

Acting-Chair Rutledge called the Regular Meeting of the Planning Commission to order at 7:35 p.m.

ROLL CALL

Present: Daley, Boyles, Demick, Rutledge, McEachin, Wojciechowski, Hayman, Burkhardt.

Absent: Plachinski, Koneczny.

Also present: Thomas A. Goldenbogen, Mayor, City of New Baltimore
Greg Nikkel, City of New Baltimore Building Official
Judy Sproat, New Baltimore Director of Planning & Economic Development
Brian Wilson, Community Planning & Management

Motion by Boyles, second by Demick, to excuse the absent members. No additional discussion by the commission. Voice vote. All ayes, motion carried.

APPROVAL OF MINUTES:

Motion by Demick, second by Boyles to approve the Regular Meeting Minutes of 8-19-08 as presented. No additional discussion by the commission. Voice vote, all ayes. Motion carried.

PUBLIC DISCUSSION: None.

APPROVAL OF AGENDA:

Motion by Boyles, second by Demick, to approve the agenda as presented. No additional discussion by the commission. Voice vote, motion carried.

SITE PLAN ITEMS:

**1. LS/Combination #82-2008, Villas of New Baltimore, 35117 23 Mile Rd.
Parcel #09-13-352-016, 09-13-352-001**

Christopher Nortley representing the Villas of New Baltimore presented a proposal for a lot line adjustment. He distributed revised plans just before the meeting. He addressed the planner's comments as well as the engineers. He explained the assessor also indicated the legal was in error, and has been corrected. He stated the outstanding taxes will be paid at the closing as the intention is to sell the vacant lot.

Our planner explained that this is an existing split with a lot line adjustment. The applicant is proposing to move the lot line 20 feet to the North. The planner had no objections, and recommended approval subject to the issues raised by the assessor and engineer being addressed prior to going to City Council. The applicant explained the reason for the adjustment is to eliminate the parking lot encroachment.

Additional discussion from the commission included the dimension from the building to the property line, which was not indicated on the survey and was unknown. Our planner estimated the proposed new lot line would be approximately 60 feet from the lot line to the building.

Commissioner Dailey asked about how much area is currently needed for adequate parking and maneuvering. Our planner explained 2 parking lanes at 19 feet each for the parking space depth, and 20 – 24 feet for a maneuvering lane. The parking space depth may be reduced to 17 feet if an overhang is available.

Commissioner Dailey continued, the overhang would be on someone else's property. Normally we would want more depth there. Once the change is made, it is final, and we end up with a tighter site than we should have. He stated he would have appreciated true dimensions on the survey, and felt the dimensions needed by our ordinance should be shown. Commissioner Dailey explained the parking will still encroach. The applicant is not taking care of the problem. He explained he would not vote to approve this. When a parking lot is designed, by our ordinance you have a minimum depth for a parking stall and a minimum width of a maneuvering lane. This example is up against a building. Normally you would make this deeper as you have parking and a sidewalk up against the building. With a few more additional feet it could really work.

The applicant indicated there is currently parking on both, up against the building and property line sides. Our planner again estimated the distance at 5 feet for the existing walk, 19 feet for the parking space, 22 feet for an isle and 17 feet for an additional parking space with a 2 foot reduction for the overhang and a 7 foot green belt for a total of 70 feet. The 7 foot greenbelt could be reduced to 3 feet so the parking doesn't encroach on the adjoining property. At a minimum an additional 6 to 10 feet will be needed.

Our Planning and Economic Development Director suggested discussing the addition of sidewalks along 23 Mile and Cypress. 8 feet along 23 Mile and 5 feet along Cypress are required.

The building official explained the issues as asking for the sidewalk on Cypress at 5 feet, the sidewalk on 23 Mile at 8 feet, for the lot with the existing building. Also an additional 8 feet on the back side to the lot with the building to make the parking lot work.

Motion by Dailey, second by Boyles to recommend approval to City Council of LS/Combination #82-2008, Villas of New Baltimore, with the following conditions:

1. The Lot Split Combination legal descriptions be approved by the City Assessor and City Engineer.
2. Revised drawings be submitted to indicate the adjusted north property line is a minimum of 69 feet from the north wall of the existing building, which would provide the space necessary to provide parking pursuant to the ordinance.
3. A 5 foot sidewalk be provided along Cypress, and an 8 foot sidewalk be provided along 23 Mile Road.
4. Verification of the taxes being paid before the adjustment is effectuated.
5. The request will not be forwarded to city council until the building official, assessor and engineer are satisfied with the revisions.

The applicant explained he did not know what the seller would do at this point. He discussed that the property may be sold as is, without any changes.

No additional discussion by the commission. Roll call vote. Voting Yes: Dailey, Boyles, Demick, Rutledge, McEachin, Wojciechowski. Voting No: None. Motion carried.

2. Site Plan #219-09-05, Dr. Mazey Ophthalmology Medical Office Amendment

John Gelle from Ferlito Construction presented a proposal to amend the previously approved site plan regarding the concrete wall at Dr. Mazey's. Our planner explained the planning commission approved the site plan with the wall being a brick material to match the building. The constructed wall does not match what was approved. Staining the concrete wall is being proposed rather than tearing the existing wall down and building a brick wall. This amendment is at the planning commission's discretion.

Discussion from the commission included the life expectancy of the stain, maintenance and sealant necessary. Comments from the commission included the example section of stain looking very nice. Additionally the building was also well constructed. The site plans forwarded to the contractor called for a concrete wall, which is what was constructed.

Staining both sides was discussed. There was confusion regarding the planning commission's requirement that the original wall be brick to match the building. It was not a request from the Historic District Commission.

Motion by Dailey, second by Boyles, to recommend approval to City Council of the amended Site Plan #219-09-05, for the existing wall to be stained as requested, with the condition that the stain be applied to both sides of the wall and the dumpster enclosure. A maintenance agreement must also be filed for the wall. No additional discussion by the commission. Roll call vote. Voting yes: Boyles, Demick, Rutledge, McEachin, Wojciechowski, Dailey. Voting no: None. Motion carried.

COMMITTEE REPORTS: None.

MISCELLANEOUS COMMUNICATIONS:

Commissioner Rutledge asked the Mayor about the proposed Zoning Ordinance Revision being discussed at City Council. The Mayor responded they received an opinion in closed session from the City Attorney, and the ordinance was discussed after that in open session. Several areas were discussed and revised. A new draft was distributed to the Planning Commission from the Mayor.

1. Planning Commission Meeting Schedule Discussion request from Commissioner Boyles.

Commissioner Boyles wanted to discuss cancelling the work study meetings for the rest of the year. We cancel the work study for the summer. Since the work load is light it may save the city a little money. The info from the work study could be added to the regular meeting agenda. Discussion from the commission included the new members benefiting from the work study meetings. There are two and soon to be three new members. The mayor suggested the planning commission work on the 5 year capital plan. Conferences for the new members were recommended. Our planner discussed the sign ordinance needing attention and should be discussed. Council had previously asked the Planning Commission to revisit the A Frame signs for the entire city. The upcoming sunset clause for the pylon signs was also suggested for discussion. The Mayor indicated there is confusion whether our sign ordinance is zoning or regulatory by our own attorneys. Commissioner Dailey explained we already have an October work study agenda item, responding to Council's request regarding the A Frame signs.

Council Liaison Hayman asked about the Green Street Tavern patio status. They are waiting on the State Liquor Control Commission for their permit. The building official is also still waiting on the Knox Box for the Fire Department.

2. Conference authorization request from Commissioner Plachinski.

Director of Planning and Economic Development Judy Sproat, explained Commissioner Plachinski is at the conference right now. This is a pro-rated portion of the airfare not picked up by the community he is working for. She had asked him for a letter of request. The City of New Baltimore is also no longer paying for out of state travel. The mayor explained that was a statement made by Marc Levisé to our department heads. Since this was less than a usual request he allowed it to go through. Why the community Mr. Plachinski works for is not picking up the travel expenses was discussed. Acting Chair Rutledge explained that the Planning Commission has a budget for conferences and it is a low amount requested, and we need to make a motion to approve the expense. Training for the new planning commission members, and continuing education was also discussed.

Motion by Wojciechowski, second by Demick, to approve Commissioner Plachinski's request for \$181.00 for the ULI conference in Denver. No additional discussion by the commission. Roll call vote. Voting Yes: Demick, Rutledge, McEachin, Wojciechowski, Dailey, Boyles. Voting no: None. Motion carried.

3. Correspondence from the Mayor regarding temporary signs.

The Mayor explained there was discussion by the business owners along Green Street concerned over the reduced traffic resulting from the construction along 23 Mile. There was a request for temporary signs. By ordinance, we could allow temporary signs during construction projects in the future. The commission added the discussion of a temporary sign ordinance proposal to the October work study meeting.

4. The Aging of Macomb County.

Director of Planning and Economic Development Judy Sproat, distributed a booklet from Macomb County regarding the aging population. Council Liaison Burkhardt explained that she was told by a woman from Lansing who works with the aging that New Baltimore has a mushrooming geriatric population. We have two senior high-rises. It is also one of the few areas left where money is available from the State. Funding sources for the Jefferson bike path as well as others was discussed.

Commissioner Rutledge discussed an article he read in Sunday's Free Press, regarding the cell tower manufacturers trying to get the FCC to enact legislation requiring municipalities to act on cell tower applications within 30 days. The FCC is taking comments up to September 30th. They also want to ban limiting multiple cell towers and eliminate mandatory co-location. He suggested to the Mayor it may be something the City attorney should look into.

ADJOURNMENT:

Motion made by Boyles, second by Wojciechowski, to adjourn. No additional discussion by the commission. Voice vote, all ayes. Motion carried. Meeting adjourned at 8:42 P.M.

Respectfully submitted,



Annette Girodat,
Recording Secretary