

**REGULAR PLANNING COMMISSION MEETING
MINUTES**

JUNE 14, 2018

**THE REGULAR MEETING OF THE RICHMOND PLANNING COMMISSION
WAS CALLED TO ORDER ON THURSDAY, JUNE 14, 2018, AT 7:00 P.M., BY
CHAIRMAN McCLELLAN**

ROLL CALL

Present: Durkee, Kaminski, Majchrzak, McClellan, Moore, Rix, Weinert, Zink

Absent: Frank

Others: City Planner Jeschke, City Clerk Stagl

Visitors: Chris Paves and Lee Roy Ayers from Action Home Setters, Barb Patterson, Tom Geroski, Donna Pack, Morgan Parrish, Tom Hebel

Motion by **Moore**, seconded by **Rix**, to excuse Commissioner Frank from tonight's meeting, due to being out of town.

All yeas

Motion passes

APPROVAL OF MINUTES

Motion by **Rix**, seconded by **Moore**, to approve the minutes of the May 10, 2018, regular meeting as presented.

Discussion on motion:

Kaminski expressed his displeasure with the minutes – his comments from the last meeting were not reflected in the minutes.

Mayor Rix informed Commissioner Kaminski that the minutes were not verbatim minutes – just a summarization of the action taken. If Commissioner Kaminski wants specific comments he makes reflected in the minutes he only needs to request the Clerk to note his comments in the minutes. If Commissioner Kaminski wants the minutes changed, he can make a motion to change the minutes and provide the Clerk with the comments that he want included in the minutes.

City Manager Moore indicated that the minutes summarized the changes to the Master Plan that the Commissioners had requested to be made. Who made the change and/or comments was not indicated.

Kaminski felt that because his comments were negative, they had not been included in the minutes.

Vote on motion:

Seven yeas (Durkee, Majchrzak, McClellan, Moore,
Rix, Weinert, Zink)
One nay (Kaminski)
One absent (Frank)

Motion passes

AUDIENCE PARTICIPATION

None.

CORRESPONDENCE

- City Council Meeting Minutes of April 2, 2018
- City Council Meeting Minutes of April 16, 2018
- City Council Meeting Minutes of May 7, 2018

Motion by **Durkee**, seconded by **Zink**, to receive and file the correspondence as presented.

All yeas

Motion passes

ADOPTION OF AGENDA

Motion by **Zink**, seconded by **Kaminski**, to adopt the Agenda as presented.

All yeas

Motion passes

PUBLIC HEARING

A-1. PCD-01-2018/Action Home Setters/Request for a Preferred Class Designation/36040 Division Road

Motion by **Moore**, seconded by **Rix**, to open the Public Hearing at 7:07 p.m.

All yeas

Motion passes

Chris Paves, from Action Home Setters, addressed the Commission. He informed the Commission that the site will primarily be used as their administrative offices, light manufacturing and dispatch center. The business sets manufactured homes on their foundations or slabs. They also manufacture stairs for the homes within manufactured home parks. The pole barn will contain their workshop.

They are mindful of the fact that they have residences in the surrounding area and will do whatever the Planning Commission required.

Barb Patterson, 36024 Division 2D, questioned the hours of operation. Mr. Paves indicated that most of the staff leaves will leave the site and travel to their work site. They will have an individual who will build steps in the pole barn. This individual typically works 15-20 hours per week.

Morgan Parrish, 36024 Division 2C, indicated that she works midnights and was concerned that the noise from the pole barn would disrupt her sleeping during the day. Mr. Paves informed the Commission that there would be a semi parked between the pole barn and this residence that should buffer any noise.

Donna Pack, 69011 Stone Street, expressed her concern with noise.

Tom Geroski, 36024 Division 2E, expressed his concern with noise.

Mr. Paves indicated that during the building renovations they would be including sound proofing to the walls of the building. He also indicated that he would be willing to work with the residents on their concerns.

Motion by **Moore**, seconded by **Kaminski**, to close the public hearing at 7:17 p.m.

All yeas

Motion passes

It was the consensus of the Commission to move onto Item B-1, prior to conducting the public hearing for item A-2.

A-2. TXT-02-2018/City of Richmond/Proposed Text Amendment

Motion by **Moore**, seconded by **Rix**, to open the Public Hearing at 7:46 p.m.

All yeas

Motion passes

The public hearing was to receive comments on the proposed amendment to amended Article 4, Subsection 4.20 (Table of Permitted Uses by District) of the City of Richmond Zoning Ordinance to amend the B-1 and B-2 Permitted Uses.

No verbal or written comments were received.

Motion by **Moore**, seconded by **Zink**, to close the Public Hearing at 7:48 p.m.

All yeas

Motion passes

ITEMS FOR CONSIDERATION

B-1. PCD-01-2018/Action Home Setters/Request for a Preferred Class Designation/36040 Division Road

City Planner Jeschke informed the Commission that the applicant, Action Home Setters, was requesting a Preferred Class Designation of a Non-Conforming Use to allow a proposed business on property where light manufacturing is not allowed on property located at 36040 Division Road. A Preferred Class Designation is a mechanism that was included in our Zoning Ordinance during the zoning ordinance revision that allows the City to approve nonconforming uses in locations where they otherwise would not be allowed, provided that the use does not adversely impact the surrounding area. In lieu of rezoning the property which could result in 9undesirable uses being allowed on the property in the future; the Preferred Class Designation allows the City to “bend the rules” for only this particular use and applicant.

The applicant is proposing to utilize the site primarily as their administrative offices, light manufacturing facility, and a dispatch center. The Administrative offices are expected to be housed within the showroom area of the front building. The pole barn toward the rear of the property will contain their workshop as well as provide storage for their more expensive supplies. The business will have two fleet vehicles that will be dispatched daily from the site to various work sites. The vehicles are expected to be parked within the fenced in yard toward the rear of the property.

The applicant is proposing a forty foot long arborvitae screen at the rear of the paved parking area. Additionally the applicant is proposing 8 foot long decorative fencing panels with an arborvitae shrub planted between the fence panels along the east and south property lines.

The applicant is also proposing to have four standard ISO shipping containers on-site to store additional materials that are not able to be stored in the pole barn. The applicant is open to suggestion on the placement of the containers and is willing to paint them to match the buildings.

The applicant has shown a willingness to work with staff on the placement of structures within the site. With the additional of the proposed arborvitae screen, administration believes this proposal will be a positive addition to the area and not a detraction.

The City Planner is recommending approval of the requested Preferred Class Designation, subject to three (3) conditions.

Zink – Concerned with the possible noise as expressed by the residents. Hoped the applicant will do whatever it takes to reduce any noise. Also expressed concern with the shipping containers. The applicant indicated that he would be willing to plant another hedge row in front of the containers as screening.

Durkee – Requested that the applicant address the concerns of the neighbors regarding any noise.

Weinert – Requested that the applicant continue the arborvitae to the west of the property of the line by the apartment to provide additional noise reductions. The applicant indicated that he would do something to address the problem.

Kaminski – Questioned if office hours could be adjusted to address the concerns of a residents. The applicant indicated that the hours for the employee who builds the steps could be adjusted.

- Also expressed concern with businesses coming before the Commission asking for exceptions to our rules.

Rix – Requested that the applicant reduce the noise as much as possible also requested that the applicant make the storage containers aesthetically pleasing.

Majchrzak – Happy to see a business move in. Wants to applicant to address any noise concerns.

Moore – The City Planner and applicant will meet to determine the best way to insulate the building to reduce any noise.

McClellan – Congratulated the applicant for reusing the storage containers. He also indicated that the City does have a noise ordinance should this become a problem.

Motion by **Zink**, seconded by **Majchrzak**, to approve the Preferred Class Designation for a nonconforming use and a Site Plan Review to allow a proposed business (Action Home Setters) on property where light manufacturing is not allowed on property located at 36040 Division Road (APN: 50-07-06-01-101-010), subject to the following conditions:

1. If the building is vacant for more than one (1) year after this approval, the preferred class designation of this property shall be null and void.
2. The site layout (location of storage containers, trash enclosure, and landscaping) shall conform to the recommended site plan list above.
3. The concrete area in front of the building along Division Road shall not be used as parking.

Discussion on motion:

It was stated that at this location is it not clear where the sidewalk is. Can the City do anything to let people know there is a sidewalk along Division? The City Manager and DPS Director will look at the area to see what can be done.

Vote on motion:

All yeas

Motion passes

B-2. TXT-02-2018/City of Richmond/Proposed Text Amendment

City Planner Jeschke informed the Commission that the proposed Text Amendment has already been considered by the Planning Commission during the Master Plan discussions. The amendments will make the B-1 and B-2 zoning districts comparable in terms of permitted uses. During the discussions regarding the Future Land Use Designations, one of the things that is troublesome is that within the B-1 district there are a number of uses that are prohibited that are allowed within the B-2 zoning district. It was discussed during review of the Master Plan that we may want to either combine the two zoning district or at least make sure the permitted uses are consistent between the two zoning districts.

Although we all agree that the land uses allowed in both B-1 and B-2 should be the same, administration is recommending that we keep the two zoning districts separate. One of the primary reasons for keeping the two separate districts are the different setback requirements that B-1 and B-2 allow.

All commissioners were in favor of the changes to the B-1 and B-2 zoning districts as presented by the City Planner.

Motion by **Durkee**, seconded by **Rix**, to recommend to City Council approval of TXT-02-2018 which amends Article 4, Subsection 4.02 (Table of Permitted Uses by District) of the City of Richmond Zoning Ordinance to amend the B-1 and B-2 Permitted Uses.

All yeas

Motion passes

MISCELLANEOUS MATTERS FROM THE CITY STAFF

Moore – Thanked all of the participants of the Pool Party.

City Planner Jeschke – All of the notification letters have been sent out regarding the City’s Master Plan. Expect the Public Hearing at the August Meeting.

COMMENTS FROM CHAIRMAN AND COMMISSION MEMBERS

Zink – Commented on the nice Pool Party.

Durkee – Apologized for not attending the last few meetings – the Robotics team went to the world championship.

Weinert – The last shingles have been put on the barn.

Kaminski –Eisenhardt has been removed several trees on his property – Questioned what was going on. City Manager Moore informed the Commission that Administration would meet with Mr. Eisenhardt to determine what is going on at this site.

APPROVED 07/12/2018

- Commented on the exclusion of his comments, on the Master Plan, from the minutes.
- Commented on the amount of time the Commission spent on the revision to the Master Plan, then the Commission approves a Preferred Class Designation which goes against the zoning ordinance and possibly the Master Plan.

Rix discussed how the Master Plan and the Zoning Ordinance interact. The Planning Commission now has the authority to help our community move forward by allowing special conditional uses.

McClellan – Through the backpack program that he participates in, he became aware of several residences in the community that are public safety issues. Presented the administration with pictures of this residences and questioned if they was anything the City could do.

Kaminski – Questioned what steps the City could take to regain some control over M19. It was discussed that possibly a formal request could be submitted to MDOT which identified our areas of concern.

Addressed Code Enforcement – City Manager Moore informed the Commission that the City now has a code enforcement officer who is a reserve police officer. We now have4 a process in place to address code enforcement.

ADJOURNMENT

Motion by **Zink**, seconded by **Moore**, to adjourn the regular Planning Commission Meeting at 8:24 p.m.

All yeas

Motion passes

Respectfully submitted:
Karen M. Stagl
City Clerk