

**MINUTES
MARSHALL CITY PLANNING COMMISSION
WEDNESDAY, May 12, 2010**

In a regular session, Wednesday, May 12, 2010 at 7:00 p.m. in the Council Chambers of Town Hall, 323 West Michigan Avenue, Marshall, MI the Marshall Planning Commission was called to order by Chairman Tim Banfield.

ROLL CALL

Members Present: Chairman Banfield, Commissioners Fleming, Mengel, Collins, Barrett (arrived at 7:05 pm), Davis, Oates, Stevenson and Burke Smith and City Council Liaison Dyer

Members Absent: Commissioner Davis

Staff Present: Natalie Huestis, Director of Community Services

MINUTES

MOTION by Oates, supported by Fleming, to accept the minutes of the April 14, 2010 regular meeting as submitted. On a voice vote; **MOTION CARRIED.**

AGENDA

MOTION by Burke Smith, supported by Collins, to accept the agenda for the May 12, 2010, regular meeting as submitted. On a voice vote; **MOTION CARRIED.**

AUDIENCE PARTICIPATION

None

PUBLIC HEARINGS

Special Land Use #SLU10.01, home-occupation at 424 Monroe Street

Public hearing open

Patty Cornwell, home owner of 424 Monroe Street, is asking for a Special Land Use so Faith Emswiler, occupant, can run her beauty salon business out of the home. She will be open by appointment only. Ms. Emswiler already has a client base and will be open three days a week: Tuesday and Thursday from 9am to 7pm and Saturday from 9am to 5 pm. She stated the salon will be located in the back of the home, have its own entrance, there will be no employees, no signage is being requested and she will not be accepting walk-ins.

Patty Cornwell, home owner of 424 Monroe Street, is supporting the home based beauty salon business. She stated that if the home owner is approved, this will allow Faith to be able to purchase the home.

Public hearing closed

Staff stated she received a letter from a neighbor at 426 S. Jefferson in support of the home-based beauty salon and no other communication regarding the Special Land Use was received.

MOTION by Collins, supported by Oates, to recommend that Special Land Use #SLU10.01, home-occupation be given to 424 Monroe Street and recommend to City Council for approval. On a voice vote; **MOTION CARRIED.**

OLD BUSINESS

Accept and consider approval for final site plan #SP10.01 for Oaklawn Hospital- Surgery Addition, 200 N. Madison

Joanna Tarkiewicz, 220 Lyon Lake, Assistant Director of Plant Operations at Oaklawn Hospital, addressed the commissioners with the final plans on expanding Oaklawn Hospital's Surgery Center. She stated the 30 million dollar project will add 23 new jobs and a 25,000 square foot surgery addition. The hospital has received approval from the Zoning Board of Appeals for the reduction of parking and the certificate of need for approval from the state. Mrs. Tarkiewicz stated the plans have been revised to reflect staff's and planning commissioner's concerns and recommendations. The sidewalk along Prospect Street has been extended from Madison to High; the south crosswalks has been removed on Madison, the crosswalk to the north will remain; the height of the screen wall of the new generator has been changed to add an additional 2 feet of screening, the north elevation of the generator is 14 foot and the screen wall will now be 16 feet.

Ms. Tarkiewicz stated that the hospital did a noise study in the summer of 2009 for the noise levels the hospital produces. The ambient noise level from the street is currently at 60 decibels. The noise level with the current generator is 77 decibels, with the proposed new generator the noise level will be 47 to 61 decibels. The new generator will not increase the noise level at the road.

Ms. Tarkiewicz stated that the hospital changed the elevations at the new entrance for the purpose of light shielding for the neighbors on Prospect Street. The current elevation on the parking lot is 917.44 feet and 917.96 feet. The new elevation at the drop off area will be 918 feet; this would be approximately 1/2 foot elevation change. Due to the turn into the entrance, the lights will be going into the hospital instead of the homes on Prospect Street. She also stated that the hedges used for screening will be 3 feet apart instead of 5 feet apart and moved 3 feet north. This will increase the density of the hedges and increase the screening affect for the Prospect neighbors.

Planning Commissioners discussed the elevation and hedge heights for the screening on Prospect Street. According to city ordinance, the hedges are not able to be higher than 3 feet. Commissioners considered the possibility of allowing the hedges to grow higher than 3 feet for functional screening purposes.

Commissioners asked questions regarding the loss of parking spaces and if there was a long term plan for hospital employee parking since the lease agreement did not go as planned. (Refer to the April 15, 2010 Zoning Board of Appeals minutes for mention of lease agreement.) Mr. Covert, CEO & President of Oaklawn Hospital, stated that employees are not able to park in the 2nd floor of the parking ramp. This will free up 77 more parking spaces for patients and visitors. He could not be specific as to future parking plans but at the present time, and until other solutions can be found, employees are using the city parking lots south of Michigan Ave.

Staff stated that incorporated into this site plan is the Special Conditions sign approval, permitted by §152.06 of the Sign Ordinance. She stated that the “Oaklawn Hospital” lettering is approximately 110 square feet and the “Main Entrance” lettering is approximately 112.5 square feet.

Commissioners asked questions regarding the placement and lighting of the “Main Entrance” sign. Joanna Tarkiewicz stated the retaining wall for the “Main Entrance” sign is 3 feet high and each letter is individually lighted internally. There will be landscape lights positioned so the light goes up the wall towards the sign. The location of the sign is placed so patients and visitors will be able to see where the main entrance is located and not be confused and go through the Wright Medical Building entrance.

MOTION by Barrett, supported by Oates, to accept final site plan #SP10.01 for Oaklawn Hospital-Surgery Addition, 200 N. Madison.

(§ 156.391)The Planning Commission shall consider the following standards in the process of reviewing any site plan for approval:

1. **Adequacy of information.** The site plan information is complete, accurate, and in an understandable form that accurately depicts and describes the proposed development.

Planning Commissioners agreed that the site plan is complete and accurate.

2. **Site appearance and preservation.** The site layout promotes the normal and orderly development of surrounding lots, and the development layout preserves, to the extent feasible, the site’s natural, cultural, and historical features, such as but not limited to significant buildings, wetlands, topography, and woodlands.

Planning Commissioners stated that this site plan deals with the front of the existing hospital towards Madison Street. Commissioners will be sad to see the last beach tree in the area removed.

3. **Pedestrian access.** Existing and proposed sidewalks or pedestrian pathways connect to existing and planned public sidewalks and pathways in the area, and comply with applicable barrier-free access standards.

Planning Commissioners agreed that City Staff has done a good job with the sidewalks and the removal of one of the cross-walks. They believe this will make it safer for the pedestrians crossing over to the hospital.

4. **Vehicular circulation.** Drives, streets, parking, site access and other vehicle-related elements are designed to minimize traffic conflicts on adjacent streets, and to promote safe and efficient traffic circulation.

Planning Commissioners agreed that City Staff has done a good job with working with the petitioner in making this a safe area for the public.

5. **Parking and loading.** Off-street parking lots and loading areas are arranged and located to accommodate the intensity of proposed uses, minimize conflicts with adjacent uses, and promote shared-use of common facilities where feasible.

Planning Commissioners agreed that parking has always been an issue for the hospital. Most Commissioners are in agreement that the hospital's current plan of not allowing their employees to park on the first 2 floors of the parking structure, and the ability of patients to park in the Ricketson parking lot, will compensate for the removal of the parking spaces due to the surgery addition. Commissioners asked if employee parking was monitored and enforced. Mr. Covert stated that tickets are handed out to employees if they park in an area they are not supposed to and if employees get too many tickets they are terminated. He stated they have handed out tickets already and the employees understand the parking situation and agree that patient parking is a priority.

6. Building composition. Building design and architecture are harmonious with the surrounding neighborhood with regard to scale, mass, proportion, and materials.

Planning Commissioners agreed that the architecture of the surgery addition fits well with the existing hospital building.

7. Screening. Adequate screening elements have been provided to buffer or separate unlike or conflicting land uses, and to screen off-street parking, mechanical appurtenances, loading and unloading areas and storage areas from abutting residential districts and street rights-of-way.

Planning Commissioners agreed that the hospital did a good job with the screening.

Commissioners discussed the parking problems and how the overall parking issue throughout the city needs to be addressed. City Council is working on a plan to achieve the balance of parking for downtown and the possibility of parking passes for specific lots in the downtown area.

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

MOTION by Fleming, supported by Oates, to approve site plan #SP10.01 for Oaklawn Hospital-Surgery Addition, 200 N. Madison. On a voice vote; **MOTION CARRIED.**

Accept and consider approval for site plan #SP10.02 for Pratt Park Planned Unit Development, Phase II

Chairman Banfield stated there are minutes in the planning commissioners packets regarding the meeting between petitioner, staff, planning commissioners and concerned neighbors regarding the site plan for phase II.

MOTION by Collins, supported by Oates, to accept site plan #SP10.02 for Pratt Park Planned Unit Development, Phase II.

Commissioners and staff discussed the ordinance requirements for professional stamping of landscape plans.

Planning Commissioners asked the developer, Trae Allman, questions regarding the detention basin, the shift in setbacks towards the west and the landscaping on the site plan. Mr. Allman stated the

detention basin that sits to the west of the property is a pre-treatment basin that is designed to hold up to one foot of water, and then drain into the existing storm system.

Commissioners asked Mr. Allman to explain why the flats had shifted to the west so far. Mr. Allman stated that the shift in the setbacks towards the west is due to the city utilities located on the property. The city's water lines and easements were marked incorrectly on the first set of conceptual plans. He felt that the development shifted as far as was possible to the east.

Chairman Banfield went through questions received in a letter from Mr. & Mrs. Trudell, 1212 Comstock, regarding the site plan. The letter reads as follows:

Please let this correspondence serve as our input for the May 12, 2010 Marshall Planning Commission Meeting. We regret we cannot be present personally, but this evening our daughter is receiving an award for being a top ten high school senior for Calhoun County.

Our points of concern and questions regarding the Pratt Park site plan (proposed as the new phase 2 for the PUD) are as follows:

The current submitted landscaping plan does not specifically address/identify leaving the existing tree area adjacent to building D as *rust* proposed in the hand drawing provided at the joint builder/neighborhood/planning commission meeting. Will the trees remain? If not, why? If they will, how many and which area will have to be removed? Can the berm located behind our home (lot 32, 1212 Comstock) be taller than the proposed four feet?

With the addition of the berm and the reworking of the current low drainage point for rain run off/snow melt from the street and surrounding areas (which is where the berm will be located), we are concerned that the new low point will be directly behind our home and water will have the potential to collect there and not drain properly or fast enough to prevent standing water and or flooding without an additional drainage point installed. What will happen to the trees located along the property line directly behind or home? The builder had previously indicated that with the use of heavy equipment, most tree root systems will be damaged and the trees will end up dying anyway, therefore it is normally beneficial just to remove them in the beginning. Can these trees be replaced with some sort of flowering type tree at the base of the berm along the property line?

Why can't the builder's agreement include reworking and eliminating the spur at the end of Comstock Drive's cul-de-sac? Wasn't the spur originally approved with the thinking the street would continue at some future point when the land was divided into residential lots? If the city agrees to rezone the property per the PUD and allow for the development of this apartment complex, the spur becomes obsolete and unnecessary. Since the developer is requesting a change to the city's original plan, shouldn't they be responsible for accommodating the necessary corrections that are needed due to the change? The builders proposed drainage point for the street run off on Comstock indicates this may be expected.

If the above drainage point is moved to someplace on the developers property, where will the drainage collection area actually be? Is there a better aesthetic option for the drain collection area other than asphalt or worse yet, a rock collection similar to the drainage pond inlets?

Which area will need to be cleared and how many trees will be lost to allow for the above drainage line and the proposed water main connection from Comstock Drive? Why is it necessary to connect to this water line vice the one running through the site (since this is the reason we were told the apartment buildings needed to be relocated so close to our property line). Can some sort of landscaping be added to the plan to replace what will be lost so the view from Comstock is not the apartment building?

Thank you for taking the time to review this correspondence. We look forward to resolutions that are in the best interest for all parties involved.

Carl Fedders, Director of Public Services for City of Marshall, stated that there is no catch basin on the cul-de-sac of Comstock. He proposed that petitioner will have to extend a portion of the spur to the east in order to place a catch basin.

Commissioners agreed that the site plan does have proper screening. They understand neighbor's concerns regarding the development but felt that site plan requirements had been met. On a voice vote; **MOTION CARRIED.**

Planning Commissioners discussed conditions pertaining to approving the site plan for Pratt Park Planned Unit Development #SP10.02.

MOTION by Mengel, supported by Oates to approve the final site plan #SP10.02 for Pratt Park Planned Unit Development, Phase II with the following conditions:

1. Developer shall maintain the open space on the east side of building "A" (bordering 18 ½ Mile Road) and along the west side of building "D" (bordering lots 31 and 32 on Comstock) of the development.
2. The berm located behind lot 32 shall be constructed to a minimum elevation of 4 (four) feet measured from the west side elevation, and shall be maximized if possible, contingent on engineering side-sloping requirements.
3. Developer is required to show, on the site plan, the existing tree line on the west side of the site adjacent to lots 31 & 32 as well as the required swath through the tree line.
4. Developer shall consult with City Staff and mark all trees that will be removed adjacent to lots 31 & 32, one month prior to their removal, as required for sewer and water main trenching.
5. Placement of catch basin #11 shall be placed per field designation by city engineer.
6. Developer shall not extend the spur on Comstock Street to the east any more than is needed for the appropriate function of the catch basin.
7. Developer will plant a tree at the end of catch basin #12 as needed to screen the development from Comstock Street.
8. Approval of final site plan zoning by City Council.

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

Accept and consider approval for Preliminary Plat Stage 1 for Brooks Industrial Park #PP10-01

Mike Hindenach, Manager of Economic Development for City of Marshall, gave a brief history regarding the preliminary plat for Brooks Industrial Park. He stated that the property is zoned I-1, Research and Technical District, and is designed in a campus-like setting. He stated the Planning Commission approved the preliminary plat, lots 1-6 in July of 2005 and lots 7-13 in August 2005. Stage 2 of the plat was submitted to the state, but the state refused it because of improper process reasons. Mr. Hindenach stated that it would be easier to begin the process over again. He is asking that the Planning Commission approve the preliminary plat stage 1 again so he can complete the process to get the state's approval.

MOTION by Commissioner Collins, supported by Commissioner Fleming to accept and approve the Preliminary Plat Stage 1 for Brooks Industrial Park #PP10-01. On a voice vote; **MOTION CARRIED.**

NEW BUSINESS

None

REPORTS

Commissioner Collins talked about the Marshall Historic Preservation Incentives Workshop scheduled for May 26, 2010 from 6:30 pm to 8:30 pm being held at the library. She stated this is a great workshop to learn about federal and state tax credits for historic properties. She also stated the 2nd Heritage Grant has been approved for \$450,000.

Commissioner Mengel stated he has been re-appointed to the Planning Commission and the Zoning Board of Appeals. He stated he would like to discuss the variance application process with the State Senator.

City Council Liaison Dyer talked about process the Mayor and City Council are taking to help with the parking situation in the downtown area.

ADJOURN

The Planning Commission adjourned at 9:41 p.m.

Submitted by,

Colleen Webb