PLANNING COMMISSION MINUTES
April 10, 2024
Regular Meeting - 7:00 PM

1) CALL TO ORDER
IN A REGULAR SESSION held on Wednesday, April 10, 2024 at 7:00 PM in the Council Chambers of City Hall, 323 West Michigan Ave, Marshall, MI 49068, the Marshall Planning Commission was called to order by Chair McNiff.

2) ROLL CALL
Roll was called:

Present: Chair McNiff, Banfield, Bright, Fitzgerald, Hodo, Stewart, Zuck

Also Present: Council Liaison Wolfersberger, Director Zuzga, Deputy Clerk Pickford

Absent: Burke Smith, Longyear

Moved by Fitzgerald, supported by Zuck to excuse members Burke-Smith and Longyear
On a voice vote: **Motion Carried**

3) APPROVAL OF MINUTES - Items can be added or deleted from the Agenda by board action.

A. MINUTES OF JANUARY 10, 2024 PLANNING COMMISSION MEETING
Moved by McNiff, supported by Zuck to approve the minutes as presented on a voice vote: **Motion Carried**

4) APPROVAL OF AGENDA - Items can be added or deleted from the Agenda by board action.

A. APPROVE APRIL 10, 2024 AGENDA
Moved by Fitzgerald, supported by Stewart to approve the amended agenda adding Item 8E adding discussion on height on B4 and FS On a voice vote: **Motion Carried.**

5) PUBLIC COMMENT ON AGENDA ITEMS
Persons addressing the board are required to give their name and address for the record when called upon by the Chair. Members of the public shall be limited to speaking for a maximum of five (5) minutes. Comments should address AGENDA ITEM topics. Public Hearing items should be addressed during the PUBLIC HEARING portion of the meeting agenda. Non-Agenda items should be addressed during the PUBLIC COMMENT-NON-AGENDA ITEMS portion of the meeting agenda.

No public comment

6) PUBLIC HEARINGS & SUBSEQUENT BOARD ACTION

A. SLU #24.01- 500 INDUSTRIAL ROAD SPECIAL LAND USE

Public Hearing Opened at 7:03PM by Chair McNiff.

Director Zuzga provided staff report.

Don Loveland of Battle Creek, owner of lot and proposed self-storage, provided comment on his ownership of multiple self-storage facilities in the area. Further detailing the parcels' contaminated status from previous use and the plan to remediate while moving forward.

Public Hearing closed at 7:07PM by Chair McNiff.

- Member Banfield questioned the lack of screening proposed for the south western corner lot #1. Director Zuzga clarified the zoning is the same I-1.
- Board verified with Mr. Loveland the 6' height of the fence surrounding the ponds. Director Zuzga spoke on the plans being approved by the engineers and any revisions would need to refer back to them. Mr. Loveland verified the depth of the of the retention ponds being 2 feet deep.
- Member Banfield voiced concerns over grading according to the plans provided.
- Member Stewart questioned the existing fencing on the property including replacement. Mr. Loveland confirmed the existing fence is on the property line. Advising that a consult with the neighbors moving forward on it.
- Member Stewart voiced concern over the rubber coating in the retention ponds and expressed interest in the longevity of the use of the material for the pond lining.
- Liasion Wolfersberger questioned if this development would meet the plan for the river district moving forward. Chair McNiff spoke on the contamination of the site stating that little would be able to be done with it due to that factor. Member Hodo spoke on experience selling contaminated land and the process of remediating through the state with the checks and balances put forth by EGLE to ensure remediation is handled correct. Member Zuck confirmed the plan as is will meet remediation specifications with the proposed run off.

The following standards are to be used in considering whether to approve the special land use request:

A.The proposed use shall be in accordance with the City Master Plan and the intent and purpose of this subchapter
The proposed use meets the intent of the subchapter and the city master plan.

B. A documented and immediate need exists for the proposed use within the community.
While there are a few self-storage facilities in the surrounding townships, there is still a demand in the community.

C. The use is compatible with adjacent uses and the existing or intended character of the surrounding neighborhood, and will not have an adverse impact upon or interfere with the development, use or enjoyment of adjacent properties, or the orderly development of the neighborhood.

The use is compatible with the character of the neighborhood and will improve the appearance of the two parcels. No adverse impact on the enjoyment of neighboring parcels or development of the neighborhood is expected.

D. The proposed use shall be designed, constructed, operated and maintained so as to be compatible with the use of adjacent lands.
The proposed project is an improvement on the current vacant lot and the proposed site plan is compatible with adjacent properties. Screening will be provided for the residential properties to the west.

E. The proposed use shall be compatible with the natural environment.
There is no expectation that there will be a negative impact on the environment.

F. The proposed use shall be adequately served by essential public facilities and services, such as highways, streets, police and fire protection, drainage structures, refuse disposal, water and sewage facilities and schools.
There is no expectation that the use will have an impact on the items in this section. Traffic will increase over the current use of the property, but the surrounding streets have the capacity to serve the site. The proposed use will not have any impact on water, sewer, schools, or refuse. The impact on police and fire is expected to be minimal. The storm water plan has been approved by the Spicer Group, a consultant to the Department of Public Services.

G. The proposed use shall not involve activities, processes, materials and equipment or conditions of operation that will be detrimental to public health, safety and welfare by reason of excessive production of traffic, noise, smoke, fumes, glare or unreasonable or offensive odors.
The City Development Review Team found that there would be no detriment to public health, safety, or welfare. There is no expectation that the site will cause unreasonable traffic.

Moved by Banfield, supported by Zuck to approve the Based on the findings above, staff recommends approval of Special Land Use #24.01 for the self-storage facility on the above parcels. On a voice vote: **Motion Carried.**

7) OLD BUSINESS

N/A

8) REPORTS AND RECOMMENDATIONS/NEW BUSINESS

A. SP #24.01- 500 INDUSTRIAL ROAD SITE PLAN

- Member Banfield spoke on the need to remove the existing drive before finding it stated on the paperwork that it will be removed.
- Member Stewert spoke on the sidewalk situation on Industrial but stated that he does not feelthis developer should have the burden of shouldering the first steps

due to lack of connectivity. Member Hodo spoke on the need for sidewalk to be part of the Master Plan.

Moved by Banfield, supported by Zuck to Approve Site Plan #24.01 with the condition that parking as presented is sufficient and additional parking is deferred. On a voice vote: **Motion Carried**

B. SIGN ORDINANCE UPDATE PRESENTATION

- Director Zuzga introduced Jason Ball from Progressive AE. Mr. Ball presented the proposed Sign policy
- Member Bright commented on the need to alleviate bad moral between the public and police by having enforcement by the police department.
- Liasion Wolfersberger stated that the time frame could be an issue on years like this where there are four elections and time frames may overlap.
- Member Hodo voiced opposition to LED signs downtown.
- Mr. Ball commented that the building inspector will no longer being inspecting signs in the proposed plan.
- Member Stewert questioned the current sign requirement in place for businesses as well as the restrictions on materials that can be used.
- Director Zuzga proposed the May public hearing and workshop for possible approval in June.

C. PLANNING COMMISSION RULES OF PROCEDURE UPDATE

Director Zuzga provided a proposed rules of procedure update to the board that will be voted on at the next meeting.

D. MASTER PLAN PROCESS

Director Zuzga and Mr. Ball presented the continuing Master Plan process and advised of an upcoming joint meeting in May to further Master Plan progress.

E. B-4 ZONING DISTRICT HEIGHT DISCUSSION

- Director Zuzga presented current height of B-4 district elaborating on current B-4 zoned parcels. The Board and Director Zuzga further discussed future height changes past the current 35' maximum as well as current and future setbacks.

9) PUBLIC COMMENT ON NON-AGENDA ITEMS

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No public comment

10) BOARD REPORTS

Member Banfield spoke on the most recent site plan meeting for the BOBPM.

11) ADJOURNMENT

The meeting was adjourned at 9:22PM by Chair McNiff

Respectfully submitted by,

Jennifer Pickford
Deputy Clerk