

MINUTES
MARSHALL CITY PLANNING COMMISSION
WEDNESDAY, June 12, 2013

In a regular meeting session, Wednesday, June 12, 2013 at 7:00 p.m. at City Hall, Council Chambers, 323 W. Michigan Ave., Marshall, MI the Marshall Planning Commission was called to order by Chair Collins.

ROLL CALL

Members Present: Chair Collins and Commissioners Banfield, Davis, Fleming, Zuck, Meservey and Council Liaison Mankerian

Members Absent: Commissioner Burke Smith

Staff Present: Natalie Huestis, Director of Community Services

MINUTES

MOTION by Banfield, supported by Zuck, to accept the minutes of the May 8, 2013 regular meeting as submitted. On a voice vote; **MOTION CARRIED.**

AGENDA

MOTION by Davis, supported by Banfield, to accept the agenda for the June 12, 2013 regular meeting as presented. On a voice vote; **MOTION CARRIED.**

AUDIENCE PARTICIPATION

Martin Overhiser, 215 N. Marshall, stated that the hospital and neighborhood committee met once already and another meeting is scheduled for next week. He is hoping to have a plan or letter put together for the HCOD public hearing to be scheduled in July.

Mike Hindenach, MEADA, told Commissioners he would like the Planning Commission to consider accepting and approving the J & L Manufacturing's site plan proposal in one meeting. Mr. Hindenach stated that it would be beneficial to have the site plan approved tonight as it will allow more time for construction. He also stated that he is available to answer any questions Commissioners may have.

PUBLIC HEARING

None

NEW BUSINESS

Receive Site Plan #SP13.03 for J & L Manufacturing Addition and Parking at 1507 George Brown Drive

MOTION by Banfield, supported by Davis, to receive Site Plan #SP13.03 for J & L Manufacturing Addition and Parking at 1507 George Brown Drive. On a voice vote; **MOTION CARRIED.**

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Commissioner Davis stated the Planning Commission has received and approved site plans in one evening in the past and he would not be opposed to receiving and approving J & L Manufacturing's site plan tonight.

MOTION by Davis, supported by Zuck, to set aside the rules and allow for approval of Site Plan #SP13.03 for J & L Manufacturing Addition and Parking at 1507 George Brown Drive. On a voice vote; **MOTION CARRIED.**

Commissioner Banfield stated that he would have liked to have seen an electronic copy of the plans before tonight's meeting so he would have been better prepared. The plans that were sent to him were too small to read.

Commissioner Zuck asked staff to clarify the landscaping on the site plan. Staff stated that J & L is asking that the Planning Commission consider their plan under §156.303 Special Provisions for Existing Sites. Staff stated that because 1507 George Brown Drive is an existing site adding improvements, that only 30% of the required landscaping for a new development is required.

Commissioners discussed the proposed addition and organization of 14 parking spaces and how this improvement will aesthetically improve the parking lot and surrounding area.

David Stiles, J & L Plant Manager, stated that while construction is going on, their site will be cleaned up and brought into conformance with the city's ordinances. Mr. Stiles stated that with the planned addition to J & L, they will be hiring new employees and adding 2 more loading docks. He stated that the with the addition and parking lot improvements, traffic will flow more easily in and out of the site.

MOTION by Davis, supported by Zuck, to approve Site Plan #SP13.03 for J & L Manufacturing Addition and Parking at 1507 George Brown Drive. On a voice vote; **MOTION CARRIED.**

Receive City Council request for Planning Commission public hearing on HCOD

MOTION by Banfield, supported by Fleming, to receive City Council's request to hold a public hearing on the Hospital Campus Overlay District (HCOD) and set a Public Hearing for July 10, 2013.

Commissioners discussed what to do if at the public hearing someone comes up with additional proposals or if they want to change their recommendation. They discussed if there would be an option to change the recommendation or if they were supposed to just listen to comments and recommend the HCOD that was previously recommended. Staff commented that if there are any new proposals, if she can get them before the July meeting, she will be able to send to Planning Commissioners to be reviewed. Staff went on to say that City Council expects to have Planning Commissioner's recommendation for the July 15, 2013 City Council meeting.

Commissioners further discussed that it is their due diligence to protect the health, welfare and safety of the community. Some Commissioners felt the HCOD that was recommended to City Council may pose a threat to the safety of the neighborhood. Commissioners stated that no matter what is recommended to Council, Council has ultimate jurisdiction.

Commissioners stated that they would need more time to consider any different proposals that may be presented during the public hearing. Expecting the commissioners to hear a new proposal and hand down a recommendation on it is a lot of responsibility to have in one night.

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Some commissioners felt that the neighborhood will be damaged through this intrusion into a residential zone. An Environmental and economic impact of the HCOD has not been performed and the intrusion north of prospect is substantial; the most substantial the city has ever had in a construction zone. Some commissioner's also felt that the City Council had tasked them with reviewing the existing HCOD and not developing any new recommendations to council. Most commissioners felt that a time extension would be needed to give any new recommendation on the HCOD to Council.

On a voice vote; **MOTION CARRIED.**

Receive Special Land Use #SLU13.01 for 1210 Comstock, Group Child Day Care and set public hearing for July 10, 2013

MOTION by Davis, supported by Zuck, to receive Special Land Use Request #SLU13.01 for 1210 Comstock, Group Child Day Care and set Public Hearing for July 10, 2013. On a voice vote; **MOTION CARRIED.**

Discuss Zoning Ordinance Definition of "Laboratory"

Staff stated that at May's Zoning Board of Appeals Meeting there was discussion over the definition of "Laboratory" in the zoning code. The definition in the zoning ordinance states: *Laboratory, a place devoted to experimental study such as testing and analyzing, but not devoted to the manufacturing of a product or products.* Staff stated that the words "devoted" and "experimental" gave the board pause during the meeting and that the two words can be interpreted many ways. ZBA Members wanted the definition to be reviewed by Planning Commission.

Staff stated that the case in question was a business downtown that was 90% professional office but that 10% of their business involved the testing and analysis of grain products. ZBA Members had the task of deciding if the business fit into the B-3 district or if the business better fit into the I-1 district. They felt the "Laboratory" definition was obscure and hard to use.

Planning Commissioners discussed the current definition of "Laboratory" and stated that changing the definition could possibly cause issues with some businesses currently in the B-3 district. Commissioners agreed the current definition can be interpreted differently and like the definition of laboratory as stated in Webster's Dictionary. Commissioners agreed the definition for "Laboratory" should state: *a place equipped for experimental study in a science or for testing and analysis, but not committed to the manufacturing of a product or products.*

Commissioners also discussed if the B-3 zoning district uses needs to be looked at and possibly changed. Commissioners asked staff to check what other communities' definition of "Laboratory" is and if other communities allow the use in their B-3 zoning district and bring back suggested changes to the July meeting.

Discuss Addition of "Off-Premises Sign" to Sign Ordinance §152: Appendix A: (B) 6

Staff stated that it was brought to her attention that a business had an off-premises sign on their building. Staff stated that the sign has been removed and although "off-premises sign" is not included as a permitted sign in any district, she feels it needs to be added to the Sign Ordinance, in the Appendix, under the "Prohibited Sign" section. Commissioners discussed the issue and agreed to

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have staff bring back changes to the Sign Ordinance §152: Appendix A: (B) 6 section to July's Planning Commission meeting.

OLD BUSINESS

None

Public Comment for Items not on the Agenda

None

REPORTS

Commissioner Banfield stated that the fence at the Honolulu House looks wonderful.

Commissioner Davis stated that MEADA is going well. All MEADA employees are now under the direction of John Coulter and should be moved into their new location by July 15th.

Chair Collins stated that the plans for the new fire station look good and she is pleased that all the fire trucks will be able to be housed in the new building.

Commissioner Zuck stated he is pleased that the plans for the new fire station are finally moving forward.

Staff stated that the City will be reviewing the preliminary site plan for the new fire station next week and Commissioners should be receiving the site plans either in July or August.

ADJOURN

The Planning Commission adjourned at 8:04 p.m.

Submitted by,

Colleen Webb