

**MINUTES OF THE REGULAR MEETING OF THE
MIDLAND CITY PLANNING COMMISSION,
TO TAKE PLACE ON TUESDAY, JANUARY 28, 2020 7:00 P.M.,
COUNCIL CHAMBERS, CITY HALL, MIDLAND, MICHIGAN**

1. The meeting was called to order at 7:00 p.m. by Chairman Mayville.
2. The Pledge of Allegiance was recited in unison by the members of the Commission and the other individuals present.

3. Roll Call

PRESENT: Bain, Hanna, Koehlinger, Mayville, Pnacek, Sajbel and Rodgers

ABSENT: Broderick, Heying

OTHERS PRESENT: Grant Murschel, Planning Director, Nicole Wilson, Community Development Planner and twenty-one (21) others

4. **Approval of Minutes**

Hanna made a motion to approve the minutes of the Regular Meeting of January 14, 2020, seconded by Rodgers. Motion carries 7-0.

5. **Public Hearings**

- a. Site Plan No. 395 - initiated by DGR Properties, LLC for site plan review and approval of a five (5) building, 32,100 square foot mini-storage facility located at 916 Waldo Avenue-

Murschel indicated that the applicant has withdrawn Site Plan No. 395 from consideration indefinitely.

- b. Site Plan No. 396 - initiated by D & M Site, Inc. for site plan review and approval for an 8,820 Square foot medical office facility located at 217 & 223 N. Saginaw Road and 2924 Manor Drive.

Wilson gave the staff presentation for Site Plan No. 396.

John Morey, D&M Site, 401 Balsam Street, Carrolton

Mr. Morey represented the development team and commented on the uniqueness of the building.

Mr. Morey continued that stormwater management presented the greatest challenge in engineering this site and commented on the clarity that the site plan checklist provides. Mr. Morey identified the increased landscaping proposed to provide additional buffering between the residential homes.

Dr. Paul Kimball, 5815 Tennis Court

Dr. Kimball commented that the existing space for the practice does not adequately meet the need of the community and that the new space seeks to do so. Dr. Kimball further commented that he grew up in Midland and returned to join a successful practice with Dr. Howser and added Dr. Erickson. Dr. Kimball identified the intention for maintaining the practice open throughout the demolition of the two buildings closest to Manor Drive, followed by moving the practice to the new building and demolition of the southernmost structure and construction of the parking areas.

Dr. Carl Erickson, 5608 Berry Court

Dr. Erickson echoed Dr. Kimball's comments around the need for expanded space to serve the needs of the practice's clientele.

Comments in Support

Tyler Snyder, 2918 Braley Court

Mr. Snyder commented that he is in support of the project and that his concern is around the flooding happening in his property from both this adjacent property as well as the Ten16 property. Mr. Snyder further identified his efforts to add material to the property to prevent water from reaching the home.

Patrick Pnacek, 2525 Eastman Avenue

Mr. Pnacek commented that the proposed will be a vast improvement to the existing obsolete structures in that area today.

Tracy Allen, 211 North Saginaw Road

Ms. Allen owns the property directly to the south of the subject parcel and shared her concerns at the scale of the proposed when considering the scale (height) of the Ten16 property and her concern of her single story building to be visible between the two. Ms. Allen further commented at the closure of the driveways from North Saginaw Road and the potential for this change to negatively impact the pedestrian route from the parking for her building's clientele. Ms. Allen further expressed concern at the addition of lease space as relates to the potential for additional traffic. Ms. Allen stated that a shared access agreement has not been proposed but could be considered.

Ms. Hanna inquired if the presence of clay soils in Ms. Allen's building could contribute to the water concerns.

Petitioner declined further comment. Mayville closed the public hearing.

Mayville inquired as to the ability for the concerns of the adjacent property owner to be addressed this evening. Murschel responded to the concerns expressed around the height of the proposed building and the driveway removals and inquired about the potential for a reworked driveway and buffer that could mitigate the impact to pedestrian movement identified. Murschel commented that the request for a buffer could be a request and the applicant could speak to that in the rebuttal period if they should be agreeable to the same. Mayville further inquired if the request for the buffer would be a requirement via the Zoning Ordinance or a request. Murschel commented that the buffer would be a request not a requirement.

Pnacek made a motion to waive the rules of procedure and render a decision this evening, seconded by Hanna. Motion carries 7-0.

Bain commented that this development is an improvement in the Circle District and the increased attention to the district is welcome and needed.

Bain further inquired about the parking calculations and noted that many other medically focused developments seek increased parking availability and that the reduction of the parking, while not at the 50% reduction level allowable, the provision is reasonable and within the range of acceptable count to serve the development.

Pnacek commented that the closure of additional driveways is good idea and likes the work of the engineers on the project to accommodate the stormwater requirements within the small parcel and that the efforts also assist the adjacent property owners.

Rodgers commented that it is a beautiful building.

Murschel inquired of the applicant as to the potential for a 2' buffer could exist to create a more friendly pedestrian experience when accessing the building to the south.

Mr. Morey stated that a buffer will be evaluated and additional concerns discussed with the development team and the adjacent property owners outside of the meeting room.

Rodgers made a motion to approve the site plan with the identified contingencies, seconded by Pnacek.

Yeas: Pnacek, Rodgers, Sajbel, Hanna, Bain, Mayville and Koehlinger

Nays: None

Motion carries 7-0.

- c. Site Plan No. 397- initiated by Jerome Schafer for site plan review and approval of two (2) site condominiums totaling 33 residential units located at 204 Commerce Drive.

Murschel presented the staff report for Site Plan No. 397.

Bain asked how the berm is going to be configured at Jefferson. Murschel responded that there will be additional measures taken to accommodate emergency equipment through the access point as was done on the western property line with Redwood.

Petitioner Presentation

The petitioner declined the need to add additional details.

Comments in Support

Tyler Snyder, 2918 Braley Court

Mr. Snyder commented that the development team and the proposed project are great and that the property was sold by Mr. Snyder's family to the property owner who possessed a very similar intent for the properties.

Patrick Pnacek, 2525 North Eastman Road

Mr. Pnacek commented that his family owned the property purchased by Mr. Snyder's family, and subsequently sold to its current owner for this development. Mr. Pnacek continued that this is a highly desirable area of Midland. Mr. Pnacek identified a roughly five (5) acre parcel zoned community commercial, of which he is part owner, in close proximity. Directly to the south of the subject parcel, the future land use map identifies thirty-one (31) acres of high density residential, thirty-one (31) acres of office-service and thirty-one (31) acres of commercially zoned property between Jefferson Avenue and Eastman Avenue.

Paul Preston, 2262 Rolling Ridge Drive, Midland

Mr. Preston owns the property at 2025 Jefferson Avenue, directly to the south of the subject parcel and is concerned with drainage to his adjacent property and would like to inquire about the existing evergreens that create a natural vegetative screen to his property. Mr. Preston further inquired as to the market demand for the development.

Murschel commented that the development has provided an initial stormwater management plan with final calculations and plan to be evaluated by the City Engineering Department, additionally the existing evergreens in question appear to remain in the proposed plan. Murschel further responded that the market demand for the proposed is not a consideration within the zoning ordinance and so then cannot be considered in the evaluation of the site plan.

Comments in Opposition – None.

Petitioner Rebuttal

Mark Wahl, 1397 Linwood Road, Linwood

Mr. Wahl commented that rear yard drains are in place in each lot and that the site plan seeks to maintain as much foliage as possible. Mr. Wahl continued that there are times when installation of

the yard drains prevent the maintenance of that foliage. Mr. Wahl further commented that in a previous meeting, Ms. Hanna had commented at the need for consistency in design and that Copper Leaf has provided an opportunity to achieve those things and seeks to create a place for active lifestyles while also featuring mobility and accessibility options.

Mayville closed the public hearing.

Pnacek made a motion to waive the rules of procedure and render a decision this evening, seconded by Hanna. Motion carries 7-0.

Mayville commented as to the need for fire coverage to the north end of the City of Midland and consider the continued expansion. Rodgers echoed those comments.

Hanna commented at the need for affordable housing and commended the development team for offering that housing.

Hanna made a motion to approve Site Plan No. 397 with the identified contingencies, seconded by Rodgers.

Yeas: Bain, Hanna, Sajbel, Koehlinger, Rodgers, Pnacek and Mayville
Nays: None

Motion carries 7-0.

d. Capital Improvement Plan 2020-2026 (see packet from January 14, 2020)

Murschel gave an overview of the Capital Improvement Plan process and introduced the departmental team presenting it this evening.

Josh Fredrickson, City Engineer presented the Major and Local Streets sections of the Capital Improvements Plan.

Bain inquired about the private sanitary sewer project that was petitioned for completion. Fredrickson responded that there is no cost identified as there would not be a cost to the city toward the cost of the private system.

Hanna commented that perhaps an expansion of toll roads should be evaluated and shared her experience in driving in the southern portion of the state. Fredrickson commented that collaborative funding and identifying the needs further out as is done in the Capital Improvement Plan allow for necessary repairs to take place.

Water - Peter Schwarz, Director of Water Services presented the Water Treatment Plant and Water Distribution Department portions of the Capital Improvement Plan.

Mayville asked if overall the City is spending enough to maintain its system or if the system continues to deteriorate. Schwarz responded that the system is keeping its head above water.

Hanna commented at the poor quality of the water prior to the municipal water supply being installed and expressed her gratitude for the system.

Murschel asked Mr. Schwarz to detail the revenue source for water, Mr. Schwarz commented that user fees (80% retail, 20% industrial) fund water improvements. Mayville commented that his inquiry is reflective of the challenges facing Flint's water system.

Rodgers asked about the location of lead pipes that may exist. Schwarz responded that the requirement is to identify those lead services within the next 5 years.

Bain asked if the lead service lines are public or privately owned. Schwarz responded that they are most often found on the private side, but that the municipality is required to replace them.

Wastewater & Stormwater – Patrick Frazee, Director of Wastewater Services, presented the wastewater and stormwater portions of the Capital Improvements Plan.

Hanna commented that she is glad that the plan includes her neighborhood after it has flooded three times. Ms. Hanna further discussed the undergrounding or covering of a creek nearby her home that contributed to the flooding concerns in her area.

Murschel asked Frazee to articulate the source by which stormwater and wastewater items are funded. Frazee commented that stormwater improvements are funded via the general fund and that user fees generate the funds for wastewater improvements.

Landfill - Karen Murphy, Director of Municipal Services presented the Landfill portion of the Capital Improvement Plan.

No comments were made in support or in opposition of the plan.

Rodgers commented that the City has fantastic staff focused on efficiency and applauded the effort put into the development of the Capital Improvements Plan

Sajbel commented that it is positive to see action on the flood response recommendations. Pnacek made a motion to approve the Capital Improvements Plan as presented, seconded by Rodgers.

Yeas: Bain, Pnacek, Rodgers, Hanna, Koehlinger, Sajbel and Mayville

Nays: None

Motion carries 7-0.

6. **Old Business** – None.

7. **Public Comments** (unrelated to items on the agenda) – None.

8. **New Business** – None.

9. **Communications** – None.

10. **Report of the Chairperson** - None.

11. **Report of the Planning Director**

Murschel commented at the value of the Zoning & Planning News article around Aging in Place and the inclusion of cross-generationally related items within the upcoming Master Plan.

12. **Items for Next Agenda – February 11, 2020**

a. Zoning Petition No. 629 - initiated by Bierlein Investments, LLC to rezone property located at 2100 Bay City Road from RC Regional Commercial to IA Industrial A.

b. Site Plan Review Process Data and Detailed Proposal

Mayville commented that he is encouraged at the direction the review process is moving and that such change will allow this body to operate more strategically than transactional.

c. Upcoming Comprehensive Master Planning Process

Hanna commented that the municipal facilities that are present and were discussed during the Capital Improvements Plan presentation are an asset to the community and suggested that those present should take the time and opportunity to view them.

13. Adjournment

It was moved by Hanna and seconded by Rodgers to adjourn at 9:32 p.m. Motion passed unanimously.

Respectfully submitted,

A handwritten signature in black ink, appearing to read "Grant Murschel". The signature is written in a cursive, flowing style.

Grant Murschel
Director of Planning & Community Development

MINUTES ARE NOT FINAL UNTIL APPROVED BY THE PLANNING COMMISSION