

Planning Commission

Regular Meeting Minutes Thursday, July 14, 2016 7:00 p.m., Basement



City of South Haven

AMENDMENT

NOTE: DUE TO SCHEDULING CONFLICTS THE MEETING WAS HELD IN THE BASEMENT

1. Call to Order by Chair Heinig at 7:00 p.m.

2. Roll Call

Present: Fries, Gruber, Miles, Peterson, Paull, Stimson, Heinig
Absent: Frost

Fries and Anderson noted that Webb had said she would be here.

Motion by Gruber, second by Paull excuse Frost and Webb.

All in favor. Motion carried.

Webb arrived 7:02 p.m.

3. Approval of Agenda

Motion by Paull, second by Miles to approve the July 14, 2016 regular meeting agenda as presented.

All in favor. Motion carried.

4. Approval of Minutes – June 2, 2016

Motion by Stimson, second by Peterson to approve the June 2, 2016 regular meeting minutes as written.

All in favor. Motion carried.

5. Interested Citizens in the Audience Will be Heard on Items Not on the Agenda

None at this time.

6. New Business – Special Use Request 220 Aylworth

Sean Russell of South Haven is requesting a special use permit to allow outdoor boat storage at 220 Aylworth Avenue (the former Bohn Aluminum property). This property is in the light industrial zone and the special use is authorized by zoning ordinance section 1101.

Anderson noted this is the former Bohn Aluminum plant which the Local Development Finance Authority owns and is in the process of selling to the applicants. The applicants want to use the exterior for boat storage while working to get the inside ready for some industrial tenants. This request is to allow outdoor boat storage as a similar uses as authorized by Planning Commission for a special use. Even though the ordinance does not specifically allow outdoor boat storage it allows contractor storage and parking lots. It does allow other uses that were close enough to this that Anderson determined this was suitable as a special use for this site.

With agreement by the Planning Commission, Anderson explained that the site abuts up to residential property so we do want to have some landscaping tall enough to screen it and a fence for security but more decorative than a chain link fence. Anderson suggested she would not mind seeing some landscaping along the other sides, not necessarily dense, but something to break the parking area up for the other uses there and to make the property as attractive as possible. Anderson has no issues with the request and thinks it is a good use of the property. Stated the city is glad to have something moving in there to keep the industrial park, as the downtown is, vibrant.

Anderson read into the record a letter received from Application Engineering at 1310 Kalamazoo. The letter expressed concerns about the visual appeal of outdoor boat storage.

Sean Russell introduced himself and his wife, Renee. Stated that they want to do something to increase revenue while fixing up the property and attracting a long term manufacturing firm of some sort. Noted part of the plan includes doing some fencing and screening that will improve the look of the area. Stated they have been keeping it mowed. Russell wants to do something more than a chain link fence – reduce the actual screening requirements – but would like to do a higher end and higher security type of fence.

Lori Bierhalter, representing Vibracoustic (formerly Trelleborg). Expressed reservations about having boat dry storage next to Vibracoustic's North American headquarters, noting that they have many professional clients. Made suggestions regarding future use of the paved and grass areas as well as access to the property.

Sean Russell, applicant. Noted that the long term plan is to keep this as an industrial site, doing as little as possible to change the footprint. Pointed out that the city tried for three years to get a tenant in there and stated their group's intention to throw some advertising dollars out there to attract manufacturing; the parking lot stays as it is because they will not know how they are going to use it until they get possession. Noted plans to use the back part as long-term storage with the front part being better suited to short-term storage. Russell stated that the main drive, because of the grading on Kalamazoo Street, would make it difficult to get any sizeable boat in there, so the entry off of Aylworth near Republic suits that best. Russell noted plans to set the gate entrance off the street and into their property so any vehicle will clear Aylworth and be inside of the property before they have to deal with the gate.

Ed Burgess, owner of business on property to the south. Went along with the comments from Vibracoustic about maintaining a professional appearance, noting that his firm deals with the same clientele. Stated their concern is about what he termed walkaways, abandoned boats, and that he wants the property to maintain a clean appearance and wants a privacy fence because of the visual appearance.

Russell stated their intent is a higher end product, which is why they plan to add arbor vitae and other screening, along with the fence. One aspect of that includes restrictions on tarping of boats; clients will be told that their boat is to be either not covered or it is to be shrink-wrapped. Russell also noted that the property has been vacant for 20 years and their intention is to knock down the weeds and brush hog the back areas.

Gruber questioned how long the applicant is hoping to have this special use to which Russell responded that it is going to dovetail in with our advertising to get a tenant in there. Russell also noted, "We didn't know we were going to get a client in there a week after signing a contract with the LDFA. We didn't set a time line, nor do we wish to; if we get an offer that doesn't fit with our intent, we want to be able to do that." Russell also said this is something they brought to Linda for the feasibility and pointed out that currently they are in their due diligence period.

Barry Skuza, Vibracoustics. Stated that as long as the boat storage is away from the road, near the building, it will be fine.

Russell said that corner of Aylworth and Kalamazoo is what we hope to be the cornerstone of the property. They want to have 45 feet of offset signage to showcase what this property is. "It will be modular, so when we get the right folks in there, their name can go right up. We have plans on other property, that we can move the boat storage to, as a phase two, if we can get the right manufacturer."

Peterson asked, about the screening, whether it takes arbor vitae a long time to grow into a screen. Russell responded that it does, mentioned some places that

have it locally and noted it is a balance between improving it and being good neighbors, without all the expense.

Bierhalter asked whether the evergreens will be placed on Kalamazoo Street, on Aylworth and in front of the fence line.

Russell responded that it will be up to the board what they say for us to do as a special use. "This will be a reduced planting with a better fence. Where it will be placed? We propose on the outside of the fence so it will look nicer."

Barry Skuza, Vibracoustic. Advised that the city is going to replace a water main because Vibracoustic needs a hydrant. Stated that he does not know where the city property is and where Russell's property is but advised against installing plantings before determining those issues.

Gruber suggested the Russell's coordinate with the city engineer in planning for landscaping and other improvements.

Stimson stated that since she drives by every day, several times a day, she is thrilled with having a fence and arbor vitae.

Gruber suggested putting a sunset clause on the special use which Anderson stated cannot be done as zoning stays with the land but conditions may be placed on any approval. Anderson explained that means that if the applicant states that he is requiring either no tarp or shrink wrap, if that's part of what you approve, and he doesn't do it, if he is in violation and does not correct it immediately, you can take action and revoke his special use. "You can't sunset but you can put contingencies on approval. Put a condition on here that allows Planning Commission to revisit it in a year or two years. That won't be advertised as a rehearing, but you can do that. You can't do a sunset clause; it's against zoning law and common sense." Anderson suggested that if the commission wants to review the type of landscaping going up, conditional approval could be given tonight, with a review of the landscaping at a later meeting.

Gruber stated it is good to have positive neighbor relationships.

Heinig asked for other comments, questions or a motion.

Motion by Stimson to approve this request as it is presented.

Gruber stated he would like to amend the motion to allow the Planning Commission to see the landscaping plan; so the commission has a chance to look at it, and at least getting a whole season to see how things go.

Heinig, on a point of order, asked if Stimson wants to include Gruber's amendment or do her motion first. Stimson stated she would like to do her motion first.

A second on Stimson's motion was made by Peterson.

Anderson suggested that Gruber, in amending the motion, "Be specific so we know exactly what we are doing."

Russell explained that "this is a deal-breaker, yeah and nay, because boat and RV (recreational vehicle) storage is the only thing that will carry us through. For inside, the climate controlled storage we are talking about is for storing million dollar units and for the outside storage, either they are not covered or they are shrink-wrapped".

Gruber's amendment would require that if there is coverage it be shrink-wrap and requests an opportunity to review the landscaping and screening/fencing plans and an opportunity to look at this special use again in fall of 2017.

Anderson pointed out that looking at it in fall of 2017 would be Planning Commission members deciding if things look okay or if there are things that need to change. "Are they living up to what they said they would do? You can't revoke their special use, but this is an aesthetic review to ensure that they are abiding by all the rules."

A second was made by Paull to Gruber's amendment.

Webb, stating she is trying to understand, would like to know where the landscaping is going to be. "It's a nice picket fence but you need the landscaping to screen the boat storage from view." Stimson responded that the next Planning Commission meeting will be the landscaping review and a year from now we will review it for whether they are doing what they said.

Anderson clarified the regulations in the ordinance.

Heinig called the vote on the amendment to the original motion.

All in favor. Motion carried.

Paull stated, "Before we vote, I would like to make a statement to some of the audience members. I don't understand why your clientele would not be interested in seeing some rather attractive yachts as opposed to what exists now."

The vote was called on the motion as amended:

Motion by Stimson, second by Peterson to approve the special use as requested, to fence the open property at 220 Aylworth, with significant screening, for boat storage in the offseason, with a motion by Gruber, second by Paull for the Planning Commission to review the proposed landscaping and screening/fencing plans at a future meeting and to have an opportunity to look at this special use again in the Fall of 2017.

All in favor. Motion carried as amended.

7. Other Business – Review of Upcoming Capital Improvements Projects

Anderson explained that state zoning law requires that the Planning Commission is supposed to review any capital improvement projects which are funded by public money. This historically has not been done. "If you are fine with reviewing such projects, Anderson stated, "I just send this recommendation, as stated in the staff report, on to the city manager. It requires that 2/3 of your membership say a project is okay and if you don't act within thirty days of submittal it is assumed you are okay with the project."

Anderson listed the current upcoming projects which she noted are in the packet. This is all underground work so unless anyone has issues we will send this on.

Paull stated he was approached by someone with questions about trees which Anderson said should be addressed by the city engineer.

Stimson asked, "Why would we say no to something like this?" Anderson explained that it is something that allows the Planning Commission to know what major projects are going on. But if capital improvement projects go into street improvements, the Planning Commission can review the plan to be sure lighting is good; that there is green space; if it is barrier free; and then you get into more zoning related things. This is not zoning related but this is to let the Planning Commission know what is going on.

Discussion ensued regarding the planned addition to the Waste Water Treatment Plant Grit Chamber and Bar Screen building. Gruber said the main impetus is so rain water goes to the lake and water when you flush goes where it is supposed to and they don't mix. This is fixing the holes in the system for the sake of the plant.

Consensus by all to move forward with these upcoming capital improvements projects.

Anderson said anything that expends public funds should come before us. "All the work that is done at North Beach, South Beach, should come to you. It's not an action item except to review it."

Fries noted that there were city engineers there to explain these projects to council. The presentation was about two and one-half hours.

Planning commissioner stated that they appreciated to opportunity to review these projects.

8. Commissioner Comments

Peterson: This is a delayed meeting; did we give them enough time to get their landscaping done? Anderson said she will check with the applicants. They may wait until the other due diligence is complete.

Stimson: Thanked Webb for her service on the board and wished her luck on her future endeavors.

Gruber: Noted that he hates to see Webb leave.

Heinig: Thanked Webb for her service.

9. Adjourn

Motion by Paull second by Gruber to adjourn at 7:51 p.m.

All in favor. Motion carried.

RESPECTFULLY SUBMITTED,

Marsha Ransom
Recording Secretary