**MINUTES**

**REGULAR MEETING OF THE OWOSSO PLANNING COMMISSION**

**COUNCIL CHAMBERS, CITY HALL**

**MONDAY, AUGUST 22, 2016 – 7:00 P.M.**

**CALL TO ORDER:** Chairperson Bill Wascher called the meeting to order at 7:00 p.m.

**PLEDGE OF ALLEGIANCE:** Was recited.

**ROLL CALL:** Roll call was taken by Deputy City Clerk Roxane Cramer.

**MEMBERS PRESENT:** Chairman Bill Wascher, Vice-Chair Craig Weaver, Commissioners Michelle Collison, Tom Cook, Janae Fear (7:50p.m.), Michael O’Leary, Brent Smith, and Tom Taylor.

**MEMBERS ABSENT:** Commissioner Frank Livingston.

**OTHERS PRESENT:** Susan Montenegro, Assistant City Manager and Director of Community Development; Tyler Leppanen, Assistant Director of Community Development; Troy Crowe, Crowe Properties, LLC; Feliberto Vargas and Donielle Hart.

**APPROVAL OF AGENDA:**

**MOTION BY COMMISSIONER COOK, SUPPORTED BY COMMISSIONER O’LEARY, TO APPROVE THE AGENDA FOR AUGUST 22, 2016.**

**YEAS ALL. MOTION CARRIED.**

**APPROVAL OF MINUTES:**

MOTION BY COMMISSIONER TAYLOR, SUPPORTED BY COMMISSIONER SMITH TO APPROVE THE MINUTES OF JULY 25, 2016 MEETING.

**YEAS ALL. MOTION CARRIED.**

**COMMUNICATIONS:**

1. Staff memorandum.

2. PC minutes from July 25, 2016.

3. 344 W. Main memo.

4. Site plan application packet – 1007 S. Washington.

5. Updated sign ordinance.

6. Owosso Recreational vehicle ordinance.

7. Recreational vehicle ordinances from other municipalities.

**COMMISSIONER/PUBLIC COMMENTS:**

None.

**PUBLIC HEARINGS:**

None.

**SITE PLAN REVIEW:**

1. **1007 S. Washington – Crow Properties LLC.**

Troy Crowe presented the site plan. He wants to build a 48 x 100 foot building on the back side of the property. The building will be located 10 foot from the lot line on the south and 17 foot in the front. The pole barn will run east to west. The building will be 24 foot tall same height as the current building. Mr. Crowe explained he cannot and does not want access from Park Street. There is a 6 foot fence on north and south side of the property and a chain link fence on the east side with an earthen berm and pine trees along it.

Commissioner Taylor wanted to know if he was going to replace the existing fence. Mr. Crowe said he would leave it as is. Ms. Montenegro explained that the city council approved the rezoning with the following deed restrictions that will follow the property.

1. There will be no vehicular access from the property to South Park Street.
2. A 6’ privacy fence shall be erected and maintained in perpetuity along the north and south ends of the property, the exact location and length of which shall be determined by the Planning Commission.
3. An earthen berm and vegetative screening along the property’s border with South Park Street be maintained in perpetuity.

Commissioners were concerned about the vegetation for screening. Chairman Wascher questioned if the berm is located in the city right of way. Commissioner Cook suggested that lower type vegetation be added. Commissioner Cook asked if the property was located in the flood zone. Ms. Montenegro stated it is not in the flood plain. Vice Chair Weaver questioned about the condition of the current fences. Mr. Crowe said they are your typical wood fences erected he would guess in early 2000. Commissioner Cook pointed out that it states the planning commission has the right to dictate the length of the fence. Troy Crowe explained the insurance company is making him put a fence all around the property. Commissioner O’Leary stated he was ready to make a motion. He believes that Mr. Crowe has gone out of his way to demonstrate that he is willing to work with them. Chairman Wascher asked if he wanted to make any stipulations about adding more vegetation for screening. Commissioner O’Leary responded that he didn’t think it was necessary because he felt if you went to Mr. Crowe and asked he would do that. Commissioner Cook stated he felt council wanted a vegetative screen. He also said where there are gaps he felt there should be more vegetation. Vice-Chair Weaver asked if the motion should include working with his neighbor on the side regarding the fence. Ms. Montenegro stated that council had stipulated that the fence would be there as a deed restriction. Vice-Chair Weaver then pointed out that the deed restriction states that the length and location can be dictated by the Planning Commission.

**Motion by Commissioner o’leary, supported by Commissioner smith, that the Owosso Planning Commission hereby approves the application for site plan review for 1007 s washington as presented.**

**Commissioner O’Leary ammended the motion, supported by commissioner smith, to include that the fence on the south side be taken down using the building as screen and putting up 6 foot fence from the building to the end of the property line.**

AYES: Commissioners O’Leary, Vice Chair Weaver, Commissioners Smith, and Collison.

NAYS: Commissioners Cook, Taylor and Chairman Wascher.

ABSENT: Commissioners Fear and Livingston.

**BUSINESS ITEMS:**

None.

**ITEMS OF DISCUSSION:**

**1. 344 W. Main.**

Ms. Montenegro addressed the planning commission explaining the City of Owosso ordinance allows ground floor apartments in a B-4 setting but it requires a special use permit. The former Dollar General is zoned B-4. If the city tried to issue a variance for 344 West Main there are 9 fact finding questions. The first question is,” Is it self-created?” the answer would be yes because there currently no ground floor apartments there. It would fail and not qualify for a special use permit. However, ground floor apartments are allowed in Westown between Cedar and State Street and almost all of Westown is zoned B-3. Ms. Montenegro stated the owner wants to put 3 ground floor apartments near the arts center. She believes that is to make them ADA approved; however, that will have to be clarified. Mr. Leppanen stated if it could be granted for the building he felt it would be a variance to chapter 38-173. Ms. Montenegro stated it will be sent to the Zoning Board of Appeals for them to interpret the zoning ordinance. Commissioners also discussed the former use of the building. An auto repair facility was there at one time.

**2.** **Sign ordinance.**

Commissioners Cook and O’Leary stepped out of the room for the discussion on signs due to their ownership in signs companies.

Ms. Montenegro wanted the commissioners to look through the sign ordinance that has been tweaked for City of Owosso and give their feedback. Mr. Leppanen explained the things that are highlighted are changes or things need to be changed. Commissioners had a lengthy discussion regarding signs. Some of the highlighted areas of concern were if the ordinance covered LED signs. What it covers regarding painted signs, the size of signs on buildings, regulating brightness on LED signs. There were questions regarding signs painted on buildings what they are considered. Ms. Montenegro explained she believed that they are painted signs like the ones on the Wildermuth Hotel and the Quaker Oats painting. Such paintings would be considered murals and they are approved through the Downtown Historical District Commission. Ms. Montenegro told the commissioners that they could seek clarification from the building inspector on any questions with regards to the sign ordinance.

**3.** **Recreational vehicle storage.**

Ms. Montengro explained that city council asked the planning commission to take a look at the recreational vehicle ordinance. Ms. Montenegro had given to commissioners zoning ordinances from the Village of Lake Isabella, City of Midland and City of Marshall regarding recreational vehicle parking.

Feliberto Vargas, 871 Krust Drive, stated he received a letter regarding his boat being parked in his driveway. He showed the commission pictures of his boat parked beside his pickup truck. He pointed out the boat isn’t any longer than the pickup truck and does not obstruct the view. Mr. Vargas stated he feels that the ordinance makes people move out of the City of Owosso. He has been parking his boat in his driveway for about 3 years and this is the first time he has heard anything about the ordinance. After the boating season is over he stores the boat on the side of his house.

Commissioner Fear asked Mr. Leppanen about the incident she asked if there had been a complaint. Mr. Leppanen stated there had been a complaint on this. Vice Chair Weaver explained to Mr Castillo that this is a process and would take a few meetings to figure it out. He invited Mr. Vargas back to witness the process.

Commissioner O’Leary suggested an exception to the ordinance for boats during the boating season.

Commissioner Cook asked the regulation for automobiles. Ms. Montenego reported that they have to operable, licensed and insured.

Commissioners had a discussion regarding the regulation and discussed the zoning ordinances from the other communities as compared to City of Owosso’s Ordinance.

Secretary Fear asked for Mr. Leppanen to find out how many have been cited for the violation. Mr. Leppanen said not that many because it is a complaint based. Secretary Fear asked him to find out the specific number.

Commissioners asked Mr. Leppanen to work on modifying the ordinance to accommodate recreational vehicles.

**COMMISSIONER/PUBLIC COMMENTS:**

Secretary Fear apologized for being late and she asked about the first agenda item.

Commissioner Cook asked if the landscaping issue had been addressed at the Dollar General. Ms. Montenegro reported she had not contacted them yet but will put it on her list.

**ADJOURNMENT:**

**MOTION BY VICE-CHAIR WEAVER, SUPPORTED BY COMMISSIONER COLLISON TO ADJOURN AT 8:36 P.M.**

**YEAS ALL, MOTION CARRIED.**

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Janae Fear, Secretary

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