

A regular meeting of the Planning Commission was held at City Hall, 200 S. Main Street, on Monday, May 2, 2011, at 7:00 p.m.

Vice-Chair Ostrom called the meeting to order. Present were Vice-Chair Ostrom and Commissioners Kapff, Wegner, DeGrow, Letarte and Skinner. Commissioner Kunkel, Malewski and Vanek were absent and excused.

Also in attendance at the meeting was Building Inspector Jon Hill and City Clerk Kristy Reinecke.

Vice-Chair Ostrom introduced the newest Member to the Commission, Paul Wegner. Commissioner Wegner gave a brief introduction of himself. The Commission welcomed him.

Commissioner Letarte moved the Planning Commission approve the Agenda as printed; seconded by Commissioner DeGrow, passed unanimously.

Commissioner Kapff moved the minutes of the March 7, 2011, meeting be approved as printed; seconded by Commissioner Skinner, passed unanimously.

Building Inspector Hill reviewed with the Commission the Site Plan from Homestead Savings Bank for the Addition of a Drive-Thru Service Machine. Inspector Hill reviewed his letter that he had sent to the Planning Commission, as well as letters sent by Police Chief Malewski regarding safety concerns that he had with this addition.

John Ritchey, the Contractor for Homestead Savings Bank, appeared before the Commission stating that his company was three months into the project before they were notified by the City that there were concerns with the project.

Vice-Chair Ostrom asked Inspector Hill what his concerns were as far as set back issues. Inspector Hill stated that his concerns had to do with the first proposed plan and the radius of the turn to get from the drive thru to the alley. Inspector Hill stated that this issue has been addressed in the additional plans that were submitted, so the set back issue no longer exists.

Commissioner Letarte asked if the drive thru was in the original plans and when these were submitted. Mr. Ritchey stated that the plans included the drive thru and that this was all filed with the City when the permit was pulled. Commissioner Letarte asked if it was on the original drawing. Mr. Ritchey stated that it was not on the original drawing, but was a rendering of the plan.

Mr. Alan Parr, CEO for Homestead Savings Bank, appeared before the Commission and wanted for clarification that this was not a drive up window, but would be monitored with a two way video camera so that the customer could see the teller and the teller could see the customer, but would not be face to face service.

Commissioner Letarte asked about the parking issues as there was no lot associated with this business, and who the off site parking would be credited to. Inspector Letarte stated that the off site parking is credited to the entire building, not the specific businesses. Commissioner Letarte asked if this would make Old Mill Furniture still be in compliance. Inspector Hill stated that a required amount of parking spaces per businesses was not required for this business as it was located in the Central Business District. Commissioner Letarte asked where this was found in the Code. Inspector Hill stated that this was located in Section 9.4(b) and 21.10.

Vice Chair Ostrom stated that the two letters that had been received by the Police Chief and that the first concern was regarding commercial vehicles making deliveries and blocking the alley for use. Inspector Hill stated that this was correct as well as the issue regarding vehicle leaving the alley and entering onto Hamlin Street.

Vice Chair Ostrom asked if Mr. Parr had any thoughts on this issue. Mr. Parr stated that he had discussed the commercial vehicle issue with Mr. Hall, the owner of the furniture store, and that his load and unload schedule presented no conflict with the drive thru hours. Mr. Parr further stated that the Bank was a local business, and felt that the increase in traffic would be very minimal. Mr. Parr stated that if the alley was blocked, then no business would be transacted at the bank during that time through the drive thru.

Vice Chair Ostrom stated that even if the bank knew that the alley was blocked, the customers would not and they could still be going into a dead end situation. Mr. Parr stated that the parking area adjacent to the drive thru was the bank's property and that there was ample space to allow a vehicle to turn around.

Vice Chair Ostrom stated that there were five parking spaces behind the building. Mr. Parr stated that this was correct, that those spaces had been added by the bank and that the entire parking area was owned by the bank as well.

Vice Chair Ostrom stated that since there were utility services running through the alley, in the event that the alley needed to be closed due to repair and maintenance, what about this type of event. Mr. Parr stated that they wanted to be a player in this process and that they were their to help the customers and would be active in policing the process and in the event of utility work then the drive thru would not be run and customers would be notified.

Vice Chair Ostrom stated that one of the other concerns of the Police Chief was the vision onto Hamlin Street for driver's as well as pedestrians, and how did the Bank plan to address this situation. Commissioner Skinner asked how this was any different than what was happening how, that the sight was an issue regardless of the bank and the drive thru. Vice Chair Ostrom stated that with the possibility of increased traffic in this area, that was the concern and that the suggestion of mirrors placed at this intersection was a good solution. Vice Chair Ostrom stated that mirrors placed to assist the drivers when leaving the drive thru area as well as mirrors placed when leaving the alley and exiting onto Hamlin

Street so that this would help with pedestrian traffic.

Commissioner Kapff stated that he did not feel it was necessary to have mirrors placed when leaving the parking lot and the approach to the alley, as this in his opinion, was very visible to a driver.

Commissioner Letarte stated that she would like to see signs placed in the alley that pedestrians have the right-of-way as well as the mirrors.

Vice Chair Ostrom read the letter from the Police Chief regarding the bank having to conform for the next 12 to 24 months as safety concerns arise. Mr. Parr stated that he felt that this was very vague language and would like it to be more specific if it was going to be added to the motion to approve the Site Plan. Inspector Hill stated that the language was to address safety concerns if there was an increase in traffic, and that right now the Police Chief could not specifically address those concerns as we did not know what they might be. Mr. Parr stated that he felt that this was very vague and could have an unlimited expense on the behalf of the bank.

Commissioner DeGrow asked Mr. Parr how he felt about the specific safety concerns that were addressed. Mr. Parr stated that he has safety concerns as well and has no problem with the mirrors to be placed as well as the signs, and that these were reasonable requests, and were huge upgrades to what is currently being done in this area.

Commissioner DeGrow stated that she has real concerns with the vagueness of the request by the Police Chief and feels that it is unfair to drape something this vague over a business and that the City needs to be accommodating.

Vice Chair Ostrom asked if a Committee could be formed to look into this with the Police Chief, Inspector Hill as well as the bank and come back with a solution for the Commissioners to consider. Mr. Parr stated that the bank had already invested in this project significantly, and they were doing this to benefit their customers and that it would be an inconvenience to wait any longer.

Commissioner Letarte stated that she didn't feel a committee was necessary, that they had submitted the application in a timely manner and that the City should have already done their homework. Commissioner Letarte stated that this is a City Alley, which is a city Street, and that the Bank has met its obligation and requirements for the project and that they should not be held up any longer.

Commissioner Wegner agreed that having a committee study this issue and coming back in two week was not going to shed any more light on the issue.

Commissioner Skinner stated that the alley needs to be safe regardless of the traffic issue, and that she feels this is a City issue, not a Bank issue.

Vice Chair Ostrom stated that two areas need to be added in order for approval and that would be the addition of convex mirrors at the north end of the alley, that signs need to be placed at the north end of the alley for drivers as well as pedestrians and that "Open/Closed" signs need to be placed when coming into the lot for the drive thru service, all at the expense of the Bank. Mr. Parr stated that this was agreeable.

Commissioner Wegner asked if they would be working with the furniture company in regards to knowing when deliveries would be scheduled. Mr. Parr stated that he would be working with all the businesses in the area. Commissioner Letarte asked if there were any restrictions on the length of time that delivery trucks could be parked in the alley and obstructing it from use. Inspector Hill stated that there were no such restrictions.

Mr. Parr stated that when they considered the option of putting a drive thru in this location, that they did consider all of the pros and cons, and that they intend to be a good neighbor, but felt it necessary to offer this service for their customers.

Commissioner Ostrom asked if pedestrians were going to be allowed to use this service. Mr. Parr stated that they were not, that there is an ATM Machine located at the front of the building for this type of use.

Commissioner Kapff stated that he felt this should be granted as long as the mirrors and sign requests were added to the motion.

Commissioner Wegner stated that he agreed with this.

Commissioner Skinner stated that she agreed with this.

Commissioner Letarte stated that she agreed with this but would like to see signs added for pedestrians as well on the sidewalks.

Commissioner DeGrow stated that she agreed with all of her colleagues comments and requests.

Commissioner Letarte moved that the Site Plan for Homestead Savings Bank be approved with the addition that the Bank comply with signs being placed for vehicles entering and exiting the alley, as well as signs for pedestrians walking in front of the alley, and that convex mirrors be placed on the north end of the alley for visibility issues and that an Open/Close sign be placed at the drive thru entrance; seconded by Commissioner Kapff, passed unanimously.

Vice Chair Ostrom opened the discussion regarding adding agricultural use as a principal permitted use or conditional use.

Jack Stohr, 206 Albers Street, appeared before Council regarding this being on the Agenda at their request. Mr. Stohr stated that his wife works for the School and is very involved in the Community Education program and that he is involved with a food ministry, and that with the Community Garden being started last year in the City, felt that this was a way to increase awareness of families providing for themselves. Mr. Stohr stated that in his research, several communities have changed their Ordinance to allow this type of use. Mr. Stohr stated that the City of Lansing, East Lansing, Portland, Petoskey and Traverse City all allow this type of use and that it has no impact on neighbors, that it is limited to a few number of chickens, that no roosters are allowed, and that he just wanted to initiate the discussion to see if this was feasible for the City to consider.

Commissioner Letarte questioned whether or not the Planning Commission was allowed to change the Zoning Code. Inspector Hill stated that the Planning Commission would make a recommendation to the City Council and that the City Council would have the final say.

Commissioner Kapff stated that this was a complex item and it was his suggestion to form a Committee to research and investigate this issue and bring the findings back to the Planning Commission at an established date in the future.

After discussion the rest of the Commission was in consensus of this.

Commissioner Kapff moved that Commissioner Wegner and Commissioner Skinner be appointed to a Committee to research the issue of adding agricultural use as a principal permitted use or conditional use to the Zoning Ordinance and report back to the Planning Commission at the next regularly scheduled meeting that is for June 6<sup>th</sup>; seconded by Commissioner Letarte, passed unanimously.

There were no reports by the Zoning Boards or Staff.

Commissioner Letarte moved the meeting be adjourned; seconded by Commissioner Skinner, passed unanimously. The meeting was adjourned at 8:15 p.m.