

**MINUTES  
REGULAR MEETING OF THE OWOSSO PLANNING COMMISSION  
Council Chambers, City Hall  
September 22, 2014 – 7:00 pm**

**CALL TO ORDER:** Meeting was called to order at 7:00 p.m. by Chairman William Wascher.

**PLEDGE OF ALLEGIANCE:** The Pledge of Allegiance was recited by all in attendance.

**ROLL CALL:** Roll Call was taken by Recording Secretary Marty Stinson.

**MEMBERS PRESENT:** Chairman William Wascher, Vice-Chairman Frank Livingston, Secretary Tom Kurtz, Commissioners David Bandkau, Mike O'Leary, Brent Smith, Thomas Taylor, Craig Weaver, and Randy Woodworth.

**MEMBERS ABSENT:** None.

**OTHERS PRESENT:** Susan Montenegro, Assistant City Manager and Director of Community Development; Kevin Egnatuk of Southwind Restaurants; Mr. Gary Schmidtfrenz, E. Main Street.

**AGENDA APPROVAL:**  
**MOTION BY COMMISSIONER LIVINGSTON, SUPPORTED BY COMMISSIONER KURTZ TO APPROVE THE AGENDA FOR SEPTEMBER 22, 2014.**  
**YEAS ALL. MOTION CARRIED.**

**MINUTES APPROVAL:**  
**MOTION BY COMMISSIONER BANDKAU, SUPPORTED BY COMMISSIONER TAYLOR TO APPROVE THE MINUTES FOR THE MEETING FOR AUGUST 25, 2014.**  
**YEAS ALL. MOTION CARRIED.**

**COMMUNICATIONS:**

1. Staff memorandum.
2. PC minutes from August 25, 2014.
3. Staff review for Qdoba Mixed Use
4. M-71 Map

**COMMISSIONER / PUBLIC COMMENTS:** None

**PUBLIC HEARING:** None

**SITE PLAN REVIEW:**

1. Qdoba Mixed Use – Main and Gould  
Randy Woodworth abstained from discussion.  
Kevin Egnatuk of Southwind Restaurants, which also own Burger King Restaurants, owns about 12 Qdoba restaurants in Michigan. He has been working with Randy Woodworth on acquiring the properties on the corner. The building is 74-7500 square feet and will have a couple more tenants which they will build to spec. for. Building will start in the spring with the restaurant to open in May, 2015.

There are between 50 to 75 Qdoba restaurants in Michigan which are classified as fast casual. They are like a Subway where you build your food item, but with Mexican food. There is no drive thru. This lot is located in the 100 year flood plain. There will be separate water meters for each business.

Commissioner O'Leary questioned issues with the floodplain. Mr. Egnatuk noted that they may have to raise the floor one foot and put a retaining tank underneath the black top to eventually trickle into the city

storm sewer system. O'Leary then asked if he was checking into contamination from the dry cleaners. Mr. Egnatuk said his attorney is cautioning about migration of soil.

Ms. Susan Montenegro, Assistant City Manager, mentioned that the site plans will need to show where the grease trap goes; and the topo will have to show grades.

Mr. Egnatuk noted that the use of the alleyway would be for unloading / loading zone. The alley should be restored to meet M-DOT criteria to handle a semi-truck. Part of the driveway encompasses the alley on the preliminary site plan; the white portion will be concrete. The 24" strip of grass is open to board decision. The sign is to be determined by the board also. There are some power lines in that sign area also per Mr. Egnatuk.

Setback requirements were reviewed by Ms. Montenegro from the staff review. The measurements all meet except the alleyway. Mr. Egnatuk said they may go for a variance regarding the alley. The screening abutting the residence to the west would be fencing or landscaping. The lighting would be shoebox style which can be directed. There would be no lights on the building except for sconces for decorative purposes. No landscape lighting to the south.

Commissioner Weaver asked about the noise at the drop-off at night. Mr. Egnatuk said it could be about 45 min to an hour. We don't have any way to address that, to be honest.

Mr. Gary Schmidtfrenz who lives at what will be the remaining residence to the west of the mall when construction is completed on parcel 82 on West M-21, says that the water gets very deep during some storms. He is afraid that with redesigning the four end lots that the water will be pushed onto his property. Mr. Egnatuk said that underground tanks with storage capacity slowly perk through the soils and also drain to city storm sewers. The retention system is underground. Mr. Schmidtfrenz is also concerned about his privacy on the east end of his property. Mr. Egnatuk states that whatever the ordinances states, they will do.

Chairman Wascher asked if an underground tank can be installed in a flood plain. Mr. Egnatuk said if we can't then it kills the project. Chairman Wascher said noted there is potentially a problem with blocking the alley because that blocks the driveways to the houses on the other side of the alley. Are you allowed to have a loading zoning in a parking lot? Ms. Montenegro couldn't find anything in the ordinance.

**MOTION BY COMMISSIONER KURTZ, SUPPORTED BY COMMISSIONER O'LEARY THAT THE OWOSSO PLANNING COMMISSION HEREBY APPROVES THE SITE PLAN FOR THE SOUTHWEST CORNER OF MAIN AND GOULD, LOTS 83 – 87, CONTINGENT UPON THE STORM DRAINAGE CONCEPTUAL PLAN IS SATISFACTORY. IT LACKS GRADES. THE DEVELOPER IS ADVISED THAT THE PAVED SURFACES SHOULD BE GRADED SUCH THAT ALL STORM WATER DRAINAGE IS CAPTURED ON SITE, AND THEN ROUTED TO THE 60" STORM SEWER ALONG GOULD STREET, AS SHOWN. THE STORM SEWER NEEDS TO BE PROPERLY SIZED; MDOT APPROVAL; AND THE ZONING BOARD OF APPEALS APPROVAL OF A VARIANCE REGARDING THE ALLEY SEMI PARKING.  
RANDY WOODWORTH ABSTAINED FROM VOTING  
YEAS ALL. MOTION CARRIED.**

**BUSINESS ITEMS:**

1. Discuss future land use and potential rezoning in the 900-1400 blocks of Corunna Avenue. Ms. Montenegro and the board members discussed specific properties. It was decided to leave the 900 - 1400 blocks of Corunna Avenue with their current zoning. Discussion will continue at the next regular meeting for properties along Corunna Avenue between Maple and Woodlawn.

**ITEMS OF DISCUSSION:**

1. Consider dates for a public workshop to discuss potential zoning changes. No public hearing workshop is needed at this time.

**COMMISSIONER / PUBLIC COMMENTS:** None.

Approved October 27, 2014

**ADJOURNMENT:**

**MOTION BY COMMISSIONER LIVINGSTON, SUPPORTED BY COMMISSIONER WOODWORTH  
TO ADJOURN AT 8:08 P.M.  
YEAS ALL. MOTION CARRIED.**

---

Tom Kurtz, Secretary

mms