



HASTINGS PLANNING COMMISSION

COMMUNICATION

DATE: April 30, 2020

TO: Members of the Planning Commission and Staff

FROM: Jerry Czarnecki

SUBJECT: Information – May 4, 2020 Planning Commission Meeting.

This meeting will be held virtually to remain in compliance with the Executive Orders put in place by the Governor. Included in the digital packet is the information to access the meeting through Zoom. If your internet services doesn't allow you to access the meeting, you may also access the meeting by telephone and follow along with the digital packet. Please make sure that you use audio from either the computer or the telephone, not both. This will eliminate feedback and echoing. If you have questions trying to access the meeting, please do not hesitate to contact me. If you have never used Zoom before, please attempt to access early and it will ask you to download any programs that you need. You will get a screen that tells you the meeting is scheduled for May 4, 2020 at 7:00pm. Once you get that screen you can leave the meeting and then access on Monday night.

Items on the agenda for the regular meeting of the Planning Commission include:

Public Hearing

Item 6.A. Public hearing to hear comment and make determination concerning the elimination of the expiration date of prohibitions on marihuana establishments. This is to get the ordinance in Chapter 90 in line with the ordinances that the City Council passed in April. The proposed language is included in the packet. The Planning Commission will be making a recommendation to the City Council.

With the Executive Orders in place from the Governor, we are asked to keep the meetings to only items that are necessary and cannot be held off until the orders are lifted. Please note the abbreviated agenda for Monday's meeting.

If you have any questions prior to Monday's meeting, please do not hesitate to contact me.

NOTICE OF ELECTRONIC MEETING

The Planning Commission of the City of Hastings will offer an electronic option for public participation for the meeting at **7:00 PM on Monday, May 4, 2020** in response to the concerns of COVID-19. This is a regularly scheduled meeting that can be viewed on the City's website (<https://hastingsmi.org/livestream/>)

If public would like to participate in the meeting, please join:

Internet:

<https://us02web.zoom.us/j/85697184930?pwd=L2djbW93SGRzd2xYWVJlVTJNckZ2UT09>

Meeting ID: 856 9718 4930

Password: 106687

You can also dial in using your phone.

(312) 626-6799

HASTINGS PLANNING COMMISSION A G E N D A

Monday May 4, 2020

- 1. Call to Order/Roll Call** (Regular meeting starts at 7:00 p.m.)
- 2. Pledge of Allegiance**
- 3. Approval / additions / deletions to agenda**
- 4. Approval of Minutes** March 2, 2020 Regular Draft Meeting Minutes of the Planning Commission.*
- 5. Public Hearings:**
 - A. Public Hearing to hear comment and make determination concerning the elimination of the expiration date of prohibitions on marihuana establishments.*
- 6. Open public discussion and comments**
- 7. Commission comments**
- 8. Adjourn**

*Indicates attachment

CITY OF HASTINGS
DRAFT PLANNING COMMISSION MEETING MINUTES
March 2, 2020

Members present: Brehm, Foster, Tossava, Czarnecki, Bowers, Resseguie, Maurer, McLean, Hatfield.

Members absent: None.

Other staff present: King, Gergen and Harvey.

The meeting was called to order at 7:00 p.m. by Chairman Hatfield.

Hatfield called the roll.

Those present recited the Pledge of Allegiance.

Hatfield asked for comment regarding the draft agenda for tonight's meeting

Motion by Foster, second by McLean to approve the agenda for tonight's meeting.

Motion carried.

Hatfield asked for comment regarding the draft minutes of the February 3, 2020 regular meeting of the Hastings Planning Commission. No comment was forwarded.

Motion by Tossava, second by Bowers to approve the draft minutes of the February 3, 2020 regular meeting of the Hastings Planning Commission.

Motion carried.

Hatfield asked comment on any of the Informative Items presented. No comment was forwarded.

Hatfield introduced the public hearing format and procedure for all in attendance.

Hatfield introduced the public hearing to solicit comment and make determination for rezoning of property from D-2 to PUD and final site plan approval of the Meadowstone Mobile Home Park addition.

King gave a brief summary of the project.

Harvey pointed out that the PC would be dealing with two requests: 1) rezoning of the property and 2) final site plan review. The rezoning is supported by the Master Plan and represents the expansion of an existing PUD. The final site plan includes revisions of the site plan from an unofficial site plan review presented at a past meeting. Harvey noted that two areas of design considerations to still be addressed: 1) Insulation of pedestrian ways from vehicular streets and 2) preservation of natural features to provide buffering in character with the area.

Gergen stated that there were no additional concerns from DPS.

Tossava noted that if the plans are to leave the existing vegetation, some is scrubby and would be better if trees were planted.

Robb Lamer (Exxel Engineering) noted that the slope from Star School Rd to the cul de sac is very steep. Only potentially two units that would be visible from Star School Rd. The plan is to maintain as much green space as possible. Sewer will be connected to Star School Rd. The plan minimizes units to allow reduce the amount of grading that is needed.

Hatfield opened public hearing at 7:15pm.

Wayne Nickelson (512 W. Green) asked:

- How close will units be to Wilder property?
- How close will sewer be to north side of building?
- Will there be a fence on the property?

Hatfield closed public hearing at 7:17pm

Lamer responded that the closest units will be 20-22 ft from lot line; sewer line will be 10 ft from lot line and buried so have not affect once done.

Hatfield noted that fencing can be put up by either party.

Foster noted that this is near an auto repair and may need noise buffer

McLean should present something to deter crossing property boundary

Lamer shared the current green space that would remain in plan and noted that would work with adjacent property owner on fencing and potential purchase of property with easement.

Motion by Tossava, second by Resseguie to rezone property from D-2 to PUD. Foster abstained from vote because a customer owned adjacent property.

In favor: Brehm, Bowers, Tossava, Czarnecki, Maurer, Resseguie, McLean, and Hatfield.

Opposed: None

Absent: None

Abstain: Foster

Motion passed.

Motion by Tossava, second by Resseguie to approve final site plan under direction of staff.

In favor: Brehm, Bowers, Tossava, Czarnecki, Maurer, Resseguie, McLean, and Hatfield.

Opposed: None

Absent: None

Abstain: Foster

Motion carried.

Hatfield introduced the public hearing to solicit comment and make determination for final site plan approval Kendall Place Limited Dividend Housing Association, LLC for property located at 326 W. State Street.

King gave summary of project.

Kevin Moore and Nate Heyboer (Kendall Place) noted that this is a great project because it is 3-5 blocks to everything the City offers. There will be no covered parking and the ratio is a little more than 1 parking space per unit. Moore reached out to property management companies and they stated that they strive for 1 to 1 ratio of parking spaces to units. Moore worked to meet with area residents. The project is planned to be as Silver LEAD building.

Harvey noted that this is a final site plan review. The current project does not meet PUD requirements for parking, density, or setback; but PUD conditions can be determined by the PC.

Gergen noted that positioning of building was appropriate, incorporating of lighting pattern was appropriate, sidewalk on Park was added, and revisions from unofficial site plan review were appropriate.

Maurer noted that there were a different number of parking spaces on two different pages of plans. Moore stated that it was the civil engineering drawings that are correct and have 47 parking spaces. The other was a rendering by the architect.

Maurer questioned how it will be handled if more than 1 to 1 ratio is needed for parking. Moore noted that leases will be written that each unit has one available spot.

Hatfield thanked Kendall Place for data to support parking request. The parking requirement in PUD was not based on knowing anything about what was going into the development.

Moore stated that they have to balance profitability and proper parking.

Hatfield also noted that developer has vested interest to provide adequate parking and that the PC requested that the zero lot line setback for the building in the unofficial site plan review.

Hatfield opened the public hearing at 7:45pm.

Robert Schiermer (Emmanuel Church) applauded the housing development. Asked that it be made smoke-free site and reduce the burning of fossil fuels. Could developers explore solar, geothermal, etc.

Shannon Thornton (423 W. Center) shared a concern about the intensity of the number of people. Putting this development there will increase traffic on Court, Park, and Green St. This will reduce the enjoyment of walking in the neighborhood. Concerned that apartment tenants have less investment in the community than homeowners. Thornton questioned the materials used on the exterior and the standards of the management company that would be managing the site.

Dennis James (115 S Washington) asked what will happen to the parking in the neighborhood when the big events come to town. These streets are currently used and will this push the parking onto his street.

Linnea Stifler (Emmanuel Church) shared concern about losing the park like space. Stifler asked that renewable energy be considered and that developers are asked to work carefully. Care for the Earth is important.

Hatfield closed public hearing at 7:56pm

Kendall Place representatives responded that the exterior will be brick, cement board, and tinted glass. The plan is to make it a transition building into the downtown.

Tossava verified that new sidewalk will be placed on Park

Brehm asked to address renewable energy.

Kara Harrison (Colliers International) stated that renewable energy options are being considered where possible, but cost is the biggest obstacle.

Heyboer stated that they will do whatever they can to incorporate renewable technologies.

Resseguie asked about the placement of snow.

Heyboer stated that they would truck it off if necessary. That is their responsibility to deal with.

Maurer asked if they would be placing a retaining wall on the eastside of property. Heyboer stated yes.

Motion by Tossava, second by Maurer to recommend the City Council approve the final site plan including the reduction of the parking requirement, increasing of the density allowed, and allowing for the zero setback on State St.

In favor: Brehm, Foster, Bowers, Tossava, Czarnecki, Maurer, Resseguie, McLean, and Hatfield.

Opposed: None

Absent: None

Motion carried.

Hatfield introduced the public hearing to solicit comment and make determination for final site plan approval EWB Properties, LLC for property located at 400 W. State Street and 410 W. State Street.

Jim Ramey (Architect) summarized that the planned project is combining of 400 W. State St. and 410 W. State St. and extension to the existing building that houses the Hastings Pharmacy and Edward Jones.

Harvey stated that her report had a number of items that would need to be addressed. PC would have to either get information from applicant tonight, or recommend conditional on administrative review.

Gergen noted that DPS had no additional comments.

Ramey noted that the parking is 1 space per 266 sq. ft. Depending on the use, the City's ordinances have 1 space per 300 sq. ft. or 1 space per 200 sq. ft. So, this is not knowing the uses and balancing what would fit on the site.

Eric Butler (owner) stated that the expansion would be an increase in the Pharmacy and office space for CPA or medical office. Very low volume for parking needs.

Ramey stated that there was no pedestrian access from State St. because most of the customers would enter from the rear where there is parking. Would be willing to add sidewalk for pedestrians on the west side of the building. Applicant will provide light design and readings for the property. Intent is to limit glare and have light directed down. Plan has retention wall in the back of parking lot. Applicant will use paint stripping and signage to help with flow of traffic on site.

Hatfield stated that it is not a high volume, so not much of a concern.

Maurer shared concern with drive.

Ramey stated that the current drive for the drive-thru will be eliminated. The drive on the west of 410 W. State St. will become the access to the site.

Hatfield opened the public hearing at 8:25 pm.

No comment was forwarded.

Hatfield closed the public hearing at 8:25 pm.

Maurer asked about storm runoff.

Harvey noted that would be subject to City Staff approval.

Motion by Foster, second by Maurer to recommend the City Council approve the final site plan for 400 W. State St. and 410 W. State St. upon direction of staff.

In favor: Brehm, Foster, Bowers, Tossava, Czarnecki, Maurer, Resseguie, McLean, and Hatfield.

Opposed: None

Absent: None

Motion carried.

Hatfield asked Czarnecki to comment on the activities of the JPA and JPC. Czarnecki stated that JPC held a public hearing for February 19, 2020 to solicit comments on proposed changes to zoning ordinances in regard to commercial livestock in the JPC area. JPA did not have meetings in February.

Hatfield asked if there were any comments on the work tasks identified by the Planning Commission for completion in 2020. King stated that the ordinance that had been passed by Council had been removed.

Hatfield introduced discussion regarding the Part 2 Master Plan Update. Harvey stated that the Master Plan update is on schedule. Business Growth speaker tomorrow night, all are invited. Final Draft will be completed in April.

Hatfield asked King to comment on efforts to track progress on the requirements imposed by the Planning Commission as a condition of project or site plan approval. King shared a brief update on projects.

Hatfield introduced the request to extend the April 1, 2019 site plan approval for the project at 133 E. State St.

Motion by Tossava, with second by Resseguie to extend the site plan approval for 1 year.

In favor: Brehm, Foster, Bowers, Tossava, Czarnecki, Maurer, Resseguie, McLean, and Hatfield.

Opposed: None

Absent: None

Motion carried.

Hatfield introduced the Capital Improvement Plan (CIP) items for the 2020-2021 budget. Czarnecki noted that in the past PC received the entire CIP this included only the projects that could potentially need zoning issues addressed.

Motion by Brehm, second by Foster to approve CIP as submitted.

In favor: Brehm, Foster, Tossava, Czarnecki, Maurer, Resseguie, Bowers, McLean, and Hatfield.

Opposed: None

Absent: None

Motion carried.

Hatfield asked if there was any public discussion and comment.

Robert Schiermer noted that the management company mentioned in the Kendall Place information was a management company that focused on urban areas, so the number of vehicles used by residences would be lower than in Hastings.

Hatfield asked for any commission comment. No comment was forwarded

Motion by Bowers, second by Foster to adjourn at 8:44 p.m.

Motion carried.

Submitted by:

Jerry Czarnecki
Secretary

CITY OF HASTINGS
COUNTY OF BARRY, STATE OF MICHIGAN

ORDINANCE NO. 590
AN ORDINANCE TO AMEND SECTION 90-780 (2), TO ARTICLE IX TO CHAPTER 90
OF THE HASTINGS CODE OF 1970

THE CITY OF HASTINGS ORDAINS:

SECTION I.

Section 90-780 (2), of Article IX, of Chapter 90, of the Code of Ordinances, City of Hastings, Michigan, is added to read as follows:

CHAPTER 90 - ZONING

ARTICLE IX – SUPPLEMENTARY DISTRICT REGULATIONS

Section 90.780 Marihuana Establishments.

(2) Expiration. Unless the City of Hastings acts to reverse the prohibitions enacted herein, this Ordinance and the prohibitions contained herein shall remain in full force and effect.

SECTION II.

If any article, section, subsection, sentence, clause, phrase, or portion of this ordinance is, for any reason, held invalid or unconstitutional by any court of competent jurisdiction, such portion shall be deemed a separate, distinct, and independent provision, and such holding shall not affect the validity of the remaining portions of this ordinance.

SECTION III.

All ordinances or part of ordinances in conflict herewith are hereby repealed.

SECTION IV.

This ordinance shall become effective upon its adoption and publication as provided by City Charter.

Moved by Member _____, with support by Member _____, that
Ordinance No. _____ be adopted as read.

YEAS:
NAYS:
ABSENT:

CITY OF HASTINGS

Adoption Date:
Effective Date:
First Reading:
Second Reading:

By: Jane Saurman
Hastings City Clerk

CERTIFICATE

The undersigned, being the duly qualified and acting Clerk of the City of Hastings, Michigan, does hereby certify that the foregoing is a true and complete copy of an Ordinance adopted by the Hastings City Council, of the City of Hastings, at a regular meeting of the _____ on the _____, at which meeting a quorum was present and remained throughout, and that the original of said Ordinance is on file in the records of the City of Hastings. I further certify that the meeting was conducted and public notice was given pursuant to and in compliance with Act No. 267, Public Acts of Michigan of 1976, as amended, and that minutes were kept and will be or have been made available as required thereby.

Jane Saurman,
Hastings City Clerk