

**MINUTES OF THE MEETING OF THE
MIDLAND CITY PLANNING COMMISSION
WHICH TOOK PLACE ON
TUESDAY, APRIL 12, 2016, 7:00 P.M.,
COUNCIL CHAMBERS, CITY HALL, MIDLAND, MICHIGAN**

1. The meeting was called to order at 7:00 p.m. by Chairman McLaughlin.
2. The Pledge of Allegiance was recited in unison by the members of the Commission and the other individuals present.

3. **Roll Call**

PRESENT: Bain, Hanna, Heying, Mayville, McLaughlin, Pnacek, Senesac, and Tanzini

ABSENT: Stewart

OTHERS PRESENT: Brad Kaye, Assistant City Manager for Development Services; Grant Murschel, Community Development Planner; and sixteen (16) others.

4. **Approval of Minutes**

Under *Items for Next Agenda*, “east” of West Main Street should read “west”. Under paragraph five of *New Business*, the second “that” in the second sentence should be change to “than”.

Moved by Heying and seconded by Hanna to approve the minutes of the regular meeting of March 22, 2016 with the corrections as mentioned. Motion passed unanimously.

5. **Public Hearing**

- a. Zoning Petition No. 604 – initiated by DGR Developments, Inc. to zone property located at 2705 and 3003 East Wackerly Street and 6001 and 6209 Waldo Avenue from Township zoning to Residential A-3 Single-Family Residential zoning.

Murschel gave the staff presentation. He indicated that the subject area has been recently annexed into the city limits and therefore must be given city zoning. The property owner is proposing RA-3 zoning to allow for low density residential development. He reviewed the criteria of zoning amendments and indicated staff’s position of support of the petition, for the reasons outlined in the staff report.

David Rapanos, property owner of the subject parcels, intends to build a single-family residential development on the property that will include smaller lot sizes than traditional but that match the RA-3 regulations. He showed a concept of a cluster-style development for the western portion of the subject area and indicated that the zoning is being proposed for the full area to be ready for future development.

There were no public comments in support of the petition.

Stacey Cowan, of 4477 E Wackerly Road, wanted to know what the rezoning means for his property and particularly the easement that is between his property and the subject properties that he uses to access his driveway.

Murschel explained that the easement Cowan referenced is not under the jurisdiction of the City of Midland. It is not part of the area subject to the zoning petition. Dealings with this easement or street right-of-way would need to take place with the other parties of the easement or the Midland County Road Commission, respectively.

The public hearing was closed.

A motion was made by Heying to waive the procedural requirements to delay a decision on the zoning until the next meeting. The motion was seconded by Hanna. The motion was approved unanimously.

Heying explained his support of the petition and indicated that he is supportive of this type of growth in this area. The zoning of this type is the first step. Pnacek explained that it is a good transitional zone moving north from the intersection of US-10 and Waldo Avenue.

It was moved by Heying and supported by Hanna to recommend approval of Zoning Petition No. 604 initiated by DGR Developments, Inc. to zone property at 2705 and 3003 East Wackerly Street from Township zoning to Residential A-3 Single-Family zoning.

YEAS: Bain, Hanna, Heying, Mayville, McLaughlin, Pnacek, Senesac, and Tanzini.
NAYS: None
ABSENT: Stewart

- b. Zoning Petition No. 605 – initiated by Primrose Retirement Communities, LLC to zone a portion of the property located at 5900 Waldo Avenue from Township zoning to Residential B Multiple-Family Residential zoning.

Kaye gave the staff presentation indicated the proposal is for RB Multi-Family Residential on land that has been previously annexed into the City of Midland from Midland Township. The subject area is planned as Low Density Residential by the future land use map within the Master Plan. He explained the intent of the RB district. He reviewed the ten criteria of review applying to this petition. Staff believes that the proposal is consistent with the future land use map of the Master Plan in concept as the medium density and high density residential designated areas appear to be fairly arbitrary in this area of the city.

Bain questioned who was notified as part of process. Kaye indicated that it is any property owner or occupant within 300 feet of the full extent of the 80 acre parcel that is affected. Senesac underscored the key issue facing the Commission regarding the proposal for high density residential zoning in an area planned for low density residential.

The question of conditional zoning was raised. Kaye indicated that staff and the Planning Commission by state law cannot ask for conditions on a zoning petition; only the applicant can volunteer conditions to be applied to the petition. If offered, such conditions must be offered in writing.

BJ Schaeftbauer, of 815 North Second Street, Aberdeen, South Dakota, indicated that Primrose Retirement Communities, LLC is a developer and operator of senior housing communities across the country. A handout was given to the Commission showing the concept site plan that will follow the rezoning request at a later date. He indicated that the layout of the property will not be high density in nature. The site plan was for conceptual purposes only and was not part of the formal petition.

Bain questioned if the facility will require state licenses. Schaeftbauer indicated that some of the memory care that is provided on site will require specific state licenses. Mayville wondered about fire department coverage in the area. Mayville commented that if higher density residential is allowed in this area than it might result in more of a need for additional fire coverage.

Hanna wondered why the specific site was selected as opposed to a parcel just south of the subject area. The land south of the subject area is planned for medium density residential and would better support the RB zoning request.

Mark McNeary, of 815 North Second Street, Aberdeen, South Dakota, indicated that the company has been looking in the Midland area for many years and have had other properties under contract. He indicated that they would be willing to offer conditions on the rezoning as necessary since their only interest is the proposed retirement community.

David Rapanos, the property owner, indicated that he is supportive of the application because he thinks it is an appropriate development to step down from high density residential to lower density. He does not think that the areas indicated on the Master Plan as low density residential will become RA-1 in the future as the market does not desire the large lot sizes that are required by the RA-1 zoning district.

Stacey Cowan, of 4477 E Wackerly Road, indicated that he understands there is a need for more assisted living in the community. He is concerned with the speed of vehicles on N Waldo Road and wonders if there are any plans to add any safety measures, such as a traffic signal or stop sign, to this busy corridor.

Schaeffbauer indicated that traffic studies for their developments have indicated that they produce less traffic than single-family developments of the same geographical size.

Hearing no other public comments, McLaughlin closed the public hearing.

Senesac indicated that he is uncomfortable with voting on this petition this evening. He believes the conversation regarding the future land use map designations should take place first before acting on the petition. Heying indicated that he would like to move forward this evening understanding that this is a use that will likely be developed in this area. He believes that this area has been discussed in great detail and that it is a matter of how the Commission would like to get there to permit this kind of use. Bain pointed out that no one this evening spoke in opposition to the petition and that staff had not received any comments in opposition.

The Commission decided to maintain their current rules of order and wait till the next meeting to formulate a recommendation Zoning Petition 605.

- c. Zoning Petition No. 606 – initiated by Tower Pinkster on behalf of Northwood University to zone the property located at 4203 West Main Street from Residential A-1 Single-Family Residential and Residential B Multiple-Family Residential zoning to Community zoning.

Murschel gave the staff presentation on the petition. He reviewed the background on the proposal and reviewed the criteria for zoning amendments. Northwood University is pursuing this rezoning request in order to allow for the construction of additional student housing on the subject parcel. The property is abutted to the north by property owned by the Midland Public School district and to the south by Northwood University and the Pere Marquette Rail Trail.

Senesac mentioned that during the time the future land use map of the Master Plan was drafted in this area, there was consideration to plan all of the Northwood land holdings as Institution and Civic. The fact that the subject property was not owned by Northwood at the time resulted in the split designations that currently cover the parcel.

Keith Pretty, President of Northwood University, indicated that the University pursued purchasing this property from Midland Public Schools because it squares up the campus nicely. It also is separated by the Pere Marquette Rail Trail, a community asset that is greatly used by students of the University.

No one spoke in support of the petition.

R. Dean Cooper, of 4300 W Main Street, expressed concern about how future construction will negatively impact W Main Street which he feels is already a busy road. He is concerned that a long construction window would cause heavy trucks to move past his property, especially if access to the site is given directly off of W Main Street.

Pretty indicated that access to the site would come from the current constructed portion of W Sugnet Road that intersects Northwood Drive, to the northwest of the subject parcel. The University has no intention to seek access off of W Main Street for this development.

The public hearing was closed.

A motion was made by Hanna to waive the procedural requirements to delay a decision on the zoning until the next meeting. The motion was seconded by Heying. The motion was approved unanimously.

Heying indicated his support for the petition that agreed that the parcel would have been planned differently if Northwood would have owned it at the time of the last revision of the future land use map in this area. Mayville indicated his support for the desired zoning. McLaughlin mentioned that the designation of the balance of the site on the future land use map should be changed to Institution and Civic in the future to support the new zoning.

It was moved by Heying and supported by Hanna to recommend approval of Zoning Petition No. 606 initiated by Tower Pinkster on behalf of Northwood University to zone the property located at 4203 West Main Street from Residential A-1 Single-Family Residential and Residential B Multiple-Family Residential zoning to Community zoning.

YEAS: Bain, Hanna, Heying, Mayville, McLaughlin, Pnacek, Senesac, and Tanzini.
NAYS: None
ABSENT: Stewart

McLaughlin recessed the meeting at 8:52 PM and then called the meeting back to order at 8:58 PM.

6. Old Business

a. North Waldo Road – Future Land Use Map Discussion

Kaye gave the staff presentation and explained the background on the previous discussions that have taken place regarding the future land use map designations in this area. The future land use map might not need to be amended to accommodate Zoning Petition 605 by Primrose Retirement Communities. However, the zoning ordinance might need to be reviewed to better accommodate clustered style residential development. This discussion has been prompted by staff to gain additional comments from the Commission.

Senesac commented that it might be helpful to gain consensus of the Commission to intend to plan the subject area of Zoning Petition 605 in the future for medium density residential on the future land use map. The Commission agreed that this is an appropriate designation for the subject area. McLaughlin indicated that the list of areas to review for the future land use map has continued to lengthen and that it would be appropriate to open all of these for formal review soon.

Dave Rapanos indicated that action on the Primrose portion should be done first before opening up broader discussion on the future land use designations of this area.

Mark McNeary indicated Primrose's intent to provide conditions for rezoning to be considered during the next meeting as part of Zoning Petition 605.

b. North Saginaw Road – Future Land Use Map Discussion

Kaye gave the staff presentation regarding the discussions that have taken place on the future land use designations of the area along North Saginaw Road to the Midland Urban Growth Area (MUGA) boundary. He explained the staff proposal for the future land use designations in this area that were developed using the input that was received from property owners in this area. Development in this area has been limited as sanitary sewer service has not been extended to the majority of the properties. There are no current plans by the City at this time to extend sanitary sewer in this area. Kaye indicated that access management could be handled generically at the policy level but could then be more extensive through zoning requests.

Commissioners indicated general support for the proposed land use designations. Kaye advised the next step would be to contact the property owners once again, advising them of the proposed designations, prior to initiating the formal Master Plan amendment process.

7. Public Comments (unrelated to items on the agenda)

None

8. New Business

None. Temporary accessory buildings, listed on the agenda, will be discussed at the next meeting.

9. Communications

The Michigan Planning News was distributed to the Commission.

10. Report of the Chairperson

None

11. Report of the Planning Director

None

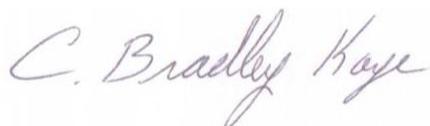
12. Items for Next Agenda – April 26, 2016

- a. Site Plan No. 346 – initiated by Northwood University for site plan review and approval for a 9,902 square foot addition at the Hall of Fame building, located at 4000 Whiting Drive.
- b. Temporary Accessory Buildings
- c. Zoning Petition No. 605

13. Adjourn

It was motioned by Mayville and seconded by Heying to adjourn at 9:51 p.m. Motion passed unanimously.

Respectfully submitted,



C. Bradley Kaye, AICP, CFM
Assistant City Manager for Development Services

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