

CITY PLAN COMMISSION
Wednesday, September 21, 2016

A meeting of the City Plan Commission was called to order at 7:00 p.m. by Chairperson Rick Wiesner in Council Chambers, City Hall, 421 Michigan Street.

Roll call: Members Rick Wiesner, Steven Hurley, Dennis Statz, Mike Gilson, Bob Starr, and Ron Vandertie were present. Excused: Member Jeff Norland. Also present were Planner/Zoning Administrator Ryan Kernosky, Community Development Director Marty Olejniczak, and Community Development Secretary Cheryl Nault.

Adoption of agenda: Moved by Mr. Starr, seconded by Mr. Statz to adopt the following agenda by removing Item #7:

1. Roll call.
2. Adoption of agenda.
3. Approval of minutes from July 20, 2016.
4. Presentation of: Zoning map amendment from Two-Family Residential (R-3) to Mixed Commercial Residential (C-5), for Maser DC 1, LLC, for a vacant parcel located on Iowa Street, between N. 5th Avenue and N. 6th Avenue, parcel #281-10-85400101.
5. Consideration of: Zoning Code amendment relating to minimum roof pitch for dwellings.
6. Consideration of: Elimination of the Waterfront Design Review Code.
- ~~7. Consideration of: Sign code update.~~
8. Public comment on Plan Commission related items.
9. Adjourn.

Carried.

Approval of minutes from July 20, 2016: Moved by Mr. Gilson, seconded by Mr. Hurley to approve the minutes from July 20, 2016. All ayes. Carried.

Presentation of: Zoning map amendment from Two-Family Residential (R-3) to Mixed Commercial Residential (C-5), for Maser DC 1, LLC, for a vacant parcel located on Iowa Street, between N. 5th Avenue and N. 6th Avenue, parcel #281-10-85400101: Mr. Kernosky stated that Maser DC 1, LLC, represented by Peter Hurth and Elliot Goettelman, are petitioning to rezone a vacant parcel from R-3 to C-5. Baudhuin Inc. has relocated into the former Wellness Center located across the alley from the subject parcel. They are proposing to build a storage shed and parking on the vacant parcel. According to the zoning code, the only options would be to rezone the parcel, go through the PUD process, obtain a variance, or build a home with an accessory structure. Rezoning the property would be the only realistic option for that parcel.

Peter Hurth presented the request for rezoning. Maser DC 1, LLC owns the property that Baudhuin now occupies on the 2nd floor. They are currently looking for a tenant for the first floor. There are currently five parking stalls on site. They have two survey trucks and seven employees. Parking is an issue. Maser DC 1, LLC has put in an offer to purchase the vacant lot, owned by Elliot Goettelman. They would like to install a minimum of five stalls for their survey trucks and employees and free up the existing parking for future first floor tenants. They would also like to construct a storage facility to store their equipment for their surveying company. They are currently renting a large storage unit for their equipment and 4-wheeler.

Mr. Olejniczak added that the Aesthetic Design & Site Plan Review Board would have to review any permits for a storage facility and review the site plan for the property.

Mr. Starr wondered if in the future they would be able to add a couple of more parking spaces. He also suggested to do some landscaping on the property.

Mr. Hurth stated that Mr. Goettelman previously received a variance to construct a duplex on the lot, but did not go through with the project.

Mr. Olejniczak wondered if sometime in the future Maser DC 1, LLC sells the property and what would then happen to that parcel. Occasionally, the City had put conditions on limiting the uses of the property. C-5 zoning still allows residential uses.

Mr. Kernosky mentioned that the rezoning is for the storage building. The parking lot can be done anytime as long as it meets codes.

Mr. Hurley wondered if there was an option of combining the parcels. Mr. Hurth responded that it would be difficult with the alley located between the two parcels.

Mr. Olejniczak added that a public hearing will be held in October. The neighbors will be notified of the public hearing.

Mr. Vandertie asked that a landscaping plan be brought along to the public hearing.

Consideration of: Zoning Code amendment relating to minimum roof pitch for dwellings: Mr. Kernosky stated that previously it was brought up at Plan Commission to either remove or amending the zoning code as it relates to roof pitch minimum. A recommendation was sent to Council to retain the roof pitch minimum in the code, but if someone wanted a less than 4:12 pitch, they would have to go before the Aesthetic Design & Site Plan Review Board for their approval. A public hearing was held at Council and they voted to eliminate the roof pitch requirement all together. It was then sent back to Plan Commission with an amendment to the recommendation striking the roof pitch minimum completely from the Zoning Code. A recommendation would then go back to Council to either keep the 4:12 pitch, with the Aesthetic Design & Site Plan Review Board reviewing it, take the amendment from Council and recommend it back to Council, or just ignore it.

Mr. Wiesner stated that there are certain roof pitches we need to keep. At some point it could be eliminated. He would like to see the original recommendation that was sent to Council be sent back again. Mr. Starr agreed. If eliminated, neighbors have no input.

After further discussion, it was moved by Mr. Starr, seconded by Mr. Statz to recommend to Council to amend Section 20.07(7)(c) of the Municipal Code (Zoning Code) as follows:

(c) Have a roof with a minimum pitch of four feet in height for each 12 feet in width, unless a lesser pitch is approved by the Aesthetic Design & Site Plan Review Board.

All ayes. Carried.

Consideration of: Elimination of the Waterfront Design Review Code: Mr. Olejniczak explained that the City has several different design review ordinances affecting different parts of the City. Recently, an overall Aesthetic Design & Site Plan Review Code was adopted in

the ordinance, which involves the entire City except for single and two-family developments and the historic, industrial, and waterfront redevelopment districts that are governed by different codes. At that time there was discussion about combining some of these districts. There have recently been a couple of member openings on the Waterfront Design Review Board and it was felt to see if there was an interest in combining the WDRB and the Aesthetic Design & Site Plan Review Board. The Waterfront Redevelopment Authority asked that the City talk to the Boards and there was no major objection to it. The WRA passed a recommendation to Council to eliminate the Waterfront Design Review Code and in exchange go from a five member Aesthetic Design Board to a seven member board.

A short discussion took place. Moved by Mr. Vandertie, seconded by Mr. Statz to recommend to combine the Waterfront Design Review Code and Aesthetic Design & Site Plan Review Code with the addition that two additional members be added to the Aesthetic Design & Site Plan Review Board. All ayes. Carried.

Public comment on Plan Commission related items: Mr. Olejniczak mentioned that Doneff has not followed through with their conditional use application for the apartments. They questioned whether it was financially feasible for them to continue.

Adjourn: Moved by Mr. Starr, seconded by Mr. Hurley to adjourn. Carried. Meeting adjourned at 7:38 p.m.

Respectfully submitted,

Cheryl Nault
Community Development Secretary