

**MINUTES OF THE MEETING OF THE  
MIDLAND CITY PLANNING COMMISSION  
WHICH TOOK PLACE ON  
TUESDAY, JULY 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, Koehlinger, Mayville, McLaughlin, Stamas and Tanzini

**ABSENT:** Pnacek

**OTHERS PRESENT:** Brad Kaye, Assistant City Manager for Development Services; Grant Murschel, Community Development Planner; and three (3) others.

4. **Approval of Minutes**

Hanna noted that she had commented on the security of the water utility system and asked that her comments be included in the minutes.

Moved by Bain and seconded by McLaughlin to approve of the minutes of the regular meeting of July 12, 2016 as amended. Motion passed unanimously.

5. **Public Hearing**

- a. **Site Plan No. 352** – initiated by Daniel Smith, Telecad Wireless, on behalf of Skyway Towers for site plan review and approval for the construction of a wireless communication tower, located at 3600 and 4812 East Wheeler Road.

Kaye gave the staff presentation. He indicated that the 195 ft proposed height requires a variance from the City Zoning Board of Appeals, which has been granted, to exceed the zoning ordinance standard of 150 feet. The applicant has supplied information that demonstrates the need for additional capacity within the core of the City centered on the intersection of East Ashman Street and Abbott Road. The information provided in the application supports a fair amount of the site plan review criteria; however, there are ten contingencies that are proposed by staff to address the outstanding items.

Hanna commented that mosquito control planes utilize this air space and she is concerned with potential issues. Kaye commented that the local airport zoning authority, headquartered at MBS International Airport, has reviewed the proposal and given approval.

Heying wondered why the 195 feet height was chosen. Kaye explained that it was for future co-location opportunities rather than the specific need of Verizon Wireless, the primary user group. Heying also wondered about the long term maintenance of the access drive. Kaye indicated that the applicant would be responsible for the ongoing maintenance of this private drive.

Daniel Smith, of Telecad Wireless, Hixson, Tennessee, indicated that he has further documentation that has been requested by City staff including the Federal Aviation Administration (FAA) approval letter, the State of Michigan Office of Aeronautics review letter, a letter of intent by Skyway Towers to keep the tower maintained on a regular basis and kept in good repair, and a second letter of intent by Skyway Towers to permit co-location opportunities and comply with the

City's removal standard. Kaye commented that these documents had been transmitted to city staff earlier in the day but had not been thoroughly reviewed prior to the meeting.

Smith explained the issue of capacity, likening it to vehicle congestion on a freeway.

There were no comments in support or opposition of the petition. The public hearing was closed.

A motion was made by Heying to waive the procedural requirements to permit consideration of the proposed. The motion was seconded by Hanna. The motion was approved unanimously.

Koehlinger questioned the search area provision. Kaye explained that the search area is a location issue driven by the need for coverage and/or capacity.

Hanna questioned the security of the proposed site. Smith commented that there are various alarms on the site to monitor any tampering with the components.

Stamas wondered about the setback requirements to surrounding residences. Kaye explained that the zoning ordinance requires 300 feet of setback from a residence or residentially zoned parcel from any tower. This proposal meets this standard.

It was moved by Heying and supported by Hanna to recommend approval of Site Plan No. 352 initiated by Daniel Smith, Telecad Wireless, on behalf of Skyway Towers for site plan review and approval for the construction of a wireless communications tower contingent on:

1. Written documentation stating the number of co-location opportunities provided for on the proposed tower shall be provided to the City Planning Department.
2. A signed agreement stating that co-location shall be permitted on the proposed tower shall be provided to the satisfaction of the City Attorney.
3. A signed agreement stating that the applicant is aware of and agrees to comply with the removal standards of Section 3.16.B.10 of the City of Midland Zoning Ordinance shall be provided to the satisfaction of the City Attorney.
4. A final site lease, including required access easements, shall be executed between the applicant and the City of Midland.
5. A soil erosion and sedimentation control plan shall be submitted to the City of Midland Building Department.
6. A lighting plan demonstrating compliance with all FAA and City of Midland standards shall be submitted to the City Building prior to construction permits being issued. This contingency may be waived if not lighting is required or proposed.
7. FAA approval for the proposed tower shall be obtained in writing and provided to the City Planning Department.
8. Written confirmation that no co-location opportunities exist in the search areas shall be provided to the City Planning Department.
9. Final fence demonstrating compliance with the City of Midland Zoning Ordinance shall be provided to the City Planning Department.
10. A facility maintenance satisfying the requirements of Section 3.16.B.4.a.xv shall be submitted to the City Planning Department.

YEAS: Bain, Hanna, Heying, Koehlinger, Mayville, McLaughlin, Stamas and Tanzini.  
NAYS: None  
ABSENT: Pnacek

**b. Zoning Ordinance Revisions**

Kaye reviewed the information contained within the proposed ordinance revisions. He reviewed each of the proposed revisions. The proposed revisions have been reviewed and supported by the City Attorney.

Koehlinger questioned the inclusion of the text "or beverage" within the *Restaurant, Fast Food* definition. He questioned if it would now apply to food trucks and lemonade stands. Kaye commented that these types of uses are regulated as restaurants and only permitted where restaurants are permitted.

There were no comments in support or opposition of the petition. The public hearing was closed.

A motion was made by Heying to waive the procedural requirements to permit consideration of the proposed. The motion was seconded by Hanna. The motion was approved unanimously.

It was moved by Bain and supported by Hanna to recommend approval to City Council of the Zoning Ordinance Revisions as presented.

YEAS: Bain, Hanna, Heying, Koehlinger, Mayville, McLaughlin, Stamas and Tanzini.  
NAYS: None  
ABSENT: Pnacek

**c. North Saginaw Road – Master Plan Updates**

Kaye provided the staff presentation on this topic. He reviewed the map proposal and gave explanation to the current access management policy language currently within the City's Master Plan document.

McLaughlin wondered how to best execute the indications of access management within the Master Plan. Kaye commented that the policy language is there for the City to pursue hiring a traffic management consultant. Staff is currently working on locating and securing the services of an appropriate consultant to present access management concepts, benefits and limitations to the Planning Commission.

Dana Murray, of 5712 N. Saginaw Road, spoke in support of the commercial designation on her property.

There were no comments in opposition of the petition. The public hearing was closed.

Kaye advised that the Planning Commission should hold off on action until the full Master Plan Review takes place under the next agenda item.

Chairman McLaughlin recessed the meeting for a short period at 8:50 p.m. The meeting was called back to order at 8:57 p.m.

**6. Old Business**

**a. Master Plan Review**

Kaye gave the staff presentation on this topic. He reviewed the proposed Future Land Use map amendments reviewing the current designations and the proposed designations for the various subject areas. He reviewed the process for updating the Master Plan which formally began on June 22, 2016 with the transmittance of the Notice of Intent to Plan.

Heying wondered if this was the time to review other areas of the city where some residential lots are designated as Public Parks and Recreation by the Future Land Use map. Other members of the Commission indicated that they would prefer starting another list of potential future amendments that would be dealt with during the next amendment process, as opposed to slowing down the amendments now proposed.

McLaughlin explained his thought process regarding his hesitations towards the North Eastman Area and the close proximity of a Commercial designation near the City Forest. He believes that there should be sound access management standards in this location to avoid strip-commercial development and numerous access points.

Tanzini explained that he supports the modification of the Commercial designation on the North Eastman Area because of the wishes of the property owner and the speeds along this portion of the road network.

Koehlinger pointed out that including the North Eastman Area in the proposed Master Plan revisions would encourage public input on this area in addition to the other areas. Kaye commented that action on this item tonight would put the wheels in motion for formal public hearings at both the Planning Commission and City Council level following a formal 42-day circulation period. Both the planning Commission and the City Council will have at least one further opportunity to review and discuss the proposed land use designations.

Hanna explained that she is concerned with the Commercial designation of the North Eastman Area and believes it is too close to City Forest.

It was moved by Tanzini and supported by Heying to recommend City Council approve the distribution of the proposed Master Plan Revisions for the purposes of circulation to solicit community input and the input of surrounding jurisdictions and other interested parties.

YEAS: Bain, Heying, Koehlinger, Mayville, McLaughlin, Stamas and Tanzini.  
NAYS: Hanna  
ABSENT: Pnacek

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

None

**8. New Business**

None

**9. Communications**

None

**10. Report of the Chairperson**

None

**11. Report of the Planning Director**

Kaye explained that the City Council adopted the Capital Improvement Plan as recommended by the Planning Commission last evening. The temporary sign provisions within the Center City Overlay District and the public participation plan were also approved by City Council.

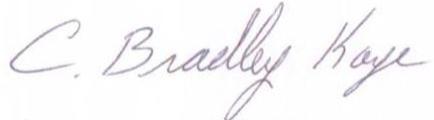
**12. Items for Next Agenda – August 9, 2016**

No public hearings are scheduled at this time. This meeting was canceled.

**13. Adjourn**

It was motioned by Heying seconded by Hanna to adjourn at 9:38 p.m. Motion passed unanimously.

Respectfully submitted,

A handwritten signature in cursive script that reads "C. Bradley Kaye".

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

MINUTES ARE NOT FINAL UNTIL APPROVED BY THE PLANNING COMMISSION