

**MINUTES OF THE MEETING OF THE  
MIDLAND CITY PLANNING COMMISSION  
WHICH TOOK PLACE ON  
TUESDAY, APRIL 26, 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; Debbie Marquardt, Technical Secretary; and nine (9) others.

4. **Approval of Minutes**

Moved by Heying and seconded by Hanna to approve of the amended minutes of the regular meeting of April 12, 2016. Motion passed unanimously.

5. **Public Hearing**

- 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.

Mr. Kaye presented the site plan for Northwood University. It is zoned Community. The application meets all the standards of the Zoning Ordinance. The recommendation of staff is that this application be approved based on recommended contingencies. No public comments have been received on advance of the meeting.

John VerPlank, 3355 Evergreen Drive, Grand Rapids, MI 49525 presented on behalf of the applicant. He provided a quick summary, explaining that the northerly portion of the addition is a heating and cooling plant while the southerly addition is for future office and classroom space. The changes will bring together the accounting and finance departments. Regarding the concerns noted in the staff report, they will hold off on the parking lot lighting for now. The requested bike rack has been located near the entrance of the door to the building.

Public hearing closed.

A motion was made by Senesac to waive the procedural requirements to delay a decision on the site plan until the next meeting. The motion was seconded by Mayville. The motion was approved unanimously.

Senesac thinks it is a good site plan and meets all the criteria. Heying is glad to see the investment in the community and that site.

It was moved by Senesac and supported by Mayville to recommend approval of Site Plan No. 346 initiated by Northwood University for site plan review and approval to City Council contingent on:

1. A bike rack must be included.
2. Light poles cannot exceed 30 feet in height above grade.
3. A final stormwater management permit amendment must be approved by the City Engineering Department.

YEAS: Bain, Hanna, Heying, Mayville, McLaughlin, Pnacek, Senesac, and Tanzini.

NAYS:

ABSENT: Stewart

## 6. **Old Business**

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

Kaye gave a brief background. The location is a vacant site and 14 acres in size. Much of the surrounding area is either vacant or agricultural. The applicant has offered conditions to the zoning request. The first option would eliminate multiple family dwellings. The second option would only permit two family dwellings, senior apartments and elderly housing and congregate housing and dependent housing facilities. The commission can accept the offer to eliminate multiple family dwellings, accept both offers or accept neither offers. Staff is recommending that the first option sufficiently addresses the previous concerns expressed about general compliance with the Master Plan.

Senesac questioned whether or not a property owner can remove uses such as fire stations and schools through a conditional rezoning offer. Kaye stated that the property owner can make the offer but only City Council can pass an ordinance giving effect to this as the land owner does not have zoning authority. Senior apartments and multiple family dwellings can be a range of different uses. Senior apartments are age restricted based on the definition in the ordinance. High density, per the Master Plan, is greater than 10 units per acre. It was also clarified that the offer to remove uses would apply to the zoning of the parcel and not just the project intended by Primrose.

Heying indicated that he did not want to narrow the options more than necessary. When he looks at the list of potential uses, there are a number of them. It makes sense to eliminate multiple family dwellings. Kaye stated that as planners we want to be as broad and flexible as we can. We try not to pigeon hole a property to just a few uses if that is not necessary.

Senesac thinks that both of the conditional proposals they have leave in two family dwellings. Senior housing is age limitations in the dwellings. Senior apartments, however, would allow the highest density zoning that we have in the city. He sees no reason to do this.

Heying responded that he is at the other end of it. If you think about that whole area, and what is it going to look like in the future, he feels the proposal meets the Master Plan intent when you look at what this request does. This area has a road structure and utility structure that would accommodate this kind of potential concentration of people. It looks like a good option. It is adjacent to medium density and it fits the trend for that particular part of the city.

Pnacek sees this property and this area as high density. He is in favor of this. There needs to be a buffer to this property to the east.

Bain explained that he struggles to divorce this zoning request from the details of the project as presented by Primrose. That said, he supports the first restriction.

Tanzini believes in following the Master Plan as best we can. He struggles with Residential A-1,

A-2 and A-3 as he does not think they line up with the Master Plan densities. He sees a much higher use for this area of the city. Residential B zoning up to Diamond Drive he can support and that area can take it.

Senesac asked about a Master Plan to Zoning Ordinance comparison done previously. Kaye explained that four years ago the Planning Commission developed a chart with these comparisons. The chart shows Residential A-1, A-2 and A-3 allowed less than six dwelling units per acre. Residential A-4 was set at 7 to 10 units per acres. Residential B goes from 12.1 units and anywhere up to 30 units per acre. These generally equate to the Low, Medium and High Density designations of the Master Plan, respectively.

McLaughlin said that this is a difficult decision but he supports option one. He is looking at some of the challenges in the future. How far north is that lower density going to prevail? You are looking at a trend of development and it is lessening in intensity. The Planning Commission will have to circle back and take a look at the Master Plan. The best rational is it is transitional from commercial to a form of medium density and he likes option one best.

It was moved by Heying and support by Pnacek to recommend approval of 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 with the following offered condition:

1. Elimination of Multiple-Family dwellings from the list of permitted uses.

YEAS: Bain, Hanna, Heying, Mayville, McLaughlin, Pnacek, and Tanzini.

NAYS: Senesac

ABSENT: Stewart

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

None

**8. New Business**

a. Temporary Accessory Buildings

Kaye presented an overview of problems arising from the increased use of temporary accessory buildings. Most of these temporary structures go up without the required permits and city review. Existing temporary use standards were developed more to regulate commercial land than residential. In addition to aesthetic issues, such structures are required to meet all of the construction code standards. Temporary structures under the Residential Building Code may only be permitted for up to 180 days. Even when approved as temporary use, such structures must comply with all construction code standards.

Planning Staff presented three options for the Planning Commission to consider. They could allow them as a temporary use with time restraints, they could permit them and regulate them as a permanent use, or they could prohibit them entirely.

Pnacek agrees with prohibiting them entirely. They must follow the building code if they want them. Senesac stated that the uses were actually for storage purposes. It is hard to find one that is being used as an actual building.

Tanzini struggles with this and he can't agree with prohibiting them entirely. Even though most people will be unwilling to comply with construction code standards, the option should be provided. Hanna agrees with Tanzini as she feels sometimes it is appropriate and other times it isn't.

Pnacek states that with a permit, and if they have to follow the code, you are going to eliminate a lot of those structures. Commissioners agreed this was a likely outcome.

Tanzini believes they should be considered as an accessory structure. They will need a permit and comply with the building code as an accessory structure. Pnacek, McLaughlin and the majority of the Planning Commission agreed with Tanzini.

**9. Communications**

Planning and Zoning News, March edition, was distributed to the Commission.

**10. Report of the Chairperson**

None.

**11. Report of the Planning Director**

Kaye reported that Commissioner Stewart has accepted a job out of town and has tendered his resignation to the Planning Commission. Senesac is leaving the Planning Commission at the end of June. City Council has asked for applicants and the interviews will be in a few weeks.

Hanna questioned if a training session could be organized. Kaye indicated that staff are considered that now but would not recommend it take place until after the two new commissioners have started in July. Sometime in May or June staff will initiate a discussion with the commissioners for topics for the training session.

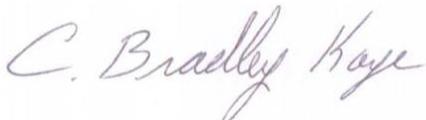
**12. Items for Next Agenda – May 10, 2016**

- a. Site Plan No. 347 – initiated by Designhaus Architecture on behalf of DLR Development, LLC for a 56,000 square foot medical office building, located at 801 Joe Mann Boulevard.
- b. Site Plan No. 348 – initiated by Jason Bakus for a 19,520 square foot self-storage units, located at 5911 Stark Road.
- c. North Waldo Road – Future Land Use Map
- d. North Saginaw Road – Future Land Use Map
- e. Various Amendments – Future Land Use Map

**13. Adjourn**

It was motioned by Hanna and seconded by Senesac to adjourn at 8:41 p.m. Motion passed unanimously.

Respectfully submitted,



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

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