

Council Chamber
Henry L. Brown Municipal Bldg.
One Grand Street
Coldwater, Michigan



April 2, 2020
5:30 p.m.
(517) 279-9501
www.coldwater.org

**PLANNING COMMISSION MINUTES
ELECTRONIC SPECIAL MEETING**

Any interested person or group may address the City Planning Commission on any agenda item when recognized by the presiding officer or upon request of any Commission Member. Also, any interested person or group may address the City Commission on any matter of concern not on the Agenda during the agenda item designated Public Comment. The comment of any member of the public or any special interest group may be limited in time. Such limitation shall not be less than five minutes unless otherwise explained by the presiding officer, subject to appeal by the Commission.

For individuals who may wish to give public comment, the method for providing public comment during this remote-participation meeting is to call the following toll-free numbers:

1-888-475-4499 or 1-877-853-5257 (Meeting ID: 832 302 351#) Participant ID is not required.

Callers wishing to give public comment may call in before the meeting starts and wait in a “virtual waiting room.” Those calling in will be able to hear the audio of the City Planning Commission meeting, yet their microphone will be muted. Callers who do not wish to give public comment are encouraged to view the meeting live-streamed on YouTube at, bit.ly/ColdwaterVideo.

ROLL CALL

Chairman Miller called the meeting to order with the following Commissioners present: Jeff Budd, Aaron Garn, Dave Rumsey, Mayor Kramer, Michael Beckwith, Chris Stevens and Zack Stempien.

Commission Action: Motion by Commissioner Stevens, seconded by Commissioner Beckwith, to excuse the absence of Commissioner Jessika Cole, as presented.

Roll Call Vote:

Ayes: Commissioners: Budd, Garn, Rumsey, Mayor Kramer, Beckwith, Stevens, Stempien, and Chairman Miller

Nays: Commissioners: None

Motion carried

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Others present: Dean Walrack, Megan Angell, Susan Heath, Keith Baker, John Walsh and Jim Maxson.

1. Minutes of the Special Meeting of February 27, 2020.

Commission Action: Motion by Mayor Kramer, seconded by Commissioner Garn, to approve and place on file the minutes of the Special Meeting of February 27, 2020, as presented.

Roll Call Vote:

Ayes: Commissioners: Garn, Rumsey, Mayor Kramer, Beckwith, Stevens, Stempien, Budd and Chairman Miller

Nays: Commissioners: None

Motion carried

PUBLIC COMMENTS (unrelated to items on the agenda)

- None

PUBLIC HEARING

- None

OLD BUSINESS

- None

NEW BUSINESS

2. **SPR20-02** A request by the Grand Vista Assisted Living, LLC to build a Convalescent Care Facility at 300 Vista Dr.

Administrator Walrack presented SPR20-02, a request by the Grand Vista Assisted Living, LLC to build a Convalescent Care Facility at the 3.67 acres property located at 300 Vista Dr. The site is presently vacant with a County drain and significant vegetation adjacent to the roadway.

A new 20-unit 12,000 sq. ft. building and a 19 space parking lot will be constructed with a single driveway crossing the County drain.

All parcels along Vista Dr. are zoned D-1 Light Industrial District. The adjacent uses are another Convalescent Care Facility at 99 Vista Dr., The Michigan Works! Office complex, Gross Stabilcaster manufacturing plant, a warehousing facility, and a telecommunications tower.

This site was the subject of an earlier review of a Special Use Permission request on June 17, 2019. As there was no Site Plan developed prior to seeking that permission, this plan must also be reviewed against the five discretionary Special Land Use standards. Additionally, it was the

direction of the Planning Commission at that initial meeting that as much of the tree line adjacent to Vista Dr. be retained as possible.

Section 1295.04 Special Land Uses – Basis of Determination

- a) General standards. The Planning Commission shall review the particular circumstances of the special use application under consideration in terms of the following standards and shall approve a special use only upon a finding of compliance with each of the following standards, as well as applicable standards established elsewhere in this Zoning Code:
 - 1) The special land use shall be harmonious with and in accordance with the general objectives, intent and purposes of this Code.
 - 2) The special land use shall be designed, constructed, operated and maintained in a manner harmonious with the character of existing and future land uses on adjacent property and the surrounding area.
 - 3) The special land use shall not change the essential character of the surrounding area.
 - 4) The special land use shall not be hazardous to adjacent property or involve uses, activities, materials or equipment which will be detrimental to the health, safety or welfare of persons or property through the excessive production of traffic, noise, smoke, fumes or glare.
 - 5) The special use shall be required to be served by public sanitary sewer and water supply systems when available or other systems approved by the Health Department, and served adequately by other essential public facilities and services; such as highways, streets, drives, sidewalks, police and fire protection, drainage structures, refuse disposal, or that the persons or agencies responsible for the establishment of the proposed special use shall be able to provide adequately all such services. Further the special use shall not place demands on public services and facilities in excess of current capacity.

Administrator Walrack presented the Non-Discretionary (Site Plan Review) Standards, basis for action by the Planning Commission, as follows:

- 1) Adequacy of Information – The site plan shall include all required information in sufficiently complete and understandable form to provide an accurate description of the proposed uses and structures.
All required information has been submitted.
- 2) Site Design Characteristics – All elements of the site design shall be harmoniously and efficiently organized in relation to topography, the size and type of parcel, the character of adjoining property, and the type and size of buildings. The site shall be developed so as not to impede the normal and orderly development or improvement of surrounding property for uses permitted by this Ordinance.
This site is likely the final one to be developed in the vicinity. The plan meets all height and area regulations for the D-1 Light Industrial District and will not impact the ability of adjacent sites to expand or redevelop. The plan does necessitate a significant amount of grading at the property's southeast.
- 3) Appearance – Landscaping, earth berms, fencing, signs, walls and other similar site features shall be designed and located on the site so that the proposed development is aesthetically pleasing and harmonious with nearby existing or future developments. Landscaping requirements in the zoning ordinance are calculated based upon three criteria; (1) street frontage (2) interior parking lot area and (3) side/rear planting strips. These requirements amount to the following:
 - Right-of-Way (one tree and six shrubs per 30 linear ft.):
 - Requirement= N/A significant existing vegetation

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- Provided= 0 trees, 0 shrubs
- Interior Plantings (Not required for less than 21 spaces):
 - Requirement= N/A
 - Provided= three Interior Plantings
- Northeast Side Yard: (one tree and six shrubs per 30 linear ft.)
 - Requirement= N/A significant existing vegetation
 - Provided= 3 trees, 17 shrubs
- Southwest Side Yard: (one tree and six shrubs per 30 linear ft.):
 - Requirement= 42 ft.; one tree, six shrubs
 - Provided= one tree, 20 shrubs
- Totals:
 - Requirements= one tree, six shrubs
 - Provided= seven trees, 154 shrubs

The dumpster located at the site's southwest will be screened by an opaque painted wooden fence and eight evergreen shrubs.

- 4) Compliance with District Regulations – The site plan shall comply with the district requirements for height of building, lot size, lot coverage, density, and all other requirements set forth in the Schedule of Regulations (Appendix A) unless otherwise provided in this Ordinance.

The site plan otherwise complies with all regulations of the D-1 Light Industrial district.

- 5) Preservation and Visibility of Natural Features – Natural features shall be preserved as much as possible, by minimizing tree and soil removal alteration to the natural drainage course and the amount of cutting, filling, and grading.

A condition of award of the Special Land Use Permission in June 2019 was the preservation of as many on-site trees as possible. The applicant will need to remove approximately 100 linear ft. of the tree-line to accommodate the driveway and the installation of the culvert to cross the County drain.

- 6) Privacy – The site design shall provide reasonable visual and sound privacy. Fences, walls, barriers, and landscaping shall be used, as appropriate if permitted, for the protection and enhancement of property and the safety and privacy of occupants and uses.

The dumpster will be screened by opaque painted wooden fencing and evergreen trees. No additional screening will be necessary.

- 7) Emergency Vehicle Access – All buildings or groups of buildings shall be so arranged as to permit convenient and direct emergency vehicle access. The Fire Department has reviewed the proposed site plan for adequate emergency vehicle access.

- 8) Ingress and Egress – Every structure or dwelling unit shall be provided with adequate means of ingress and egress via public or private streets and pedestrian walkways. The property will be accessed by one 25 ft.-wide driveway onto Vista Dr. This driveway is approximately 100 ft. (measured centerline-to-centerline) east of the existing driveway on the adjacent Michigan Works! Site. The approaches will need to be of either 10 inch concrete or eight inch reinforced concrete construction.

- 9) Pedestrian Circulation – Each site plan shall provide a pedestrian circulation system, which is insulated as completely as is reasonably possible from the vehicular circulation system.

Public sidewalks have not been installed on this part of Vista Dr. and it does not appear that the adjacent sites have had sidewalks deferred. Additionally, this site is not expected to generate significant foot-traffic due to the expected lower mobility of its population and Vista Dr. is a relatively low-speed and low-traffic road which should not

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typically generate excessively unsafe conditions. Staff is not recommending the requirement of sidewalks in conjunction with this Site Plan, however it may also be suggested that sidewalk be required but deferred until a future time when sidewalks may be extended to this portion of Vista Dr.

The internal pedestrian and vehicular circulation systems are well laid-out and separated from each other.

- 10) Vehicular and Pedestrian Circulation Layout – The layout of vehicular and pedestrian circulation systems shall respect the pattern of existing or planned streets or pedestrian or bicycle pathways in the vicinity of the site. The width of streets and drives shall be appropriate for the volume of traffic they will carry in accordance with 1299.21. In order to ensure public safety and promote efficient traffic flow and turning movements, the applicant may be required to limit street access points or construct a secondary access road.

The sites east of this property on Vista Dr. are a warehouse, a telecommunication tower, and a vacant site; these uses generate relatively light vehicular and truck traffic and little-to-no foot-traffic. The sites to the west are a manufacturing plant, an office building, and a convalescent care facility; these uses generate surges in traffic at shift changes, as well as relatively constant traffic from office visitors.

Sidewalk exists on the north side of Vista Dr. in front of the convalescent care facility but does not extend past that site, and it does not appear that there are any deferred sidewalks in the vicinity which this site could connect to.

- 11) Parking – The proposed development shall provide adequate off-street parking in accordance with the requirements in Chapter 1296 of this ordinance.

The Parking requirement for this site has three components: residents, visitors, and staff. The resident parking requires one space per every two units: total of 10 spaces; the visitor requirement is one space per six spaces: total of three spaces; the staff requirement is one space per staff member: maximum staffing of four. Total requirements for this site are 17 spaces, one of which must meet Americans with Disabilities Act standards; 19 spaces are planned.

- 12) Drainage – The project must comply with the City's Storm Water Ordinance.

The City Engineering Consultant has reviewed the proposed development for compliance with the city's storm water management ordinance and construction design standards. No significant issues have been identified.

- 13) Soil Erosion and Sedimentation – The proposed development shall include measures to prevent soil erosion and sedimentation during and upon completion of construction, in accordance with current State, County, and City standards. The site will require a Soil Erosion and Sedimentation Control Permit. Silt fencing must be installed around all areas to be disturbed and a construction drive used by all vehicles and equipment to prevent tracking of dirt onto roadway. SESC plans were included with this submission.

- 14) Exterior Lighting – Exterior lighting shall be designed so that it is deflected away from adjoining properties and so that it does not impede vision of drivers along adjacent streets.

The site plan does not indicate any exterior lighting, however product details were included with the submission. Any lighting fixtures to be installed must be directed downward and away from all neighboring properties and roadways.

- 15) Public Services – Adequate services and utilities, including water, sewage disposal, sanitary sewer, and storm water control services, shall be available or provided, and shall be designed with sufficient capacity and durability to properly serve the development. All streets and roads, water, sewer, and drainage systems, and similar facilities shall conform to the design and construction standards of the City.

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Water, sewer, gas, and electric exist to the property and are sized sufficiently.

- 16) Screening – Off-street parking, loading and unloading areas, outside refuse storage areas, and other storage areas shall be screened by walls or landscaping of adequate height.

The parking will be screened as outlined in Standard 3.

There will be no regular loading or unloading activities taking place on-site which will require screening.

The dumpster is to be screened by a six ft. six in. privacy fence with a gated enclosure as required by Section 1297.04.

- 17) Health and Safety Concerns – Any use in any zoning district shall comply with all applicable public health, pollution, and safety laws and regulations.

Staff has not identified any public health or safety issues with the proposed use or project.

- 18) Sequence of Development – All development phases shall be designed in logical sequence to ensure that each phase will independently function in a safe, convenient and efficient manner without being dependent upon subsequent improvements in a later phase or on other sites.

The construction will occur in one phase.

- 19) Coordination with Adjacent Sites – All site features; including circulation, parking, building orientation, landscaping, lighting, utilities, common facilities, and open space shall be coordinated with adjacent properties.

All activities of the proposed use would be contained on the subject parcel.

- 20) Signs – The size and height of any new freestanding or building sign will require a permit through the City Neighborhood Services Department and must meet the provisions of Chapter 1294 Coldwater Zoning Ordinance.

No signage is indicated on the plans. Any signage which may be installed in the future should comply with Chapter 1294 of the City of Coldwater Zoning Ordinance.

CONTINGENCY ITEMS

Based on upon our review, staff feels approval of the site plan is warranted with the following contingencies:

- 1) Only the trees necessary to accommodate the driveway approach are removed from the tree line adjacent to Vista Dr.
- 2) The State of Michigan Department of Environment, Great Lakes, and Energy issues the site a Joint Permit.
- 3) A formal agreement is reached with the Branch County Drain Commission to discharge into the county drain. A copy of this agreement must be submitted to the Neighborhood Services Department.
- 4) The applicant submits and is approved for a Soil Erosion and Sediment Control permit.
- 5) The building's entrance and pedestrian facilities meet all ADA requirements.
- 6) All lighting features installed onsite direct lighting downward and in a manner which does not extend beyond the boundaries of the site. Chapter 1295.06(a)(9).
- 7) Any signage installed onsite comply with City of Coldwater sign ordinances. Chapter 1294.

As a permitted use seeking site plan approval, no additional public notification in the local newspaper or to adjacent properties is required by ordinance. Opportunity for public comment is available at the Planning Commission meeting during discussion of the petition.

STAFF RECOMMENDATION

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Upon review of all applicable city codes and ordinances, staff recommends approval of Site Plan No. **SPR20-02** as presented with the noted contingencies.

Public Comment:

- Jim Maxson and John Walsh, representing Grand Vista, were on hand to answer Commissioner's questions.

Commission Action: Motion by Commissioner Beckwith, seconded by Commissioner Rumsey, to approve SPR 20-02 along with the above noted seven contingencies, as presented.

Roll Call Vote:

Ayes: Commissioners: Rumsey, Mayor Kramer, Beckwith, Stevens, Stempien, Budd, Garn and Chairman Miller.

Nays: Commissioners: None

Motion carried.

PUBLIC COMMENTS

- None

ADJOURNMENT – Next Meeting Monday, May 4, 2020.

Noting no other business to come before this Commission, Chairman Miller adjourned the meeting at 5:54 p.m.

Susan E. Heath, CMC
City Clerk