

**CITY OF ST CLAIR
PLANNING COMMISSION MEETING
WEDNESDAY, May 11, 2022 – 7:00 P.M.
547 N. CARNEY DRIVE – COUNCIL CHAMBERS**

CALL TO ORDER: Chairman Terry Beier called the meeting to order at 7:00 pm.

ROLL CALL:

Chairman	Terry Beier	Vice-Chair	Dan McCartney
Council Rep	Mike Laporte	Member	Nancy Beaudua
Member	Steve Grates	Member	Paul Wade
Member	Matthew Griffor		

ABSENT: Steve Grates

Nancy Beaudua made a motion to excuse Steve Grates. Supported by Mike Laporte. All in favor, none opposed.

APPROVAL OF AGENDA: *Mike Laporte made a motion to approve tonight's agenda as presented. Supported by Nancy Beaudua. All in favor, none opposed.*

APPROVAL OF MINUTES: *Dan McCartney made a motion to approve the minutes of April 13, 2022 as presented. Supported by Nancy Beaudua. All in favor, none opposed.*

CORRESPONDENCE: None

PUBLIC HEARING: None

SITE PLAN REVIEW (1): MI Gardener
1426 Oakland Avenue
74-07-091-0028-000

Terry Beier – Dave Scurto did an updated review that was dated April 25, 2022. Would you like to go through your review Dave?

Dave Scurto – We did a revised review dated April 25th. The revised review was based on things that we heard during the conditional rezoning meeting April 13, 2022. We looked at accessory structure which is a small greenhouse. We looked at parking and loading.

If the public is allowed to look at outside displays or shop in the outside structure the commission should look at parking allocations for that.

During the last meeting we discussed landscaping and screening. There were conditions put on for the conditional rezoning review. It calls for opaque screening on the southside of the property.

There was no detail on the exterior lighting. The commission needs to make sure that lighting will not glare into adjacent properties.

Signage usually will go to the building department for approval so the commission doesn't have to look at that.

The refuge container is proposed to be screened with a six-foot chain-link fence with a gate around the container sitting on a concrete pad.

We need clarification on a few items:

- Finalize what type of exterior materials will be used.
- Parking lot screening.
- Number of parking spaces
- No glare from exterior lighting.

Terry Beier – Ok, let's tackle those one at a time. Are there any outstanding issues on the greenhouse?

Dan McCartney – Personally I feel like this is a polyhouse, not a greenhouse, right?

Luke Marion – Yes, it is a polyhouse. It is two layers of plastic, air barrier in between wrapped over a metal hoop frame.

Dan McCartney – I think you are going to want to concern yourself with the grade. That is a pretty steep grade.

Luke Marion – The grade will be feathered out to reduce the grade. This won't result in any negative grade or water flow. It will give us a stable slope to put the polyhouse on. When we bring in an excavator in to level that out from the back of the building to the property line, we will feather that out to go with the slope of the land.

I have spoken with one of the neighbors in regards to the living fence that we are going to put in and he was concerned with the height of the living fence. I was going to make a slight revision to that. We are hoping to plant dwarf arborvitae that won't grow beyond 6'-7' high on the north property line and wrapping around to the west side. I plan to plant 6' trees on 4' spacing.

Jon Watt – I would hope you could give Luke a little leniency on the height of the arborvitae so it doesn't block my view of the river.

Dan McCartney – Are you planning to eliminate the spruce trees and only plant arborvitae?

Luke Marion – Yes.

Terry Beier – Let's go to the southside of the property and the screening there.

Dan McCartney – During the last meeting the commission didn't think there would be enough space to put in a landscape buffer. It will most likely have to be some type of a wall.

Luke Marion – I don't remember the exact height recommend of that but I know it is to block car headlights. I am not sure what is being expected for the opaque buffer. There isn't going to be much parking on that side so any leniency would be helpful. It's never been a problem before so why is it a problem now?

Dan McCartney – It is now a conflicting land between a C-1 and an R-1. What happens here is the ordinance doesn't seem to give much leeway. It says a required screening wall shall be 6' in height. It also states that in lieu of that we can work with you on a landscape buffer but I don't think you have room for that.

Luke Marion – There is not.

Dee Boulter – Would the commission be ok with just buffering the parking spaces?

Paul Wade – I believe in the public hearing I feel that we said 6' tall barrier for just those 5 parking spaces. The ordinance is very specific on the height and material.

Luke Marion – I thought you were ok with opaque, that can be plastic or vinyl. If it has to be cement that will be so costly.

Terry Beier – Ok, can you have a seat and let us discuss this? I was not at the last meeting so was the south buffer part of the conditions?

Dave Scurto – There was discussion on various materials but 6' height was absolute.

Paul Wade – What's discussed in the conditional rezoning meeting is different from what is being discussed tonight as site plan review. I don't want to confuse the two meetings because they have separate reasons that we have them. We now have to discuss what we would allow.

Terry Beier – Is it correct to say that opaque didn't mean a cement or masonry structure?

Paul Wade – I would have no problem with going with an opaque barrier. We are talking about 50' of parking spaces. We don't want those headlights shining through to the neighboring property. I believe we have accepted it for Sero's Property on S. Riverside.

Dan McCartney – How much property do you have where the asphalt is going to end to the neighbor's property?

Luke Marion – It's about 4' – 6'. The vinyl fencing is, although expensive, is much more doable than a concrete buffer.

Terry Beier – The dumpster enclosure will be fencing all around the dumpster as proposed in the drawings. 6' chain-link fence cemented into the pad with a gate facing the north.

Paul Wade – Parking lot to be completed within the construction year 2023. The business has adequate parking spaces. Must have one (1) ADA barrier free parking space.

Terry Beier – Lighting details and illumination levels.

Paul Wade – The site plan is showing two (2) wall packs in the front. Do those shut off when you leave or are they on all night?

Luke Marion – They are on all night but they do have a visor that points down rather than out into the neighborhood.

Dan McCartney made a motion to approve the site plan with the following conditions:

- *From the northwest corner of the building to the north, and along the north property line that 6' arborvitae be planted on 4' centers*
- *Along the south property line – five sections (50 feet) of 6' tall vinyl fencing will be installed to block the parking lot from the south neighboring property.*
- *One ADA parking space must be included in the parking lot.*

Supported by Paul Wade. All in favor, none opposed.

SITE PLAN REVIEW (2): Hampton Manor
200 N Carney Drive (Eddy Development)
(Part of) 74-07-053-0026-000

Terry Beier – The special use and conditional rezoning was approved by council so now we are ready to look at the site plan. Dave your last review was March 31, 2022.

Dave Scurto – We are going to walk through this plan review which has not been updated. It is based on the 4 conditions which were issued. I would suggest we go slow and see if anything has been updated.

- Area width, height and set-backs – the law requires 3,400 square foot of land area for each 1-bedroom unit and 3,800 square foot of land area for each 2-bedroom unit. Lot dimensions per unit have not been provided so we do not have an answer as to whether that has been met yet.
- We need 600 square foot per 1-bedroom unit and 800 square foot per 2-bedroom minimum. The floor space per unit was not provided so we couldn't check on that.
- We looked at minimum area width complies, building height complies, minimum front yard and side yard complies. We have a note on the minimum rear yard because we have two phases so there is no rear yard set-back provided between the two phases.
- Minimum distance between buildings does not apply.

Dan Brennan – Our 1-bedroom units are typically about 515 – 520 square feet. We only have a few two (2) bedroom units. We also have studio units. We will have to look at the requirements are because to bump up to 600 square foot rooms could be difficult. We have 30 to 40 of these facilities across the country and they all average about the same size. This is the first that I have heard about the size requirements, I will have to look more into this. It's not to say we can't adjust the square footage but it would decrease the number of units we can have in the building.

Terry Beier – Ok, so with the size of the one bedrooms being undersized for the ordinance, what can we do?

Dave Scurto – I will have to go back and check because I know we ran into the same issue with Jordan Creek Assisted Living proposal. When this review was written we didn't have a clear data of whether this was going to be apartments of assisted living. I can go back and look at assisted living; there may be lesser requirements. If the square footage is the same for assisted living, they will need a variance for each unit.

Paul Wade – They do show usable building area is 56,000 square feet.

Dave Scurto – They are required to have 239,000 sq ft and based on the acreage you have approximately 166,000. Right now, they are deficient but again I will have to go back and look at this as an assisted living facility and see if the acreage changes. I cannot make that determination right now.

Dan Brennan – Our two-bedroom units are 660 square feet.

Dave Scurto – Floor plan elevations are good. The next one is we always determine whether it is in a flood plain or not. Normally we defer to the engineers to let us know if there are any flood plain issues. We are not technical experts in that.

Dan Brennan – We are working with the wetland consultant. We have a meeting with them tomorrow and will discuss those things.

Dave Scurto – Next, we have off-street parking. Our calculations show we need 63 parking spaces, which includes for 14 employees, 3 must be barrier free. The site plan shows 50 spaces with 4 barrier free. With a lot this big the deficit can be made up easily.

Dan Brennan – We have historical data from facilities across the country and that is what we use. We have had cities adjust their numbers to accommodate this type of facility.

Dave Scurto – That would be a ZBA variance, not this commission. This board doesn't have the ability to change it. We have to follow the ordinance. We will go back and recheck again based on this type of facility.

Photometric plans need to be submitted. We do have a landscape buffer shown on the north perimeter line. This meets the ordinance.

Dan Brennan – There is already a natural buffer but we wanted to add more to give it a cleaner look.

Dave Scurto – We recognize the need for senior housing and are in favor of approving Hampton Manor. We just need to go through the items we talked about and make sure all ordinances are met or variances are given.

Terry Beier – Ok, what are we going to do? Are we going to require this information to be resubmitted? What are our options, I am sure they want to get moving right away.

Dave Scurto – There are options to full approval or full denial. If you want to make a motion tonight, you can make a motion to approve based on the conditions we mentioned tonight or you can table it for future until a revised set of plans are submitted.

Terry Beier – If we postpone the decision until our next meeting will that create a problem for you?

Dan Brennan – It is because it affects our engineering designs our window of build. I can't break ground anytime after the end of August. Any later than that doesn't allow me to get the underground and foundations in before winter.

Matthew Griffor made a motion to approve the site plan with the following conditions:

- *Clarification of unit sizes – are there different square footage criteria for an assisted living facility vs apartment? A variance may be required*
- *Submit a landscape plan*
- *Submit a photometric plan*
- *Additional 13 parking spaces need to be added for future parking*
- *The conditions listed on the April 1, 2022 notes from AEW have been met*

Dan McCartney supported. All in favor, none opposed.

SITE PLAN REVIEW (3): Riverbank Youth Theater
208 Jay Street
74-07-700-0015-001
Proposed elimination of Jay Street Entrance

Dan Brennen – It was brought to our attention that the mall would like to see the Jay Street entrance eliminated. If this is eliminated, it would increase parking spaces. We were not aware that they didn't want that entrance so we went and spoke with AEW, the mall association and Project Control to change site plan which you now have in front of you. AEW adjusted the parking spots and it gives them an additional 17 spots.

Tom Vertin – We also went to Randy Meyers and he is in favor of eliminating this entrance. The only reason we agreed to pay for the entrance, the Foundation was not going to do the parking lot.

Terry Beier – We do have a letter from the city engineer saying they are ok with the entrance being eliminated.

Paul Wade – We have a letter from the engineer but we don't have a traffic study. Why aren't we hearing from the traffic engineers?

Dan McCartney made a motion to close the south entrance off of Jay Street. Supported by Mike Laporte. Most in favor, Paul Wade opposed. Motion carries.

NEW BUSINESS: None

OLD BUSINESS: None

Dan McCartney made a motion to adjourn the meeting, supported by Nancy Beaudua.

Meeting Adjourned 8:55 pm.