordance with Section 3.10 of the Zoning Ordinance.

No public comments were received in favor or against the petition.

Mr. Senesac asked about the 92 employees. They will be full-time employees. Ms. Brown asked about their hours of operation. Ms. Winland does not know. Mr. Senesac asked about the speed limit on Fast Ice Drive. Mr. Baker stated it is 35 mph. Mr. Senesac is concerned about the curve in the road and that could be a traffic hazard as one of the access points to the site is on the curve. Mrs. Hanna asked if it would be possible to make the driveway on the curve a one-way driveway. Mrs. Winland stated they would have to negotiate that with the petitioner and then have the new location reviewed by the city's Engineering Department. Mr. Mead asked about the proposed addition on the north end. Is that something that will be happening quickly or is that something that is down the road a while? Ms. Winland stated that would be a question for the petitioner. Mrs. Hanna asked about a place for parking bicycles.

Keith Wirth, Architect with Three Rivers Corp, Midland. They have addressed the city's Engineering Dept. issues as requested for the lighting and landscaping. Mr. Wirth showed the proposed exterior elevation of the proposed building. Their hours are 8:00 a.m. – 5:00 p.m. They do have a 24-hour on-call crisis hotline. So far as the driveway on the curve, Mr. Wirth stated it is quite a long curve. If they move the driveway, they would have to go back to the city's Engineering Department for further review.

Mr. Senesac asked about the number of employees. Are the 92 employees based upon this configuration or based upon the expansion? Mr. Wirth stated he believed that is based on the current number of employees. Mr. Senesac stated if the parking lot is properly sized today, where will the additional employees park following the proposed addition? Mr. Wirth stated he will go back and ask the client. Mrs. Hanna

asked where they would put bike racks if they were required to install them. Mr. Wirth will take the request back to the client.

The public hearing was closed.

- b. **Zoning Petition No. 566, initiated by the City of Midland**, to zone property at 7550 Eastman Avenue from Township zoning to Regional Commercial zoning.

Mr. Baker showed an aerial photograph of the subject property. It is located on the east side of Eastman, to the north of the Meijer's property. The fairgrounds and the airport property are located to the west. The properties to the west are zoned Community and the properties to the north and south are zoned Regional Commercial. There is LCMR further to the east of this property. The parcels immediately to the north and to the east remain in the township. The future land use map shows this entire area suitable for commercial purposes, with public and institutional zoning to the west. The request this evening is to rezone the property at 7550 Eastman to Regional Commercial from its current township zoning classification. The parcel was annexed to the city from Larkin Township in 2008. Presently there exists a pet food processing plant on this property. There is no other industrial zoning directly abutting this property. The current use would be allowed in this zoning district by special use permit so it is not totally non-conforming.

Mr. Senesac asked if there were any of these petitions where the owner was in disagreement with the proposed zoning. Mr. Baker stated there was no opposition from the property owners on any of these petitions.

No public comments were received in favor or against the petition.

The public hearing was closed.

- c. **Zoning Petition No. 567, initiated by the City of Midland**, to zone property at 4594(A) East Wheeler Street from Township zoning to Agricultural zoning.

Mr. Baker stated this is a parcel owned by the City of Midland. This parcel was purchased for the expansion and buffer of the city's landfill. The buildings on the site have been demolished. There are some residential uses still in Midland Township to the west. The Waldo Avenue/US-10 interchange is to the west. There is city owned property to the east and south side of Wheeler. The zoning of the landfill is Agricultural, which is a permitted use in that district. The future land use plan shows this area designated for light industrial purposes, with medium density residential to the north. In the event the Waldo Avenue interchange became a full interchange, the north side of Wheeler is proposed as commercial and the south side as industrial.

No public comments were received in favor or against the petition.

The public hearing was closed.

- d. **Zoning Petition No. 568, initiated by the City of Midland**, to zone property at 4594(B) East Wheeler Street from Township zoning to Agricultural zoning.

This parcel adjoins the previous parcel to the east. The building on this parcel has also been demolished. As the properties have been acquired and vacated, the landfill staff has taken ownership of these properties.

No public comments were received in favor or against the petition.

The public hearing was closed.

- e. **Zoning Petition No. 569, initiated by the City of Midland**, to zone property at 4574 East Wheeler Street from Township zoning to Agricultural zoning.

This is the third of the three parcels owned by the City of Midland, adjacent to the previous two discussed. This parcel is adjacent on the west and south to the city's landfill. On the future land use map, properties to the south are proposed to be industrial and properties to the north are proposed to be zoned medium density residential and commercial.

No public comments were received in favor or against the petition.

The public hearing was closed.

- f. **Zoning Petition No. 570, initiated by the City of Midland**, to zone property at 5217 Isabella Street from Township zoning to Residential A-1 zoning.

Mr. Baker stated this property was annexed in 2009 from Homer Township. The property is located just west of Sandow Road. It is presently used for a single-family residence. Parcels to the east, west and south are still in Homer Township. The property to the north and the rear of this property to the east are contiguous to property already in the city. The property owner was seeking access to public utilities. As it currently exists, the city is seeking to zone this parcel RA-1. The Future Land Use Plan shows this property as identified as being commercial for three corners of Isabella and Sandow Road and office service on the corner nearest this property.

Dirk Vogel, 70 Lee Allen Drive, asked if the strip was wide enough to allow a house to be built there. He stated the people in the front square that is still in Homer Township ride their 4-wheelers around there. If they are not in the city, they shouldn't be riding around this property.

Mr. Baker stated if there is already a residence on the parcel, they would not be allowed under the city ordinance to build a second residence on the lot. He stated he will clarify that in preparation for the next meeting.

No further public comments were received in favor or against the petition.

The public hearing was closed.

- g. **Zoning Petition No. 571, initiated by the City of Midland**, to zone property at 7412 Perrine Road from Township zoning to Residential A-4 zoning.

This parcel was annexed in 2009. It is located at the corner of Letts Road and Perrine Road. It annexed for the purposes of obtaining municipal utilities. The property in question has RA-4 residential to the north, RD, Alpine Mobile Home Park to the east and south, and RA-1, single family residential to the west. Some of the surrounding parcels remain in the township. The future land use map shows this area as medium density residential. The property to the north is designated medium density, and property in the mobile home park is shown as being utilized for a mobile home park. The land use map shows low density residential to the west. Staff is recommending RA-4 in keeping with the master land use plan.

No public comments were received in favor or against the petition.

The public hearing was closed.

4. Public Comments (unrelated to items on the agenda)

None

5. Old Business

- a. **Site Plan No. 294 from Fisher Contracting Company** for site plan review and approval for a 20,932 square foot contractor office, shop and yard located at 94 Waldo Avenue.

Chairperson Brown noted that Commissioner Pnacek had been excused from discussion of this petition due to a conflict of interest at the March 9th meeting.

Motion by Hanna, seconded by Senesac, to remove the item, which was tabled at the March 23, 2010 meeting.

The property is located on the east side of Waldo Avenue, south of Bay City Road. Centennial Drive is just to the north of this. It comes south across the rail line to Contractor Court, which also provides access to the new Alloy Steel facility. The property encompasses a significant amount of property to the east and the north along the rail line. There are some provisions for access to the oddly shaped portions of this site. The parcel is zoned Heavy Industrial. This is a permitted use within that district. To the north is Light Industrial zoning. There are commercial and residential uses further to the north and east.

Two items were identified at the last meeting including verification of the distances from the corner to the first driveway and from the first driveway to the next driveway. City staff verified they met the criteria of the ordinance. There is an additional detention facility in the gravel yard to the north. There is regular asphalt pavement for the customer and employee entrance. There is a gravel and asphalt driveway to the east for heavier truck traffic. All of the criteria for site plan review have been met.

Mrs. Hanna stated the employee parking lot is pervious surface. Steve O'Mara, Essexville, stated they have done this type of pavement at CMU and they are excited about trying this type of pavement in this area. Mrs. Hanna also asked about the depth of the detention pond. Mr. O'Mara stated the side slopes are 1:6. It is designed to be a pond and to have water in it.

Rich Fosgitt, Wilcox Professional Services, stated the pond is designed to have about two feet of water in it. They have provided for bike racks on the site.

Motion by Senesac, seconded by Mead, to recommend to City Council the approval of Site Plan No. 294 from Fisher Contracting Company for a 20,932 square foot contractor office, shop and yard located at 94 Waldo Avenue with the following contingencies:

1. The stormwater detention system is designed and constructed in accordance with the City of Midland Engineering Department specifications.
2. All landscaping shall comply with Article 6 of the Zoning Ordinance.
3. All exterior lighting shall comply with Section 3.12 of the Zoning Ordinance.
4. All exterior signage shall comply with Article 8 of the Zoning Ordinance.
5. All parking spaces shall comply with Section 5.01D of the Zoning Ordinance and be delineated by the "box" style striping.
6. The location, access and flow of any proposed fire hydrants and water service shall be in accordance with the City of Midland Fire Department and City of Midland Utility Department specifications.
7. All irrigation systems will comply with the City of Midland Water Department specifications.
8. That three driveways are permitted in accordance with Section 3.10 of the Zoning Ordinance.

Mr. Senesac stated he believes it meets all the criteria and he is in support of it. Mr. Mead stated he is also in support of this.

At the previous Planning Commission meeting, they approved the allowance of Mr. Pnacek to abstain from voting and discussion on this item as he works directly with this project.

Vote:

YEAS: Ballard, Brown, Hanna, King, Mead, Senesac, Stewart and Young

NAYS: None

ABSENT: None

ABSTAIN: Pnacek

Motion carried 8-0.

6. **New Business**

None

7. **Communications**

None

8. **Report of the Chairperson**

The work session previously scheduled for March 23rd was rescheduled to April 27th at 5:30 p.m. in the Council Overflow conference room on the first floor of City Hall.

9. **Report of the Planning Director**

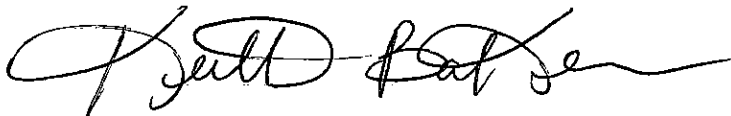
City Council approved on April 12, 2010 Zoning Petition No. 564 at 218 Fast Ice Drive from Agricultural zoning to LCMR zoning and they also approved Zoning Petition No. 565 at 1321 East Wackerly Road from township zoning to Industrial A. They approved the 2010 Zoning Ordinance updates as well. Finally, they also approved the tentative and final preliminary plat for Countryside Estates No. 3 and No. 4. The first two steps of that plat. Within the next month they will see the final plat once they have received the necessary sign offs.

The Planning Commission will be getting an entire new copy of the Zoning Ordinance with the recent amendments.

10. **Adjourn**

Adjournment at 8:25 p.m. was unanimously approved.

Respectfully submitted,



Keith Baker, AICP, CFM
Director of Planning & Community Development

MINUTES ARE NOT FINAL UNTIL APPROVED BY THE PLANNING COMMISSION