

**MINUTES OF THE REGULAR MEETING OF THE  
MIDLAND CITY PLANNING COMMISSION,  
TO TAKE PLACE ON TUESDAY, APRIL 14, 2020 7:00 P.M.  
MEETING HELD ELECTRONICALLY DUE TO THE COVID-19 PANDEMIC**

1. The meeting was called to order at 7:00 p.m. by Chairman Mayville.
2. The Pledge of Allegiance was not recited by the members of the Commission due to the electronic format.
3. Roll Call

**PRESENT:** Bain, Mayville, Heying, Koehlinger, Pnacek, Sajbel, Broderick, and Rodgers

**ABSENT:** Hanna

**OTHERS PRESENT:** Grant Murschel, Director of Planning & Community Development; Tadd Underhill, Manager of Information Service (meeting host); and eleven (11) others.

4. **Approval of Minutes**

Heying made a motion to approve the minutes of the regular meeting of March 10, 2020, seconded by Rodgers. Vote on the motion:

Yeas: Bain, Heying, Mayville, Koehlinger, Pnacek, Sajbel, Broderick, and Rodgers

Nays: None

Motion carries 8-0.

5. **Public Hearings**

- a. Zoning Petition No. 630 - a rezoning request initiated by DGR Properties, LLC to rezone property located at 1420 Bayliss Street from RC Regional Commercial to RB Multiple Family Residential

Murschel gave the staff presentation for Zoning Petition No. 630.

Bain questioned the access to the property, Murschel stated that would be something that would be fleshed out during the future site plan review processes but that many options for access exist.

Mayville asked for clarification of the types of uses that this zoning change would allow. Murchel gave an overview of the types of uses stated in the City Zoning Ordinance.

Petitioner : Dave Rapanos, 2323 E Wheeler Street Midland, MI

Mr. Rapanos gave an overview of his ideas for the use of the property, access to the site is proposed to be off of Bayliss Street via the commonly owned property that abuts to the west of the subject parcel.

No comments in support or opposition.

Mayville closed the public hearing.

Pnacek made a motion to waive the rules of procedure and render a decision this evening, seconded by Heying. Vote on the motion:

Yeas: Bain, Heying, Mayville, Koehlinger, Pnacek, Sajbel, Broderick, and Rodgers

Nays: None

Motion carries 8-0.

Rodgers made a motion to recommend approval of Zoning Petition No. 630 as proposed. The motion was seconded by Sajbel.

Yeas: Bain, Heying, Mayville, Koehlinger, Pnacek, Sajbel, Broderick, and Rodgers

Nays: None

Motion carries 8-0.

- b. Site Plan No 398. - initiated by initiated by Fashion Square Investments, LLC to construct a 9,000 square foot medical office and surgery center to be known as Greater Michigan Oral Surgeons and Dental Implant Center for property located at 5220 Eastman Avenue

Murschel gave the staff presentation for Site Plan No. 398

Petitioner Lisa Easterwood with Fleis & VandenBrink Engineering: Ms. Easterwood answered some questions posed about the layout of the proposed building. She also answered inquiries about the placement of fire hydrants and water service and storm water management on the site. She spoke about the relationship with neighboring PNC bank and the possible future connectivity of a shared access driveway. She agreed to the need for the pedestrian connection and a bike rack.

Comments in support – Patrick Pnacek, 2525 N. Eastman Avenue.

Mr. Pnacek indicated his support of this site plan and thinks it will be a great addition to the area.

Comments in opposition – none

Mayville closed the public hearing.

Bain made a motion to waive the rules of procedure and render a decision this evening, seconded by Rodgers. Vote on the motion:

Yeas: Bain, Heying, Mayville, Koehlinger, Pnacek, Sajbel, Broderick, and Rodgers

Nays: None

Motion carries 8-0.

Bain spoke about the added contingency item relating to a solid masonry wall or an approved alternative along with an amended consent agreement along the eastern property line to the satisfaction of the City of Midland Planning Department.

Bain made a motion to recommend approval of Site Plan No. 398 with the amended contingencies as follows:

1. A final stormwater management plan and permit to the satisfaction of the City Engineering Department.
2. A final soil erosion and sedimentation control permit to the satisfaction of the City Building Department.
3. A pedestrian connection from the public sidewalk into the interior of the site to the satisfaction of the City Planning Department.
4. A solid masonry wall along the eastern property line or to the specification of an amended Consent Agreement to the satisfaction of the City Planning Department.
5. Shared access easement agreement for future connection with the property to the immediate south to the satisfaction of the City Planning Department.

The motion was seconded by Rodgers.

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

Motion carries 8-0.

- c. Site Plan No. 399 - initiated by PKP Properties, LLC to construct a 22 unit multiple-family residential development, totally 50,688 square feet. The property is located at 4908 and 4912 Universal Drive.

Commissioner Pnacek declared a conflict of interest and asked for him to be removed from the participants in the meeting. The virtual host of the meeting removed Commissioner Pnacek from the list of participants.

Murschel gave the staff presentation for Site Plan No. 399

Heying asked about the state of the current parcels. Murschel explained that previous site plans have been approved for these properties but the projects have been stopped by the developers for a variety of reasons.

Petitioners Scott Bell with Lapham Associates and Patrick Pnacek with PKP Properties LLC  
Mr Bell addressed some of the contingency items stated in the staff report and some of the concerns identified by the Commission.

Comments in support – none.

Comments in opposition – Bob Keppin 5010 Stephanie Drive Midland MI and Cheryl King 5005 Stephanie Drive Midland MI.

Both Mr. Keppin and Ms. King are board members of the abutting Raintree Condominium Association. They brought concerns that have been conveyed to them from other condo owners. These items included noise pollution that comes with rental properties as well as water retention concerns for the property and the neighboring properties. Privacy and traffic concerns were also noted, as well as a request from the condo association for an eight (8) foot fence or landscaping barrier to alleviate these concerns.

Petitioner rebuttal:

Scott Bell answered some questions about the storm sewer as well as the vegetation that is currently on the property. Patrick Pnacek spoke about other properties near the proposed site that are also rental properties owned by and run by himself. He spoke to the quality of the management and that there are no complaints or concerns surrounding those properties.

Mr Murschel spoke to the requirements that were being asked of petitioners. The site plan documents tree retention therefore the applicant is committing themselves to do this. A fence is not a requirement of this site plan and could have installation and ongoing maintenance challenges given the location within vegetation.

Mayville closed the public hearing.

Heying made a motion to waive the rules of procedure and render a decision this evening, seconded by Sajbel. Vote on the motion:

Yeas: Bain, Heying, Mayville, Koehlinger, Sajbel, Broderick, and Rodgers  
Nays: None

Motion carries 7-0.

Rodgers made a motion to recommend approval of Site Plan No. 399 with the following contingencies:

1. A final stormwater management plan and permit to the satisfaction of the City Engineering Department.
2. A final soil erosion and sedimentation control permit to the satisfaction of the City Building Department.
3. A revised photometric plan to the satisfaction of the City Planning Department.
4. A revised landscaping plan to the satisfaction of the City Planning Department.

The motion was seconded by Heying

Yeas: Bain, Heying, Mayville, Koehlinger, Sajbel, Broderick, and Rodgers  
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** – Mayville commented that he was happy about the format of the meeting and thinks it worked well.
11. **Report of the Planning Director** - Zoning Petition No. 629 was approved by City Council on April 13, 2020.
12. **Items for Next Agenda – April 28, 2020**
  - a. **Site Plan Review Process Further Details**

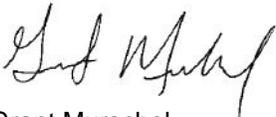
13. **Adjournment**

It was moved by Pnacek and seconded by Heying to adjourn at 9:03 p.m. Vote on the motion:

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

Motion carries 8-0.

Respectfully submitted,



Grant Murschel  
Director of Planning & Community Development

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