

**CITY OF ST CLAIR
PLANNING COMMISSION MEETING
WEDNESDAY, OCT 09, 2019 – 7:00 P.M.
ST CLAIR CITY HALL
547 N. CARNEY**

CALL TO ORDER: Chairman Terry Beier

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: Matthew Griffor and Paul Wade

*Mike Laporte made a motion to excuse Matthew Griffor and Paul Wade.
Supported by Nancy Beaudua. All in favor, none opposed.*

AUDIENCE: Andy Guadagni, Brenda Guadagni, Kathy Stocki, Dan Casey, Vince Cataldo and Dan Brennan

APPROVAL OF AGENDA: *Nancy Beaudua made a motion to approve the Agenda. Supported by Mike Laporte. All in favor, none opposed.*

APPROVAL OF MINUTES: *Mike Laporte made a motion to approve the Minutes from the September 11, 2019 meeting. Supported by Nancy Beaudua. All in favor, none opposed.*

CORRESPONDENCE: St. Clair County Metropolitan Planning Commission
2019 Fall Work Shop

ROWE
Fall 2019 CES Presentation

PUBLIC HEARING: 301 N. 6th Street
74-07-049-0238-000
Special Use – Adaptive Reuse Ordinance, Section 4.6.3

NEW BUSINESS: 301 N. 6th Street
74-07-049-0238-000
Special Use – Adaptive Reuse Ordinance, Section 4.6.3

OLD BUSINESS: None

Dan McCartney made a motion to open the Public Hearing. Supported by Mike Laporte. All in favor, none opposed.

Dee Boulier – We don't have a site plan review on the agenda. It doesn't need to be part of the public hearing but should we add it as a topic to discuss?

Mike Laporte – Motion to add the Site Plan review for 301 N. 6th Street to the Agenda.

All in favor, none opposed.

Terry Beier – If anyone would like to address the Commission please raise your hand and when called upon step up to the microphone, state your name, your address and state your question and/or concern.

Is the audience familiar with what is going on or would you like an overview?

Audience – We would like an overview.

Vince Cataldo, Infuz Architects & Innovators – The old Middle School has been idle for a while now. There have been a few different developers looking at it for a lot of various reasons. It is a tough building to fill. The building has approximately 7900 sq ft. The way the building is divided right now is in four (4) quadrants or four (4) uses.

- Gymnasium quadrant consists of the main gym, an auxiliary gym and a media center. Those spaces will be used for a gymnasium use. A portion to service the community, a portion to service private and some to service patrons of the St. Clair Inn.

- The middle section which was were the old classrooms will be repurposed into apartment units.
- The north wing is going to be an office area for the St. Clair Inn. Basically already offices. The old kitchen will be used primary as more robust baking kitchen for the Inn and a locker facility for the Inn's employees. The rear space, the old shop area, will be used for storage.
- The auditorium is the last piece. It will remain an auditorium and be used as a performance space which will service primarily the community.

Terry Beier – There is a list of criteria that the Planning Commission will use to evaluate the request for the Special Use. Once the Planning Commission has evaluated the request, we make a recommendation to City Council at which time they have the final say on the proposal.

What the Special Use allows is that the Planning Commission to put conditions on approval. Tonight we just want to get input from the public on what is being proposed and what your thoughts are.

Kathy Stocki, 414 Adams – My parents live across the street from the school. I guess I am ok with the proposal but currently the property is being used as a junk yard. All of the people that live on 8th Street get to look at this junk yard. Also, the trucks are driving over the sidewalks to gain access to the building. The sidewalks are being destroyed so you can't walk on the sidewalks anymore. In the meantime, the property is in disarray for the community. How long is that going to last?

Dee Boulier – SMDRP, LLC was sent a letter addressing the sidewalk and if it doesn't get done shortly the city will take care of it and we will bill them. The parking lot is supposed to be screened. The city has given them the screen, the Mayor has talked to them and they, SMDRP said they will take care of it. It hasn't been done yet and if it doesn't get done soon the city will fine them. If things are not done in two weeks, they will receive tickets.

Terry Beier – Is there a schedule of when the improvements to the parking lot will take place?

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Vince Cataldo – I will refer this to Dan Brennan, the General Contractor because most of that stuff is staging for his schedule.

Dan Brennan – On behalf of this group, I apologize that this has not been addressed yet. I am not going to sit up here and make any excuses other than to say this will be fixed within seven (7) days.

Andy Guadagni, 209 N. 8th Street – I get to look at the parking lot everyday. Just following up on what Kathy Stocki had previously said. In addition to what looks like blight and trash there are maybe timbers that were pulled out of the river. Seems like a good way to attract rodents.

I also have a concern; I can understand how the sidewalk can get broken when you are driving heavy equipment over it. I am not sure why it looks like the parking lot has been deliberately destroyed.

Dan Brennan – The parking lot was very weak. The damage was not deliberate, it was from the trucks driving in and out of it. This parking lot will have to be torn out and stone put in until it is fixed. That was the tennis court, it wasn't made for any heavy equipment to be driven on it. Obviously we didn't realize it until we started driving on it and it tore it up. We will work on doing a temporary repair on this while it is under construction.

Terry Beier – Do you have any concerns or comments on what is being proposed?

Andy Guadagni – I have concerns about the center section of the building being turned into apartments. Just curious what has been discussed about the traffic flow. Is it all going to be directed up Thornapple? Orchard?

Terry Beier – That is a question we have here to ask them. Vince would you like to comment on that today?

Vince Cataldo – I don't know that we have a conceived plan as to how people are going to be driving around the city. People will do what they want to do. All we can address is the parking requirements and how we are going to accommodate people. I think you may see, at certain times, there may be parking problems if

the auditorium was up and running. As far as traffic flows, I don't mandate city streets and who is driving on them.

Andy Guadagni – So anticipated volume with office space and apartments so there will be more cars and more traffic. Will this information be made public before a decision is made? Will we now the anticipated parking, traffic flow population change is going to be?

Terry Beier – There is a number of parking places proposed which will come up on the site plan review. They are proposing to build 162 spaces in it. They will pave the tennis courts and the area to the south. They are proposing some screening, fencing and landscaping. It will be a very detailed review on that parking lot.

Andy Guadagni – Can you confirm some of the rumors of closer to 60 apartments and community bathrooms on each floor? Is that part of the plan that has been submitted?

Vince Cataldo – Early on one of the paths I took was to look at what is called "micro-partment". These are done in Detroit and higher dense areas. They are relatively small units that have multi-purpose furniture in them. At that time we thought we could get 60 units in there. There was never a mention of community bathrooms. The existing bathrooms we to be converted into apartments. These are traditional apartments.

Kathy Stocki – I want to address the pool. My understanding I that there is a long-term lease with the city. Rumors are that they are going to try and get out this lease. Where does that stand?

Terry Beier – Our review has nothing to do with the pool. The pool is shown on the plan as existing and remaining.

Vince Cataldo – The owners have no desire to do anything to the pool.

Brenda Guadagni – I am wondering if you have cameras at the school in the parking lot? There is a lot of activity over there at night and early in the morning. At least once a night there are cars and trucks in and out of there. I would rather

not have strange cars across the street from my house.

Dan Brennan – We have full security. It is being monitored around the the perimeter. It is monitored by Dyke Security. I think what you are seeing is Hotel Staff. They are working a lot of late nights and our crews get there really early in the morning. We also have the police department monitoring the lot as well.

Once we fence and screen the area, we will be putting a lock on the fence. Only those with keys will be allowed access to the area.

Dan McCartney made a motion to close the public hearing. Mike Laporte supported. All in favor, none opposed.

Terry Beier – Now we will move on to New Business which is the discussion of the Special Use – Adaptive Reuse Ordinance for 301 N. 6th Street. What we are going to do is run through Dave Scurto's review. First part is the basis for determination where certain criteria that we will look at to evaluate it. This will bring up some questions as well as answer some questions.

Dave Scurto – This is three step process.

- Planning Commission holds a public hearing regarding special land use then gives a recommendation to City Council.
- City Council takes the recommendation and go through their own review and then they issue their own decision to approve or not approve.
- Site Plan Review decision which rests with the Planning Commission.

Dave began going through Section 4.6.5.5 Basis of Determination for the Special Use approval process per each standard.

- A. Meets the goal of the Master Plan; this standard is met.
- B. Changes are primary on the inside of the building. The outside landscaping will be cleaned up. The neighborhood will not be impacted. This standard is met.
- C. A lack of off-street parking and possible environmental hazards from demolition. Another problem is the south drive of the main lot on N. 8th street aligns with the home across the street. Suggested relocation of the

- drive, elimination of the drive or possibly making it a one-way entrance.
- D. The project will be an improvement providing the landscaping, lighting and the N. 8th street exit are addressed.
- E. No adverse effects on public services.
- F. Public costs should not be affected. Reuse of the building can add to the tax base so it's a good thing.
- G. The purposed uses are consistent with the ordinance.

We believe that the project meets the intent of the Adaptive Reuse Ordinance and is generally seen as favorable. We are not yet ready to give formal approval until we have site plans.

Adaptive Reuse – Regulations and Conditions – There are 10 standards that need to be met. These are specific site plan items.

1. Deals with a historic district; this item does not apply.
2. Exterior demolition; this item does not apply.
3. Condominium bylaws, operations of the building. This will need to be reviewed.
4. Parking requirements; Building was separated into 4 separate uses. Based on separate uses 236 parking spaces are required. There are currently 162 off street parking spaces on the site plan. The ordinance also allows for shared parking.
The applicant is asked to confirm if any of the 149 deficient spaces from the St. Clair Inn plan approval are part of the CAMP.US INN parking.
Illumination of parking area. A City Engineer should be involved in approval of this.
5. Dwelling units shall meet criteria with a minimum of 400 sq ft. Every apartment they have in the building meets this requirement.
6. Secure entrance dedicated for residents and guest. We ask the applicant to confirm the secured entry.
7. Landscaping & Buffering refers to Sections 5.5, 5.6, 5.7 and 5.9 of the ordinance. The Planning Commission has the authority to modify the strict interpretation of these requirements as long as we can eliminate the negative impacts on the neighboring community.

Walls & Screens – Maximum of 6' in height. Currently the plan is showing an 8' chain link fence and no fence is being shown west of N. 8th Street. The

fence must be brought down to conform to 6' in height. Preference is 4' combined with trees and shrubs.

Buffers between Conflicting Land Uses – requires an obscuring wall to create visual screen along all adjoining boundaries. The parking lot is the only area that applies to this application. Site plan meets this requirement as long as the vegetation stays healthy. One concern is the parking lot between N. 8th and N. 9th Street. Suggesting that they use Arborvitaes on residential sides of the parking area.

Landscape Site Plans – Planning commission to review.

Landscape Design Standards – Plant Quality, Major Plant Types, Parking Areas and Underground Irrigation. A certified horticulturist is recommended. Landscape schedule doesn't show the plant heights at the time of planting. Applicant is asked to provide square feet of landscaping and confirm the number of trees is met.

8. Expansion criteria – Does not apply
9. Signage – will need to be reviewed and approved by the Building department.
10. The Planning Commission & City Council have authority to ask for additional reports to protect the surrounding area.

Terry Beier – Let's go back to item 3; Condominium bylaws and master deeds are mentioned. Typically, you won't have those at this time.

Vince Cataldo – we can provide this as contingent to approval of the site plan.

Dave Scurto – What we have found is that we see something on a plan but the Master deed doesn't match the plan. The Master deed gets recorded at the county and all of the sudden that starts taking precedence. This gets into private agreement vs public agreement. Contingency can be given as long as bylaws match up at the end of the project. Make sure everything matches up before it is recorded.

Terry Beier – Is it primarily going to be a condominium development where there will be different ownerships in the building?

Vince Cataldo – I would assume it would have to be at least the apartment areas.

Terry Beier – In Dave's review it shows a shortage of 61 spaces for off street parking. The drawing is a little confusing.

Vince Cataldo – What we tried to show is the maximum number of vehicles which will fit on the lot. We tried to show you where we could feasibly add extra spaces on Orchard or Thornapple if needed. These would not be off-street spaces.

Terry Beier – As Dave pointed out, there are approximately 14 on Thornapple, 18 on Orchard and 48 on 6th Street.

Dave Scurto – Only Council can commit on-street parking. Planning Commission can consider it but they cannot commit. It is a Legislative action.

Terry Beier – What we can look at is if you think some of the uses are overlapping, we can look at a reduction in Dave's calculations or if we feel a tradeoff of allowing on-street to be considered in the calculation.

Dan McCartney – Are you considering anymore off-street parking in the immediate area?

Vince Cataldo – yes, we have had conversations with St. Mary's. They are interested in leasing us some property in their parking lots. We do not have an agreement in hand at this time.

Dan McCartney – Right now we have 48 spaces on the eastside of the building that are not in this calculation. We, as a Commission, can add these 48 spaces into the calculation which brings the shortage down to 12 spaces shortage.

Dave Scurto – The other avenue that we talked about today is giving a percentage reduction based on shared parking. By giving a reduction required parking you can look at that compared to the off-street parking. My calculation shows all uses being used at the same time to the fullest capacity.

Terry Beier – Vince can you address how the uses might not be taking place at the same time?

Vince Cataldo – The auditorium will not be used for a few years. When it is used it will be used for community purposes. I don't really think it needs to be in the calculations.

Dan McCartney – That's 38 spaces in the calculation. If you take the 38 spaces from the auditorium and added the 48 spaces on 6th Street. If you considered just those spaces that would almost get you there. And then consider the reduction of spaces based on uses.

Vince Cataldo – Another comment came up regarding the south driveway off of 8th street. If we close that entrance, we could potentially gain 5 spaces in that parking lot to help lessen the number even more.

Terry Beier – What are the professional offices? Is this strictly 9a-5p Monday through Friday?

Vince Cataldo – Yes, it is there staff from the Inn. A hand full of office staff, maybe 8 employees. Only 2-3 employees in the bakery. The old shop areas will be used as storage.

Terry Beier – Are you proposing a parking lot off street businesses like the St. Clair Inn? If that is being proposed then we would have to know that.

Dave Scurto – This calculation is only based on the square footage, floor plan, of the building and the uses of the building.

Vince Cataldo – The other approval may have been based on that.

Terry Beier – The St Clair Inn was short 149 spaces but the site plan was approved by us to Council with a condition that they find 149 more spaces and I think they satisfied that.

Dee Boulier – It was approved for their temporary occupancy for 90 days. If they are not going to use the Middle school property, they better start looking for some other place to put 149 parking spots. I will not issue a final occupancy until

those spaces are addressed.

Dan McCartney – That’s not what we are looking at tonight.

Dee Boulier – Dave has it written in his report to “ask the applicant to confirm if any of the 149 deficiency spaces from the Inn approved are part of this campus”. It’s a Yes or No.

Terry Beier – They are short now, I am assuming that they are not proposing to utilize this lot for some additional parking requirements downtown.

Mike Laporte – Dave’s calculation is based on the use of this building. And they understand that.

Dee Boulier – In their original drawings on the parking calculations they had the 149 in there.

Terry Beier – The uses that we are approving is what is being shown on the plan. There is no use of being a parking lot for something downtown.

Dee Boulier – In Dave’s report he is asking them to confirm whether it is going to be used or not. We have to know.

Mike Laporte – Vince do you understand what we are talking about? The 149 deficiency spaces for the Inn is not included in this site plan.

Vince Cataldo – Understand. If you look at what we submitted it spells out the parking and what we think is realistic. Whether it meets ordinance versus code. Mr. Scurto’s report spells parking out in black and white. This is what we are here to discuss or challenge. The Auditorium will not be used for at least 2 years. It seems ludicrous to use that square footage as necessary parking.

Dan McCartney – I am looking at the facility on 6th Street. The City Planner is saying you are 61 spaces short. I agree with him that 38 spaces is required for the auditorium. If we look at the on-street parking that has been on 6th Street. I am good with that but I am not good with using the on-street parking and use it for

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the 149 spaces that the Inn is short. I think we have the parking for this site solved.

Terry Beier – I think the way the ordinance is, that it allows us to take the 38 spaces specified for the auditorium there could be a reduction in Dave's calculated number by 38. That take 61 short down by 38 leaving a shortage of 23 spaces.

Dave Scurto – You can do a reduction. You can consider the on-street parking will be used by the public is open parking. You can factor that in but what the Commission can't do is say that this parking is dedicated to the building.

These calculated numbers are the strictest of interpretation based on 100 percent usage every day. It's not what is going to happen 98 percent of the time. We can start reducing what the area is. And you can also take a look at the auditorium. If that is strictly going to be a community use then the on-street parking can be considered.

Dan McCartney – But to satisfy the parking for this building if we do the reduction of parking and take away the parking for the auditorium we are just about there.

Vince Cataldo – We also feel that the spaces allotted for the apartments is high. We are putting in 41 units, you are suggesting 86 spaces. We need to really look at this realistically. Not everybody will have vehicles. Also, for the Professional Office space. There won't be that many people working there. We are just utilizing the existing office area and it is a large footprint.

Terry Beier – A 20 percent reduction will give them 46 spaces, plus closing the 8th street entrance will give an additional 5 spaces. Both making them still short by 10 spaces. If you did the parking on either Orchard or Thornapple, they would hit it.

Is the width of the parking spaces 9 feet? They aren't marked on the plan. The ordinance calls for 9x20.

Vince Cataldo – Yes, they are 9x20 in size. There is handicap parking against the building.

Dan McCartney – Would you be willing to get the needed parking spaces on Orchard Street?

Vince Cataldo – Yes, one thing we will need to look at is how many we can actually fit there because of obstructions and trees.

Terry Beier – What does everybody think of doing a 20 percent reduction and adding the parking on Orchard Street?

Mike Laporte – Another thing we need to talk about is the pool. The city pool is over 60 years old. This always comes up when we talk budget.

Vince Cataldo – We have no plans to do anything with the city pool. My understanding is that we will maintain the current lease and the City will be responsible for maintaining it.

Terry Beier – Vince can you update these plans so that this can be our plan of record with the changes that we are talking about?

Now to illumination, Dave you are suggesting that the Engineer look at that?

Dave Scurto – Yes, I have never seen an ordinance like this before and I am not sure how to deal with it.

Terry Beier – So if we get to a point of just qualifying that this would meet the approval of the City Engineer.

Vince Cataldo – We have spoken to the lighting supplier. These pole lights are dimmable and they can be dimmable on a timer as well. The lighting people also have specific standards so you have to meet their minimum standards.

Dave Scurto – Problems are if one issue turns into a code enforcement action, with complaints after the fact then they may need to do something else. Adjustments may need to be done should any issues or complaints arise. Photometric lighting seems to be a good system. All lights face down.

Dave Scurto – Landscape & Buffering there are a lot of trees and landscaping that calculate in. Planning Commission always has the ability to adjust landscape. The biggest item is to look at the perimeter. Look at the fencing. Make sure the hedges will get up enough to screen out the lights from hitting the homes on the other side.

Terry Beier – Vince it states an 8' fence is that for security reasons?

Vince Cataldo – No, it was written in based on the city ordinance.

Dave Scurto – What happened was they took the standard off-street parking which calls for an 8' wall where you have a mixed-use development in a residential area. It is not applicable to this site.

Vince Cataldo – We are willing to do whatever you request us to do. We thought if we did a chain-link fence with slats it would hide lights from shining into neighboring homes.

Terry Beier – Did you consider other options besides the chain-link fencing?

Vince Cataldo – The ordinance desires wrought iron looking fencing. We felt it wasn't good for the neighborhood.

Dave Scurto – Wrought iron would not block out lights unless the vegetation was tall enough.

Dan McCartney – Chain-link fencing isn't popular item.

Vince Cataldo – It isn't feasible to do brick/wrought iron fencing like we did at the Inn. It would be too costly. We will look at other options and bring it to the Commission for approval.

Dee Boulier – I think 4' – 6' high fencing would be sufficient.

Vince Cataldo – I think that a 4' fence would be high enough to block out the

lights. Add in proper landscaping and it will look nice.

Andy Guadagni – I don't like the chain-link fencing idea. I don't think the neighbors would like that at all. I think a 4' fence would look nicer.

Vince Cataldo – we will provide that on the updated submittal.

Terry Beier – What changes will be made to the west lot between N. 8th Street and N. 9th Street?

Vince Cataldo – We will replace the small box bushes on the northside with Arborvitae to match those on the southside. We will also be putting in two LED lights in the parking area.

Dan McCartney – We usually plant new plants in at 3' on center. On the west lot, the ordinance states to put in underground sprinklers. If you are only putting in Arborvitae, I don't believe you will need to have sprinklers.

I suggest that you put in underground sprinklers in the new beds or plantings which are being put in. You don't want to put in all of this vegetation and have it end up dying do to not watering. Place the irrigation around the new parking area.

Terry Beier – Plant heights are not called out. They just need to meet ordinance requirements at time of planting.

Traffic flow can't really be controlled. People will be coming and going as they see fit for the individual.

Vince Cataldo – It's a tough thing to predict. My guess is that most people will take Orchard Street to access the parking lot.

Terry Beier – Timing is important. Dan Casey is here and he knows some schedule they would like to meet which is the end of the month.

Dan Casey – The applicants have submitted a Tax Abatement on the property to

City Council more than 60 days ago. The Council is required by law to render a decision within 60 days and they have exceeded that. The timing is that Council has to vote on a Tax Abatement and submit it to the State no later than the end of October in order for the Abatement to go into effect by December 31st of that year.

We have two things working against us: (1) The city has exceeded the requirement to make a decision on the Tax Abatement. (2) The Council has tied up their vote until the Special Land Use and Site Plan are approved.

Terry Beier – If we get you a list of what needs to be changed can we have another meeting on Wednesday, October 16th.

Dan McCartney – Why couldn't we approve contingent on these changes?

Terry Beier – We just have too many things on the list and we need them corrected for the record.

Dan McCartney – Could we just approve the Special Land Use and continue the approval of the Site Plan?

Terry Beier – There are just a lot of things that we need to get down on paper. We can have another meeting and get through it then. I think if everything is done on that list, I don't think Vince will need to be there.

Vince Cataldo – What is the timeline to getting the new specs to Dave Scurto.

Dave Scurto – If you just bring the new plans and the new updated list the night of the meeting, we will be fine.

Dee Boulier – I think we should recap the changes before we leave just to ensure everyone is on the same page.

- Any future condominium bylaws or master deeds shall match the site plan that is submitted.
- Parking – Calculations just need to be cleaned up and we will use Dave's requirements with a 20 percent reduction, 11 spots on Orchard Street.

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- Clarify the parking space dimensions are 9x20.
- Close off the 8th Street driveway
- Illumination meets approval of the City Engineer and all lights are dimmable.
- Landscape buffering – you will come up with another option on a 4' decorative fence.
- West parking lot – the northside of the parking area; replace smaller box wood with Arborvitae at 3 foot on center.
- All the planting beds in the main lot would have underground irrigation.
- All plant materials will meet American Nursery Association standards for hardiness zones. Need to get plants that are rated for Michigan climate.

We will be holding a special meeting on October 16, 2019 for the Special Use approval per the Adaptive Reuse Ordinance.

Dave Scurto – the 149 parking spots needed for the St. Clair Inn are not included in the Site Plan for the middle school.

Dan McCartney made a motion to adjourn. Seconded by Nancy Beaudua. All in favor, none opposed.

Meeting adjourned at 9:40 p.m.