

**WORK SESSION MINUTES
MARSHALL CITY PLANNING COMMISSION
WEDNESDAY, January 4th, 2012**

In a work session, Wednesday, January 4th, 2012 at 6:00 p.m. in the PSB training room, 900 S. Marshall St., Marshall, MI 49068 the Marshall Planning Commission was called to order by Vice Chair Matt Davis.

ROLL CALL

Members Present: Vice Chair Davis and Commissioners Revore, Burke Smith, Oates, Banfield, Fleming and Council Liaison Mankerian

Members Absent: Chair Collins and Commissioner Mengel

Staff Present: Natalie Huestis, Director of Community Services
Dave Owens, Planning & Zoning Assistant

AGENDA

MOTION by Oates, supported by Burke Smith, to accept the agenda for January 4, 2012 work session. On a voice vote; **MOTION CARRIED.**

OLD BUSINESS

Discussion on Hospital Campus Overlay District and Signage Ordinance (HCOD)

Staff began the meeting with an educational presentation that included six points of interest. Commissioners then discussed each point.

Before the presentation, staff clarified that 319 High Street was not included in the Overlay, and where the northern border of the Overlay ended. During the open discussion, the following comments were made:

1.) Phases of development of the HCOD

No comments

2.) Overview of the HCOD

No comments

3.) Definitions to be added to the zoning ordinance

No Comments

4.) Purpose statement of HCOD

Commissioners discussed the public opinion regarding the potential commercial competition within the Overlay which may affect downtown. They encouraged anyone with such an opinion to visit the City of Marshall web site and read the HCOD ordinance which protects this from happening.

Commissioners then asked staff if the Health Care and Human Services (HCHS) district would be replaced by the HCOD overlay. Staff informed the commissioners that all zoning districts that are currently within the overlay will still exist, and that this is an overlay on those districts. Staff explained that any points in the HCOD ordinance that are not covered defer back to their assigned district.

5.) Streets proposed to be vacated in the future

Commissioners asked staff if URS Traffic Consultants did the street closure study and if that study is available to them. Staff informed the commissioners that a study was performed independently by both URS and Walker Parking Consultants. Their complete studies are available to the commissioners on the city web site.

6.) Examine the North section of the boundary

Commissioners asked for clarification of ownership of the northern boundary properties. Hospital representatives responded that the hospital owned all eight properties on E. Prospect St., between N. Madison and High Streets, and the first house north of E. Prospect St. on High St. Commissioners then requested zoning clarification on the northern boundary homes within the HCOD, specifically questioning if the homes to the north would remain in the R-3 district. Staff responded that all zoning districts within the Overlay would remain intact; however, the permitted use of the Overlay allows the hospital to use those properties as long as the hospital follows the permitted uses within the Overlay ordinance. If the hospital chose to abandon any properties within the Overlay those properties would not fall under the Overlay ordinance.

General Comments Post Staff Presentation

Commissioners commented that the biggest change was the allowable height of structures within the Overlay; pointing out that the current restriction within the R-3 district is a 2.5 story building and within the HCOD has been increased to a 5 story building. There was concern that a residential home could potentially have a tall, commercial structure as a future neighbor.

A member of the audience questioned commissioners and staff if the Overlay made it possible to build anything without submitting a site plan to the city for review. Commissioners clarified that any new construction within any zoning district including the HCOD are subject to site plan review, and that essentially what this Overlay accomplishes is it removes the need of the hospital to request a variance from the Zoning Board of Appeals (ZBA) each time they need to expand, or add on.

(official)

Commissioners asked staff if the HCOD changed the City of Marshall's Master Plan. Staff confirmed that the Overlay was a change to the Master Plan, but pointed out that the Master Plan was a planning document only and that it could be changed if, the HCOD was approved.

Commissioners asked staff for clarification on what Mayor Dyer was requesting from the Planning Commission (PC). Staff stated that the Mayor is requesting recommendations from the PC on the HCOD Ordinance and Sign Ordinance.

Commissioners suggested a different way of viewing the HCOD presentation that would assist them in understanding **§156.189 (2) B** the "Buffering" section, specifically questioning whether the 20' buffer would be landscaped, and what the requirements are of each particular type of buffer. Commissioners also requested an architectural drawing showing a 5 story building positioned as close to the buffer as allowed, to show them what they would consider as the most extreme case of building placement permitted within the HCOD.

Commissioners ask staff to clarify the eastern boundary. Staff clarified the eastern boundary as being on the west side of High Street.

Commissioners proposed going through the HCOD Ordinance page by page to weed out any clerical errors, and requested that staff supply the current and proposed documents side by side to better enable the PC to visualize any changes.

Commissioners requested staff to supply them with the power point presentation from the evening. Staff said it would be emailed to all commissioners.

Commissioners would like the punctuation fixed in **§156.184**, line three of the first paragraph should not have a comma after the word "retail."

Commissioners pointed out the first sentence in **§156.189 2A-(4)** should not have the word "zoning" in it, it should read – "A tiered height screening approach shall be provided on the side of a lot facing...."

Commissioners also pointed out the beginning of the ordinance, and recommended it be kept vague in order to alleviate issues that may come out later.

A discussion regarding whether or not an Adult Related Sexually Oriented Business (ARSOB) could be in the Overlay district, suggesting that the wording may be too vague. Commissioners requested staff to have the city attorney review the overlay ordinance and express concerns with going forward without the attorney's opinion.

NEW BUSINESS None

NON-AGENDA MATTERS None

ADJOURN The Planning Commission adjourned at 8:00 p.m.

Submitted by,

Dave Owens