

*City of New Baltimore - Planning Commission Regular Meeting – February 17, 2009*

Acting-Chair Rutledge called the Regular Meeting of the Planning Commission to order at 7:33 p.m.

**ROLL CALL**

Present: Boyles (arrived 7:38), Dailey, Demick, Dupray, Koneczny, Plachinski (arrived 7:34), Rutledge, Wojciechowski.

Absent: McEachin, Hayman, Burkhardt.

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 Demick, second by Dupray, 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 Wojciechowski, to approve the Work Study Minutes of 2-2-09 as presented. No additional discussion by the commission. Voice vote. All ayes, motion carried.

**PUBLIC DISCUSSION:** None.

**APPROVAL OF AGENDA:**

Motion by Koneczny, second by Dupray, to approve the agenda as presented. No additional discussion by the commission. Voice vote. All ayes, motion carried.

**SITE PLAN ITEMS:****1. Sign #73-01-14-09, Dan Good Pizza, 35346 23 Mile**

Our planner explained that based on the information provided by the building department on the width of the building, the proposed sign meets the requirements of the sign ordinance.

Motion by Wojciechowski, second by Koneczny to recommend approval to City Council of Sign #73-01-14-09, Dan Good Pizza. No additional discussion by the commission. Voice vote. All ayes, motion carried.

**ADOPT 2008 ANNUAL REPORT**

Motion by Koneczny, second by Dupray to accept the 2008 Annual Report and forward it to City Council. No additional discussion by the commission. Voice vote. All ayes, motion carried.

**SIGN ORDINANCE DISCUSSION**

Our planner explained he had discussions with the City Attorney and he was comfortable with everything except the Planning Commission being the appeal body. His suggestion was that we change it and let City Council appoint the Planning Commission as the Sign Board of Appeals. He explained the Planning Act doesn't give the Planning Commission the authority to act as an appeal body. City Council has the authority to appoint the review body. They can appoint whomever they want to act as the Sign Board of Appeals.

*City of New Baltimore - Planning Commission Regular Meeting – February 17, 2009*

The mayor explained City Council would probably assign the Planning Commission as the appeal board.

Our planner explained the Planning Commission will review any electronic sign, specialty lighting, which could be neon accent bands, a monument sign, or a billboard sign. If the Planning Commission recommends rejection of a sign, and City Council also rejects it, the applicant could apply to the Sign Board of Appeals.

The building official questioned specialty lighting. Would that include a gas station sign that was digital. A digital monument sign was approved by the Historic District for a gas station. Only the price changes. Discussion continued regarding the size meeting the area limits. There has been an interpretation that gas station pricing falls under the information category. If the building official is uncomfortable with an application he has the discretion to send it to the PC. The rest can be approved administratively.

The only electronic message allowed is for time, temperature and public information. Gas station pricing has been determined to be public information. We are allowing digital pricing for gas stations.

Discussion continued regarding reader board signs. They are only allowed for non-profits, churches and schools. Changeable copy signs are otherwise not allowed. Gas stations are unique and will be reviewed by the building official. An incentive to remove non-conforming pylon signs with a tasteful changeable copy sign was discussed. The Mayor explained that the State Highway Department recommended that with our speed limit we should not permit reader board signs.

Judy Sproat discussed The Heritage Recreational Route going from Chesterfield to Port Huron. At a recent committee meeting the chairperson asked if all of the participating municipalities would not allow any billboard signs along M-29. Our planner explained our zoning ordinance permits billboards in the Industrial and General Commercial districts as SALU. He will investigate case law further to restrict billboards.

The changes agreed to from the draft presented are changing the Planning Commission to Sign Board of Appeals on page 1, eliminating item 3, the lighted display of time, temperature or public info from the PC review on page 3, and the billboards along M-29 will be reviewed.

Motion to table made by Boyles, no second. Discussion regarding moving ahead with the administrative items followed. The 2010 deadline for the removal of pylon signs was also discussed. The building official suggested Council amend the effective date to allow business owners 18 months notice before the ordinance goes into effect. The discussion resulted in Ms. Boyles withdrawing her motion. Criteria for granting a variance from the Sign Board of Appeals was discussed. All non conforming signs are to be removed by 2010, not just pylon signs. Signs that are now too large but may have been conforming at some time must also be removed. Waiving the permit fees was discussed.

Motion by Plachinski, second by Wojciechowski to forward the Sign Ordinance to City Council recommending adoption with the following changes:

Page 1, Section 42-4 replacing the Planning Commission with the Sign Board of Appeals.

Page 3, removing from Section 42-37 parent b-3 and relabeling parent 4, parent 3. No additional discussion by the commission. Voting yes: Dailey Demick, Dupray, Koneczny, Rutledge, Wojciechowski. Voting no: Boyles. Motion carried.

Judy Sproat asked if the commission had considered murals on walls. Commissioner Rutledge explained it has come before the DDA. He did not recall it coming before the PC. Grillo's has a mural and may have gone to the Planning Commission. The building official explained the church on 23 Mile had discussed a mural for the side of their building. It is a community café, and they were interested in the commission's opinion before they got too far into the process.

*City of New Baltimore - Planning Commission Regular Meeting – February 17, 2009*

Our planner explained that under our ordinance it would be considered a wall sign and subject to size limits. Public art as opposed to signage was discussed. Commissioner Dailey explained public art is in public buildings. If you want to paint your building, do it under the sign ordinance and do what is allowed. Public officials can give an artist the opportunity to erect permanent or temporary works of public art.

**ELECTION OF OFFICERS:**

The Mayor was appointed the temporary chair to take the nominations until a chairperson was elected.

The floor was opened for nominations for officers. There is a chairperson, two vice chairpersons, a secretary and vice secretary. The penalty for missing this meeting was discussed.

Commissioner Demick nominated Karl Rutledge for Chairperson. There were no additional nominations for Chairperson. Motion to close the nominations for Chairperson made by Koneczny, second by Plachinski. Voice vote. All ayes, motion carried.  
Voice vote to elect Karl Rutledge Chairperson. All ayes, Rutledge elected Chairperson.

Chairperson Rutledge opened the nominations for 2 Vice-Chairpersons. Commissioner Dailey nominated Ed Koneczny for Vice-Chairperson, supported by Demick. Voice vote to elect Ed Koneczny Vice-Chairperson. All ayes, Koneczny elected Vice-Chairperson.

Commissioner Dupray nominated Jack Dailey for Vice-Chairperson, supported by Demick. Voice vote to elect Jack Dailey Vice-Chairperson. All ayes, Dailey elected Vice-Chairperson.

Commissioner Koneczny nominated Laura Boyles for Secretary, supported by Dailey. Voice vote to elect Laura Boyles Secretary. All ayes, Boyles elected Secretary.

Commissioner Dailey nominated Charlene McEachin Vice-Secretary, supported by Plachinski. Voice vote to elect Charlene McEachin Vice-Secretary. All ayes, McEachin elected Vice-Secretary.

**COMMITTEE ASSIGNMENTS:**

The Chairperson is an ex officio member of all committees. Planning Commission members are not voting members of the committees unless appointed by the Mayor. They report back to the Planning Commission the activities of the various committees. The assignments were revised as follows:

Impact: (PC Officers) Rutledge, Koneczny, Dailey  
DDA, Historic, Recreation: Demick, Boyles, Wojciechowski  
Industrial, Commercial (LDFA): Wojciechowski, Demick, McEachin  
Site Plan Review: Dailey, Plachinski, Dupray, Rotating Member  
Water, Sewer, Roads, Utilities: Dupray, Dailey, Koneczny  
Capital Improvement: Dailey, Koneczny, Dupray  
Liaisons: ZBA: Dailey  
          DDA: Wojciechowski  
          Building: Nikkel  
          Historic: Demick

**COMMITTEE REPORTS:** None.

**MISCELLANEOUS COMMUNICATION:**

Our building official discussed the signs at the Sunoco Gas Station. They have proposed removing the existing pylon sign and adding two price signs on the canopy. The combined square footage is less than the maximum allowed. A monument sign cannot be placed to meet the clear vision triangle.

They have applied to the ZBA for the number of signs. The commission did not have a problem with the proposal.

Judy Sproat explained she was approached by the owner of the white house across from McDonalds on Green Street. It is zoned BT. There is an existing retail business in town who wants to lease a portion of the building, approximately 600 square feet of the 3000 square foot total. She asked if the PC would consider relaxing the parking standards for the site to address only the leased square footage of the building. The planner agreed to consider only the usable occupied space. A floor plan would be required. The property owner was present and stated if the site was fully leased improvements would be made to the parking. The proposal seemed reasonable to the commission.

The Mayor reported TransNav, now also occupies the last building on Cricklewood. They have the largest buildings in the City. They are discussing construction of an engineering building as well. They are planning on adding a 220 ton press.

**PLANNING COMMISSION WORK STUDY AGENDA DISCUSSION:**

The next work study meeting is March 2<sup>nd</sup>. Commissioner Dailey will be absent.

The leadership conference Commissioners Wojciechowski and Dupray were scheduled to attend was cancelled due to low enrollment.

**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 9:01 P.M.

Respectfully submitted,



Annette Girodat,  
Recording Secretary

Planning Commission  
2008 Annual Report

2008 brought unforeseen and unexpected challenges to the Country, Michigan and to New Baltimore. The collapse of financial institutions caused a ripple effect in Federal and State funding which was felt in New Baltimore, Macomb County and Community Governments across the State which meant revisions in their practices of spending. The economic conditions of the Federal Government, banking institutions and the automobile manufacturers have had far reaching effects into the commercial and residential building markets as well and continue to take their tolls.

The New Baltimore Planning Commission continues its mission to review and advise to City Council, development, ordinance and zoning items which affect our community. We (planning) are a diverse group of citizens who take time to review, analyze, suggest and plan the developments which with the help of our Community Planner, attempt to make New Baltimore a more viable, vibrant and desirable place to live.

In 2008 we achieved great things. We revised our zoning ordinance. We revised our sign ordinance giving the downtown business's more visibility with 'A' frame signs allowed. The city hired a Planning and Economic Development professional with whose help we can focus on different projects and/or issues we might otherwise overlook. The comprehensive review and amendments to the Zoning Ordinance were completed following three years of effort. The Commission held public hearings and forwarded recommendations to City Council, which adopted the revisions September 22, 2008. The Commission continued its other responsibilities with:

- Lot Spits/Combinations Reviews- 2 Recommended for approval
- Sign Reviews- 12 Recommended for approval
- Site Plan Reviews- 9 considered; (1) Tabled, (1) Postponed, (7) Approved

2009 forecasts promise to be a challenge. Given the current economic conditions, with the help of each New Baltimore business/owner, Mayor, Councilmember's and Citizens of New Baltimore we can achieve our goals; Bring sustainability, viability, business and traffic (walking and driving) to New Baltimore.

We conclude with a warm welcome to our three new members; John Dupray, Charlene McEachin, and Michael Wojtechowski. Each brings unique and quality experience with extensive background to our commission which will benefit our body and the City of New Baltimore. We also value and honor Dorothy Bade, Mark Paparelli and Judy Schlottman for their time and dedication along with their accomplishments with this Commission as their terms ended in 2008.

Karl T. Rutledge  
Vice Chair  
New Baltimore Planning Commission

## PLANNING COMMISSION 2008 ANNUAL REPORT

<u>Number</u>	<u>Description</u>	<u>Date</u>	<u>Recommendation</u>
<b>REZONING</b>			
	None		
<b>LOT SPLITS/COMBINATIONS</b>			
#80-2008	Macomb County, 35071 23 Mile Road	5/20/2008	Approval
#82-2008	Villas of New Baltimore, 35117 23 Mile Road	9/16/2008	Approval
<b>SIGN REVIEW</b>			
#61-01-11-08	Thee New Green Street Tavern, 37700 Green Street	2/19/2008	Approval
#62-02-29-08	Bounce House, 35268 23 Mile Road	3/18/2008	Approval
#63-03-04-08	TransNav, 35105 Cricklewood	3/18/2008	Approval
#64-03-06-08	Atlas Oil / Clark Gas Station, 35512 23 Mile Road	4/15/2008	Approval
#65-04-08-08	Ashley Farms Subdivision	4/15/2008	Approval
#66-05-05-08	Total Vision, 35443 23 Mile Road	5/20/2008	Approval
#67-05-14-08	M&M Outdoors, 35740 Green Street	5/20/2008	Approval
#68-06-27-08	Chili Peppers Tanning, 35302 23 Mile Road	7/15/2008	Approval
#69-09-23-08	Tri Precision Tool, 35269 Cricklewood	10/21/2008	Approval
#70-09-23-08	Shelby Packaging Co., Inc., 35269 Cricklewood	10/21/2008	Approval
#71-10-01-08	Jackson Hewitt Tax Service, 35167 23 Mile Road	10/21/2008	Approval
#72-10-17-08	Easy Cash Advance, 35515 23 Mile Road	10/21/2008	Approval
<b>SITE PLAN REVIEW</b>			
#246-01-08	Compas Pointe, 51698 Birch Street	2/19/2008	Tabled
#247-02-08	TransNav, 35105 Cricklewood	3/18/2008	Approval
#248-03-08	Bullfrogz Grill and Bar, 36540 Green Street	8/19/2008	Approval
#249-04-08	Anchor Bay Café, 50969 Washington	5/8/2008	Postponed
#250-04-08	Bargain House, 35555 23 Mile Road	5/20/2008	Approval
#251-05-08	St. Mary's Church Parking Lot, 50931 Maria	5/20/2008	Approval
#252-05-08	Thee New Green Street Tavern, 37700 Green Street	6/17/2008	Approval
#219-09-05	Ophthalmology Medical Office, Amendment (Dr. Mazey)	9/16/2008	Approval
#253-10-08	SALU Burger King, 35600 Main Street	12/16/2008	Approval
<b>SUBDIVISIONS</b>			
	None.		
<b>ZONING ORDINANCE AMENDMENTS</b>			
	Zoning Ordinance Revision Public Hearing	3/18/2008	
	Zoning Ordinance Revision Recommendation to City Council	7/15/2008	
	Sign Ordinance Revision Discussion	11/18/2008	
	A-Frame Sign Ordinance Recommendation to City Council	12/1/2008	