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Minutes of the Regular Meeting
of the Planning Commission
Tuesday, November 28, 2017

1. Call to Order

Chairman Tom Germayne called the regular meeting to order at 7:00 p.m.

2. Pledge of Allegiance

Chairman Tom Germayne led the Pledge of Allegiance.

3. Roll Call

Present: Chairman Tom Germayne, Mayor Walt Barga, John Lengemann, and Jason Schwab

Absent: Mike Romine, Stu Davis and Ted Sadler

Also Present: City Manager Tom Youatt, City Treasurer/Clerk Nicole Frost, Scott Bell from Lapham Associates, John Olson from Spicer Group and one member of the community.

4. Approval of Agenda

Moved by Barga, seconded by Lengemann, to approve the agenda with the addition of 8. B. Commercial Zone – Garbage and 8. C. Makers Mart Zone. **Motion Carried 4 – yeas; 0 - nays**

5. Approval of Minutes

Moved by Barga, seconded by Schwab, to approve the minutes of the Regular Meeting held Tuesday, October 24, 2017. **Motion Carried 4 – yeas; 0 – nays**

6. Citizens From the Floor - None

7. Old Business - None

8. New Business

**A. Site Plan Review – DeShano Development Corporation – 1839 S. Almont Avenue
Parcel ID # I19-85-244-040-00**

John Olson from Spicer Group stated he received the site plan from Lapham Associates for the DeShano Development for Imlay City Assisted Living Facility on S. Almont Avenue. Lori Ettema from their planning office performed a Zoning and Ordinance Review. Mr. Olson stated he and Ms. Ettema have recommendation concerns. Mr. Olson noted the parking lot is 15 feet from the building and it should be 20 feet. There is an issue with powerlines in the area and a zoning variance will be needed. City Manager Tom Youatt stated ZBA meeting is scheduled for Thursday, December 28, 2017 to address this variance request.

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Mr. Olson stated the building exceeds the ordinance allowance of 180 feet. City Manager Tom Youatt stated the Zoning Board of Appeals approved a variance on Monday, November 27, 2017, for the length of the building.

Mr. Olson stated the waste receptacles should be constructed out of brick to comply with the ordinance.

Mr. Olson stated Spicer Group has a recommendation of having a sidewalk from the front of the building to the sidewalk on Almont Avenue. Scott Bell from Lapham Associates suggested one sidewalk from the front of the building to the sidewalk that would be in the middle of the property.

Mr. Olson stated they will need to discuss the Landscaping Plan. Under Section 23.7 the number of shrubs and trees would mean for this property they would need 14 trees and 95 shrubs along the road frontage. City Manager Tom Youatt noted the number of shrubs could be administratively handled.

Mr. Olson discussed the detention and retention pond need for trees and shrubs also. Mr. Bell informed the Commission that the detention and retention pond is a dry basin and will only have water if there is a rain event. It is a low lying area in the front of the building but it will be mowed and maintained. Mr. Bell is asking this requirement be waived. Commissioner Lengemann questioned whether there will be water in this area for very long. Mr. Bell stated the detention and retention pond is adjacent to the City storm drain and will drain into the storm drain and the design is intended to drain a 25 year rain event per day. The design filters out sediment before going into the City storm drain. Commissioner Lengemann questioned if there is a drain in the center of the pond to keep it dry because he did not see it on the site plan and would like to see that on the plan. Mr. Olson stated it would be in more detail on the final design, site plan and drawing.

Mr. Olson stated there are some concerns over elevated levels of lighting and some minor concerns on grading, and wants to make sure the property drains well.

Mr. Olson commented on page 6 of their report stating they have concerns on the grading of the swale. They would like to see more grade on the swale. Mr. Bell responded that there were typos on the plan and should be one foot higher.

Mr. Olson informed the Commission there is some concern with the water and sewer. Instead of a single 8" water main Spicer Group would recommend a looped water system. Mr. Olson also made reference to some of the concerns that Fire Chief Rick Horton has about the water system and access to and around the building.

Mr. Olson informed the Commission Spicer Group is suggesting extending the sanitation sewer to south of the property line to include the house that is south of the property line that currently does not have City services. Mr. Olson stated some engineering work will need to be done to do this and easements will need to be obtained. Mayor Barga questioned whether there is a problem extending sewer to this property. Mr. Bell and Mr. Olson stated there is concern that it is getting shallow to extend it to that property, and some engineer work will need to be done. Mayor Barga

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inquired as to whether it would be shorter to connect from Newark Road or shorter to connect from the north. Mr. Olson stated it is shorter from the north. Mr. Olson stated bringing sewer to this property needs to be addressed while this project is in progress. Commissioner Lengemann inquired as to where the condos were in reference to this property and does the sewer line come down S. Almont Avenue. Mr. Olson stated the condos were about 100 feet to the southwest of this property and the sewer does not come down S. Almont Avenue, rather it comes off of Newark Road.

Mr. Olson informed the Commission that the potential action for tonight would be to address the brick masonry construction of the waste containment, the driveway entrance being changed to comply with the 25 foot radii, sidewalk from building to Almont Avenue, the landscaping plan, a signage plan, updating water/sewer plan, storm water drainage plan and utility plan and an explanation of the high foot candles. If these items were addressed Spicer Group would recommend approving changed plans. City Manager Tom Youatt stated there is an additional contingency that the developer would need to agree to pay for 50% of the cost of the sewer extension. Mr. Bell stated all these changes can be made and the site plan can be corrected by the end of the week. Commissioner Lengemann asked if it would be a big issue to come back next month with the corrected plans that have addressed the issues stated in the review from Spicer and inquired as to whether it would hold up the developers plans to start. Mr. Bell stated it would not.

Commissioner Lengemann asked if our requirement for greenery and trees is a rational requirement or if it was excessive. Mr. Olson stated green space looks nice. Mayor Barga stated the requirements that are listed out in the ordinance were intended for a small parcel and it warrants some review. Mr. Bell stated this property has 475 feet of road frontage. Chairman Germaine inquired as to whether the ordinance was over burdensome. Mr. Bell stated the requirements are similar to other communities. City Manager Tom Youatt stated he thinks the greenery requirement in this case is overburdensome. Commissioner Lengemann stated that where the trees are spaced on Almont Avenue creates a nice canopy. Mr. Bell stated the plan was to keep the majority of trees that are already there. City Manager Tom Youatt stated the retention basin will not have standing water in it so trees around the retention basin will not be needed. Mr. Bell stated they had been more focused on the greenbelt on the north and south side of the property to shield adjacent property.

Mayor Barga asked if the developer was okay with the 25 foot radii for the driveway. Mr. Bell stated they do not have a problem with that, the plans had originally had a Type M driveway but switched it to a Type L just before submitting.

Mayor Barga inquired as to when the next meeting would be. City Manager Tom Youatt stated the ZBA is scheduled to meet on December 28, 2017 and he does not think the Planning Commission should meet until after the ZBA has their meeting.

Chairman Germaine questioned if there is a purpose to the offset drive on the south driveway and if there was any way around doing that. Mr. Bell stated that the potential future Phase II might be affected if they moved the driveway because it would affect

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the parking for Phase II. Mr. Bell stated they could put in a straight driveway if they got a variance for it.

Chairman Germaine wanted to encourage the developer to put in a sidewalk to Almont Avenue and questioned if there was enough lighting in some areas for security, but too much in some areas, and the need to weigh harsh light versus volume of light. Mr. Bell stated the sidewalk would be a nice addition to the property and did not have a problem with putting in a sidewalk and the lighting issue he can address by moving the grid and changing the lighting slightly but did state the lights proposed would be LED lights. Mayor Borgen inquired as to if there would be lighting on the sidewalk. Mr. Bell stated currently there is not any lighting on the sidewalk but they can put lighting at the driveways and sidewalk. There was some discussion about how many facilities are like the proposed facility, with the same footprint, and what their lighting is like.

Commissioner Lengemann inquired as to if the only thing on the review the developer has a problem with is the shrubbery. Mr. Bell stated that they would prefer to have no shrubs and the waste enclosure not be brick due to the cost of building and the repair costs if it should become damaged. Mr. Bell stated the developer would prefer to have the same vinyl fence that is used on the patios to be allowed for the waste enclosure.

Mr. Olson stated the current ordinance requirement states they will need 14 trees and 95 shrubs. Commissioner Lengemann stated it was his understanding the trees were not the issue but the shrubs were and asked how many shrubs would they like to put in. Mr. Bell stated they would rather not put in shrubs and only have trees but will do what the Commission requests. It was discussed that the current trees are in between the sidewalk and the road. Commissioner Lengemann inquired as to if the ordinance specifies what type of tree can be planted. City Manager Tom Youatt stated yes the City has a list of approved trees. Mr. Olson stated the sewer would be on the easement east of the sidewalk. Mayor Borgen stated administratively we would require some shrubs. Commissioner Lengemann does not feel shrubs are necessary. Mr. Olson suggested they plant a cluster of shrubs at the entrance and the exit.

Moved by Borgen to approve the proposed site plan from DeShano Development Corporation – 1839 S. Almont Avenue Parcel ID# I19-85-244-040-00 subject to the approval of the 15 foot variance for the parking lot and to changes being made to the plan that are addressed in the Spicer Group review and developer agrees to split the cost of the 12 inch sanitation sewer extension with the City.

Chairman Germaine declared the motion fails due to lack of support.

Commissioner Lengemann stated he feels the Commission needs to address the shrubs and feels that five or six on each side of the entrance and exit for a total of 24 shrubs is good and the number of trees should stay at 14 trees total. Mr. Bell and Mr. Olson stated they were going to suggest 30 shrubs.

Moved by Lengemann, seconded by Borgen, to modify the requirement on the number of shrubs required to 24 shrubs to be planted, 12 at the entrance and 12 at the exit, and maintain the 14 tree requirement per the ordinance. **Motion Carried 4 – yeas; 0 – nays**

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Moved by Lengemann, seconded by Bargaen, to table the approval of the site plan for a forty unit assisted living facility for DeShano Development Corporation at 1839 S. Almont Avenue Parcel ID# I19-85-244-040-00 until they have met the requirements recommended by the planner and engineer. **Motion Carried 4 – yeas; 0 – nays**

Mr. Bell stated he can do a generalized utility plan but believes this should be excluded until the final plans are ready because the developer needs approval from the Planning Commission in order to get the DEQ permit. Mr. Olson stated they do not need a detailed and utility plan the intent of the water/sewer plan was to be an initial plan. Chairman Garmayne would like to see the driveway radius and lighting issues resolved. Mr. Bell stated he plans to have a revised plan to Spicer Group by the end of the week.

City Manager Tom Youatt stated they will need to post and advertise a special meeting and would like to tentatively plan for Tuesday, January 9, 2018.

B. Commercial Zone – Garbage

Mayor Bargaen stated he has noticed the garbage that businesses along M-53, specifically the motel, has been setting out at the road. Mayor Bargaen would like to see if there is something in the ordinance, and if not add it to the ordinance that states garbage should be in the back of the business not at the road. City Manager Tom Youatt stated he will look into what the ordinance states currently.

C. Makers Mart Zone

Mayor Bargaen explained a Makers Mart Zone is a way to allow light manufacturing in the rear of a building that has retail in the front. This provides greater utilization of the downtown commercially zoned areas. It is a new zoning idea and will help reduce vacant areas in downtown. Mayor Bargaen stated it brings in a different niche. City Manager Tom Youatt stated this would need to be looked at in the zoning ordinance to see where this can be fit into our ordinance.

9. Adjournment

Moved by Lengemann, seconded by Bargaen, to adjourn the meeting at 8:02 p.m. **Motion Carried 4 – yeas; 0 - nays**

Respectfully Submitted by:

Anne McAvoy, Deputy Clerk/Utility Billing Clerk

Approved: _____