
PLANNING COMMISSION MINUTES

June 12, 2024

Regular Meeting - 7:00 PM

1) CALL TO ORDER

IN A REGULAR SESSION held on Wednesday, June 12, 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, Fitzgerald, Hodo, Stewart, Zuck

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

Absent: Burke Smith, Longyear, Bright

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

A. APPROVAL OF JUNE 12, 2024 PLANNING COMMISSION AGENDA

Moved by Stewart, supported by Fitzgerald to approve the agenda as presented on a voice vote: **Motion Carried**

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

A. MAY 8, 2024 PLANNING COMMISSION MINUTES

Moved by Banfield, supported by Zuck to approve the minutes as presented 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.

Barry Wayne Adams of 622 W Green Street spoke on the lack of constitutional right for the board to limit the time for the public to speak and the topics they can speak on. Mr. Adams continued by speaking on the lawlessness of rezoning by municipalities and rezoning being more for the government's need to control the public rather than being standard regulation. Mr. Adams concluded by voicing his opposition to the display of the flags in chambers, siting the display of military authority being unconstitutional, and

questioning the board members' oath of office to uphold the constitution.

6) PUBLIC HEARINGS & SUBSEQUENT BOARD ACTION

A. RZ #2024.01- 16500 DIVISION DRIVE CONDITIONAL REZONING

Chair McNiff opened the public hearing RZ#24-01 at 7:08pm.

Director Zuzga presented his report to the board and introduced owner Ryan Vella of Integra Homes.

Ryan Vella of Integra Homes spoke on the amount of available buildable space on the lot further explaining the plans provided in the packet as two duplexes with 2 bedroom 2 bath in each unit.

Chair McNiff closed the public hearing at 7:15pm.

The board discussed the findings and recommendations for the rezoning provided by staff. The board showed concern over the run-off of the driveway and the offered 5ft buffer to wetlands by the developer, showing favor to a larger buffer. Zuzga indicated that this would be addressed during site plan review. The board also asked what feedback was provided by the neighbors. Zuzga clarified the community showed concern over increased traffic and the property condition/maintenance, but spoke in favor of a development that was not the previously proposed marijuana processing facility.

Findings

The following findings are provided by city staff to assist in your review of the Conditional Rezoning request

A. The proposed zoning district is more appropriate than any other zoning district, or more appropriate than adding the desired use as a special land use in the existing zoning district.

The proposed rezoning, when coupled with the proposed conditions, is more appropriate considering the development within the surrounding neighborhood. The proposed duplexes fit the site and is highest and best use of the site. Adding residential as a special land use in the I-1 zoning district is directly against the intent of the district. This would lead to problems in other areas of the city.

B. The property cannot be reasonably used as zoned.

The existing wetlands and small building sites severely limit the use of the property as industrial. The existence of a protected turtle species on the site provided a major limitation to a previous proposed use.

C. The proposed zone change is supported by and consistent with the goals, policies, and future land use map of the adopted City Master Plan. If conditions have changed since the plan was adopted, as determined by the Planning Commission, the consistency with recent development trends in the area shall be

considered.

While the requested conditional rezoning to the Multiple Family Residential District for the development of two duplex buildings does not comply with the city's future land use map, it does support a specific goal of the community. Goal 6 of the Master Plan indicates a desire to strengthen cooperation and coordination with neighboring townships to ensure long-term success. This area of the community sees the City of Marshall, Marshall Township, and Fredonia Township sharing Division Drive. Three of the objectives of this goal include:

- *Continue to collaborate with Marshall Township on land use issues and support the efforts of the Joint Planning Commission.*
- *Encourage dialogue and collaboration with neighboring townships regarding land use and development issues.*
- *Work to establish common or compatible development standards for uses near the city's boundaries that are palatable to both the city and adjoining townships.*

This desire to cooperate and collaborate on land uses shows a concern for compatibility of adjacent development. The conditional rezoning to residential supports these objectives by providing some transition and buffer between industrial and residential/rural uses.

D. The proposed zone change is compatible with the established land use pattern, surrounding uses, and surrounding zoning in terms of land suitability, impacts on the environment, density, nature of use, traffic impacts, aesthetics, infrastructure, and potential influence on property values, and is consistent with the needs of the community.

The proposed change is compatible with the surrounding uses and land use pattern. The duplexes and wetlands are a good buffer from the light industrial uses to the south and east. Impacts to the environment, density, nature of use, traffic impacts, esthetics, infrastructure, and influence on poperty values is expected to be more positive than what would be seen with an industrial use on the site.

A 2016 Housing Market Analysis identified housing as a major need for the community. Since that study was completed, very few units have been developed and additional pressure on the housing market is being felt from expansions in the local job market and the announcement of the Ford Blue Oval Battery Plant project. While this is only four units, it is an efficient use of a unique site to assist in meeting this demonstrated need.

E. All the potential uses allowed in the proposed zoning district are compatible with the site's physical, geological, hydrological, and other environmental features.

The proposed conditions limit the uses in the MFRD zoning to two duplexes, well below the density that would be allowed under a straight MFRD rezoning. The proposed development is more compatible with the site than what would be expected with an industrial use.

F. The change would not severely impact traffic, public facilities, utilities, and the natural characteristics of the area, or significantly change population density, and

would not compromise the health, safety, and welfare of the city.

The change would not severely impact traffic, public facilities or utilities. The four residential units that have been proposed will cause much lower traffic counts and heavy truck traffic compared to that which could be expected from an industrial operation.

The proposed conditions provide a much lower density than could be allowed under MFRD zoning, which will be more harmonious with the current development in the neighborhood. The proposed conditions also protect the natural characteristics of the property more than what would be expected for industrial use.

Staff do not believe the health, safety, and welfare of the city would be comprised in any way by this rezoning. Actually, the current wetlands are all preserved and the change in use would eliminate one of the last remaining sites for marijuana operations for which we have received many complaints about odor on the existing sites around the community.

G. The rezoning would constitute and create an isolated and unplanned district contrary to the City Master Plan which may grant a special privilege to one landowner not available to others.

Conditional rezoning allows the city to approve a request based upon its merits and the conditions that are proposed. The surrounding parcels in the township are residential, so this rezoning would not create an isolated district.

H. The change of present district boundaries is consistent in relation to existing uses, and construction on the site will be able to meet the dimensional regulations for the proposed zoning district listed in the schedule of regulations.

As the owner has proposed a specific design as part of the conditional rezoning, Planning Commission can be assured that the property will meet the dimensional regulations in the proposed District.

Existing uses in the areas directly adjacent to the parcel are residential and the proposed rezoning would be in harmony with the surrounding township parcels. Due to the nature of the site, the buildable area of this lot is separated from the City's Industrial uses to the south and east by wetlands.

I. There was a mistake in the original zoning classification, or a change of conditions in the area supporting the proposed rezoning.

There was no mistake in the original zoning classification, but with the higher demand for housing in the area, the proposed conditional rezoning will allow the property to be used to its best, highest use. It is also a more compatible use for the surrounding properties in the township.

J. Adequate sites are neither properly zoned nor available elsewhere to accommodate the proposed uses permitted in the requested zoning district.

There are other sites, but this unique property's highest and best use is residential.

Moved by Tim Banfield, supported by Ian Stewart to Recommend approval of Ordinance #2024-08, an ordinance to conditionally rezone Parcel #53-003-025-00 (16500 Division Drive) to Multiple Family Residential District from its current zoning of Research and Technology District (I-1). On a roll call vote: **Motion carried**

Ayes: Banfield, Fitzgerald, McNiff, Zuck, Stewart, Hodo

Nays: None

Abstain: None

B. RZ #2024.02 123 EXCHANGE CONDITIONAL REZONING

Chair McNiff opened the public hearing RZ#24-02 at 7:34pm.

Director Zuzga provided staff report.

Jerry Clifton of 17 1/2 mile rd relayed concern brought to him by tenants of 420-426 E Michigan Ave. Mr. Clifton spoke in opposition of staff's findings of the appropriateness of MFRD zoning for the proposed site. Mr. Clifton concluded by voicing his concern over the lack of parking at the proposed location and the impact to traffic in the area, citing the geography of the closest parking lot being Brooks building a block away. Mr. Clifton instead proposed that the building be rented out as-is to protect the surrounding property values and maintain the traffic flow in the area.

Barry Wayne Adams of 622 W Green Street spoke in opposition of conditional rezoning citing Michigan Constitutional Law and the government's responsibility to the residents versus facilitating corporations.

There being no additional comments, Chair McNiff closed the public hearing at 7:48pm

The board voiced concerns over the parking plans for the proposed units.

The property owner, **Scott Puckett**, spoke on the parking plans that will be proposed on the site plan. Including the various possibilities of diagonal parking off of exchange or possible parallel parking in the alley for 2-3 vehicles and subsequent landscaping.

The board further discussed the number of units being proposed and the lack of available parking for tenants, as well as the need for the developer to provide safe travel for the tenants if using off-site parking. The board advised Mr. Puckett that their definition of safe travel would include the need for new crosswalks and sidewalks to be provided by him as the property owner/developer.

Findings

The following findings were included in the staff report to the Joint Planning Commission and are shared again for your consideration on the proposed rezoning. Staff confirm their belief that the requested rezoning/zoning designation of Industrial and Manufacturing Complex (I-3) should be approved by the City Council based on the findings listed below.

A. The proposed zoning district is more appropriate than any other zoning district, or more appropriate than adding the desired use as a special land use in the existing zoning district.

With the conditions that they have offered, the proposed zoning district is extremely appropriate and is more appropriate than adding the use as a special land use. First floor housing in other areas of the B-3 district is definitely not desired as this is the core commercial area of Marshall. The proposed site is part of the transition from downtown to the neighborhoods to the south and east. Removing the previous commercial use

with the proposed apartments is more appropriate for the composition of the block.

B. The property cannot be reasonably used as zoned.

The property has been used for commercial use in the past and could be utilized again. However, the lack of parking for intensive commercial uses is very limiting. The use as residential makes sense for the transition area between downtown and the surrounding neighborhoods, but the restriction on first floor housing in the B-3, unless it has been housing before limits the proposed use.

C. The proposed zone change is supported by and consistent with the goals, policies, and future land use map of the adopted City Master Plan. If conditions have changed since the plan was adopted, as determined by the Planning Commission, the consistency with recent development trends in the area shall be considered.

The proposed rezoning is consistent with Goal 3 of the Master Plan: Ensure the long term stability of Marshall's neighborhoods. The following objectives support this conditional rezoning:

- Encourage quality infill development and renovations that reflect the character of the existing homes.*
- Provide for a variety of housing choices to meet the needs of existing and future residents of all ages, needs and abilities.*
- Promote residential development that reflects the existing character of Marshall's neighborhoods, including interconnected walkable streets and context-sensitive housing styles.*
- Encourage residential uses downtown through adaptive reuse of existing spaces and context-sensitive redevelopment*
- Provide for an appropriate transition of uses and design between Downtown Marshall and adjacent residential neighborhoods.*

D. The proposed zone change is compatible with the established land use pattern, surrounding uses, and surrounding zoning in terms of land suitability, impacts on the environment, density, nature of use, traffic impacts, aesthetics, infrastructure, and potential influence on property values, and is consistent with the needs of the community.

The site is currently vacant and has been for several years. Renovating the interior of the structure and improving the exterior will not have an impact on the land use pattern or surrounding uses. I believe an improved building will provide a positive influence on neighboring property values and on the neighborhood aesthetics. The additional housing will also meet a major need in the community.

E. All the potential uses allowed in the proposed zoning district are compatible with the site's physical, geological, hydrological, and other environmental features.

The property owners have limited the uses to only a maximum of four residential units. This proposed use is consistent with all of the above features.

F. The change would not severely impact traffic, public facilities, utilities, and the natural characteristics of the area, or significantly change population density, and

would not compromise the health, safety, and welfare of the city.

The proposed use would not compromise the health, safety, and welfare of the city. Traffic would not have a major change as the site is on a major street which is designed for higher traffic levels and most parking would be provided in the city lots to the west (as allowed by the zoning ordinance). The city has sufficient capacity in utilities and other public services to serve the site. A maximum of four apartments should not have a major impact on population density.

G. The rezoning would constitute and create an isolated and unplanned district contrary to the City Master Plan which may grant a special privilege to one landowner not available to others.

The conditional rezoning is authorized in state statute in order to address situations such as this proposed development. The conditions address any issues that would be a negative for the neighborhood.

H. The change of present district boundaries is consistent in relation to existing uses, and construction on the site will be able to meet the dimensional regulations for the proposed zoning district listed in the schedule of regulations.

The building will not have an addition and will have the interior built out to handle the proposed residential units.

I. There was a mistake in the original zoning classification, or a change of conditions in the area supporting the proposed rezoning.

There was no mistake in the original classification. However, an argument could be made that this block should have been zoned residential. There has been less of a demand for commercial space post COVID. There are also changes in the local economy that have led to higher residential demand in the community.

J. Adequate sites are neither properly zoned nor available elsewhere to accommodate the proposed uses permitted in the requested zoning district.

Based on the current demand and the time to market for some proposed housing, more residential units are needed. Increasing density on this site is an effective way of meeting the current need.

Moved by Tim Banfield, supported by Aron Hodo to Recommend approval of Ordinance #2024-11, which would conditionally rezone Parcel #53-001-059-05 (123 Exchange Street) from Neighborhood Commercial (B-3) to Multiple Family Residential District (MFRD) with the following conditions: only use allowed from the MFRD district is up to 4 apartments. On a roll call vote: **Motion Carried**

Ayes: Banfield, Fitzgerald, McNiff, Zuck, Stewart, Hodo

Nays: None

Abstain: None

C. SC #24-01 VALLEY VIEW SITE CONDOMINIUM

Chair McNiff opened the public hearing for SC #24-01 at 8:07pm

Mike West and **Dan Lewis** presented the plans for the Valley View development, emphasizing the timeline of the first cul-de-sac in 2025 and the 2nd cul-de-sac planned

in 2026. Mr. West and Mr. Lewis further described the proposed homes as 3-5 bedrooms with 2-3 bathrooms and 2 car attached garages. They summarized the sale of the properties as described would be in the high \$200,000 to low \$300,000 value.

Director Zuzga advised the board he was changing his recommendation and only asking for preliminary approval due to feedback from Marguerite Davenport, Director of Public Works. Staff explained the pending results of the retention pond soil sample and the additional need for the final approval of the deed restriction and bylaws by the City Attorney.

Sherri McGee of 1002 O'Keefe Rd spoke about the concerns over the current drainage issues and what the proposed development could contribute to those existing problems. Mrs. McGee further explained that she lives near the 2nd phase of development and requests the board and developers to consider berms, which previously were successful in other community's with drainage problems. Lastly, Mrs. McGee expressed her appreciation and thanks to the board and staff for what they do for the community.

John Fahrenbruch of 401 Julia's Place spoke on the development of phase one and his concern over future drainage. Mr Fahrenbruch requested attention to the existing grading to prevent additional problems for the community after the development. Mr. Fahrenbruch further spoke to the board regarding his previous discussion with Director Zuzga about the proposed development and the grading map he received from their meeting. He expressed concerns over the map seeming insufficient to the land when navigated in person. Mr. Fahrenbuch stated that other local developments have issues with upkeep on their retention ponds and would like to see what procedure is in place for this to not occur at the proposed development. He concluded that he has enjoyed the area for over 30 years and hopes that the planned updates and developments will reflect positive change for the community.

Andrea Hall of 1102 O'keefe voiced her concerns on the proposed property beginning with the height of the homes. Mrs. Hall described how the high density development does not fit in the area it is proposed. Therefore, it may not be in the best interest of the community. She noted the current drainage issues and how the removal of the mature foliage would only add to that issue for the current and future community members. Mrs. Hall also voiced her concerns after reviewing the provided site plan, noting the small lot size of some units, specifically Unit 25. Mrs. Hall also voiced her concern over the lack of planned green space on the site plan provided. Mrs. Hall further explained her concerns to the board by highlighting the depreciated condition of Mann Road and the lack of proposed updates she feels should be addressed when planning the development. Concluding her time, Mrs. Hall requested from the board and staff four things when considering this development. Mrs. Hall first requested a dedication to keep as much existing mature foliage as possible on the site. She also requested a larger lot size for the proposed units. Alternatively, Mrs. Hall suggested the removal some of the smaller units and adjusting the remaining lots accordingly to keep with community esthetics. Her third request was for a privately managed drainage basin and a dedicated green space to prevent continued and future drainage issues. Lastly, Mrs. Hall requested the City review Mann Road and propose an improvement plan to facilitate the existing community's needs as well as the increased need after development in the area.

Barry Wayne Adams of 622 W Green Street spoke in opposition of the proposed

development stating the need for additional housing will be moot after the decision from the Court of Appeals on the 19th. Mr. Adams spoke on his certainty of the court of appeals overturning the development of the Ford company and thus removing the need for additional housing in the community. Mr. Adams also stated that the City's rezoning ordinance could be found non-compliant by the court of appeals overturning previous rezoning in the area. Mr. Adams concluded that these determinations by the court would negate the need for housing in the area.

Chair McNiff closed the public hearing at 8:31pm

Director Zuzga spoke on the public comments and concerns; stating Mann Road resurfacing as part of NIA bond to build the infrastructure. He further detailed the maintenance of the storm water pond and associated drainage is the responsibility of the development's HOA and not the City. Director Zuzga further spoke on the small lot size of unit 25 detailing how the space does meet City minimum lot requirements because the measurement is taken from the front and then it is by square footage.

Mr. Lewis of VK Civil was asked to speak on the concerns voiced by the public. He explained that additional boring is occurring to verify the retention pond drainage to ensure the planned drainage time of 72 hours. Mr. Lewis advised the final results from the boring will be known within a month. Mr. Lewis advised of the design which plans for some of the properties to include piping taking the water to the retention pond.

The board discussed the reports provided by staff and questioned Mr. Lewis on the landscaping plans, possible green spaces, and street parking. The board as a whole requested additional time to dedicate to this review and requested the attendance of both the City Attorney and the Director of Public Works at that time to contribute to the discussion. They also voiced the importance of additional notification to the public so they are aware and can contribute to the review. The board requested that the City Attorney and Director of Public Works attend the final review meeting if at all possible.

Site Plan Approval (Section 6.3 review)

Staff have reviewed the site plan based on the requirements of the R-2 Zoning District and related sections of the zoning ordinance. As part of our review, we evaluated the proposed facility through the following standards that the Planning Commission will use 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.

The site plan submitted is complete and accurate. The project is accurately depicted in the proposed development.

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.

The proposed project meets the development of the surrounding parcels and meets the

standards of the zoning ordinance. GDV will save as many trees as possible in the development. The natural contours of the site will be improved to ensure that neighboring parcels aren't flooded as they have been in recent years.

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.

Public sidewalks are being added to the project and also extended from the site to Forest/Allen intersection to meet the sidewalks being added from the Briarwood development. These sidewalks are being extended west to provide safe access for students attending Gordon Elementary.

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.

The plans have been reviewed and approved by the Department of Public Services.

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.

There is sufficient parking on each unit to meet the ordinance standards for single family off street parking requirements..

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

There is no design standard for single family homes in the ordinance, however, the houses proposed are similar to those on Forest Street which is complimentary to the surrounding neighborhood.

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.

Screening is not required as part of this project.

8. Exterior lighting. All exterior lighting fixtures are designed and arranged to minimize glare and light trespass, prevent vision impairments, and maximize security.

N/A

9. Impact upon public services. The impact upon public services (including utilities, streets, police and fire protection, emergency access, and public sidewalks and pathways) will not exceed the existing or planned capacity of such

services

The project has been reviewed by each department in the city and any comments have been incorporated. The city has adequate utility capacity, police and fire staffing necessary to serve the site. As mentioned earlier, sidewalks are being added to the project site and extended into the neighborhood. Public services have also approved the design of the street system necessary to serve the project.

Moved by Banfield, supported by Hodo to provide preliminary approval of Site Condominium #24-01 site plan, deed restrictions, and bylaws. On a voice vote: **Motion carried**

D. SIGN ORDINANCE UPDATES

Director Zuzga introduced Jason Ball, a consultant from Progressive Companies, who has been leading the sign ordinance update. Jason spoke about the items provided in the packet and revisions after the last discussion the month prior. The board and Ball discussed further ordinance verbiage or the possibility for waivers for sandwich boards that exist around town.

Chair McNiff opened the public hearing at 9:07pm.

Stacey and Christy from St. Mary's Church discussed the proposed sign St. Mary's is hoping to erect at their location under the new sign ordinance guidelines. The hope for their proposed sign is to display text message and event information with the ability to control dimming and auto turn on and off for best presentation. Stacey spoke on the current sign lacking ease of use and inability to effectively convey important event information. If approved, Christy explained that the cost would be a deterrent to others in the R-1 district to also have the same signage.

Steven Vanderslot from SignArt Inc. spoke on the biggest challenge of having digital displays is having a display large enough for the created content to be legible. He spoke on the 4x8 sign being proportional to meet development needs. Mr. Vanderslot requested the board to consider businesses that would want to utilize 67% of the sign size when creating the ordinance.

Barry Wayne Adams of 622 W Green Street spoke on the difference of non-commercial speech and commercial speech. Summarizing that enforcement of non-commercial speech is against free speech. Mr. Adams requested that a revision be added for non-commercial signage siting the MCL as legal requirement to not restrict signage.

Chair McNiff closed the public hearing at 9:25pm.

The board discussed the possibilities of variances and further needs of the community when considering the digital sign that was requested by the St. Mary's Church.

After review at the last meeting, the Planning Commission was supportive of the draft ordinance with the only issue being changeable copy/LED sign regulations. The draft ordinance has the more restrictive language that exists in the current ordinance. Staff

would like the Planning Commission to increase the maximum sq footage of ground signs to 50 sq feet in the B-2, B-4, and FS districts, increase the changeable copy sign size to 80% of the permitted sign area, and to allow LED signs for institutional uses in residential districts at the standards allowed in the draft ordinance.

The Planning Commission has three options with this ordinance change: approve as presented, approve with amendments, or table the ordinance for additional work/discussion. Staff recommendation is to approve the alternate draft ordinance which adopts the changes listed above.

No action was taken by the board on this item at this time. Zuzga and Ball will work to incorporate the requested updates.

E. ZONING ORDINANCE AMENDMENTS

Chair McNiff opened the public hearing at 9:47pm

Zuzga presented the proposed ordinance update which addresses height maximums in the B-4 and FS districts as well as adds financial institutions with a drive-through as a permitted use in the B-4 District.

Barry Wayne Adams of 622 W Green Street spoke on the citizens rights to question the government at all levels. Mr. Adams spoke in opposition of any ordinance or law created by the government to zone land. Mr. Adams concluded by challenging the board on upholding their oath of office.

Chair McNiff closed the public hearing at 9:52pm

After receiving public comment, the Planning Commission will need to consider the draft ordinance. There are three options: approve as presented, approve with amendments, or table the ordinance for further work or discussion. Staff recommends approval of Ordinance 2024-8, as presented, which would increase the maximum height in these two districts and would add drive-through financial institutions as a permitted right in the B-4 Zoning District.

Moved by Banfield, supported by Fitzgerald to recommend approval of Ordinance 2024-8, which updates the B-4 and FS Zoning District regulations, to the City Council. On a roll call vote: **Motion carried**

Ayes: Banfield, Fitzgerald, McNiff, Zuck, Stewart, Hodo

Nays: None

Abstain: None

7) OLD BUSINESS

8) REPORTS AND RECOMMENDATIONS/NEW BUSINESS

9) PUBLIC COMMENT ON NON-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 NON-AGENDA ITEM topics. Public Hearing items should be addressed during the PUBLIC HEARING portion of the meeting agenda. Agenda items should be addressed during the PUBLIC COMMENT-AGENDA ITEMS portion of the meeting agenda.

Rebekah Sebring of Fredonia Twp. spoke in opposition of the MAJOR campus development and Ford factory. Ms. Sebring cited her family's long-standing residency in the community and the detrimental impact of the community by being dependent on China. Ms. Sebring spoke on the negative impact that solar panels and EV cars have on the environment. She further explained how the development of the MAJOR campus is a military, security, and environmental risk. Requesting the board to do research before approving projects that put the community at risk.

Barry Wayne Adams of 622 W Green Street spoke in favor of Ms. Sebring's previous statements on the risks of having the Ford development in the area. Mr. Adams spoke on the June 19th Court of Appeals conclusion, stating the decision could be "earth shaking" for the factory's future. Mr. Adams voiced his concern about the regulations not preventing the Embridge disaster and referencing the same regulation preventing failure for the Ford factory. Mr. Adams concluded his time by stating the board is part of the socialist government citing his lack of feeling heard by the board.

10) BOARD REPORTS

11) ADJOURNMENT

The meeting was adjourned at 10:06PM by Chair McNiff.

Respectfully submitted by,

Jennifer Pickford
Deputy Clerk