

**CITY OF BATTLE CREEK
PLANNING COMMISSION
10 North Division, Battle Creek, MI 49014
Minutes for Wednesday, September 28, 2022**

MEETING CALLED TO ORDER:

By Chairperson Godfrey at 4:00 p.m. This meeting was held in person.

ATTENDANCE: Chairperson Godfrey asked for a roll call attendance.

Commission Members Present:

Comm. Newman, present, in Battle Creek
Comm. Spranger, present, in Battle Creek
Comm. Godfrey III present, in Battle Creek
Comm. Gray, present, in Battle Creek

Mayor Behnke, present, in Battle Creek
Comm. Morris, present, in Battle Creek
Vice Mayor Reynolds, present, in Battle Creek

Commissioners Absent: Comm. Laws

Commissioners Excused: Comm. Hughes

Staff Present: Travis Sullivan, Planner, Susan Cronander, Planning Administrator, Marcie Gillette, Community Services Director, Crystal Bax, Customer Service Representative, Marcel and Stoetzel, Deputy City Attorney,.

APPROVAL OF MINUTES: Previous meeting minutes submitted for approval for August 24, 2022 meeting and minutes for the Special Meeting from September 7, 2022.

MOTION MADE BY COMM. NEWMAN TO APPROVE THE AUGUST 24, 2022 MEETING MINUTES AS PRESENTED AND THE SEPTEMBER 7, 2022 MEETING MINUTES WITH A CORRECTION TO EXCUSE COMM. GRAY FROM THE MEETING. SECONDED BY VICE MAYOR REYNOLDS.

ROLL VOTE: Chairperson Godfrey asked everyone in favor to signify by saying “aye”:

ALL IN FAVOR, NONE OPPOSED, MOTION APPROVED.

CORRESPONDENCE: None

ADDITIONS/DELETIONS: None.

PUBLIC HEARINGS/DELIBERATIONS:

CHAIRPERSON GODFREY asked to open the public hearing for item 6A (#S-12-22) on the agenda.

- A. SPECIAL USE PERMIT #S-13-22:** Petition from Mitten State Engineering on behalf of their client Jon Homrich, requesting a Special Use Permit for property located at 164 S 24th St. The request is for a diesel repair shop, including the repair of semi-trucks (Major Vehicle Repair, per Section 1230.06). Property is zoned “B-1 Corridor Commercial District” pursuant to Sections 1251.52 and 1281.05 of the zoning code. Parcel # 0065-00-650-0 LEGALLY DESCRIBED AS SEC 15 T2S R8W S 353 FT OF N 570 FT OF E 262.3 FT OF E 1/2 OF W 1/2 OF SE 1/4 OF SD SEC, EXC S 80 FT OF E 103 FT, CONT 1.94 A, SUBJ TO EASE OVER ELY 33 FT FOR 24TH ST ((ASSESSED WITH 0065-00-660-0 IN 1983 THRU 1996))

Staff Presentation: Travis Sullivan, Planner, gave the staff report presentation. The proposed major vehicle repair diesel shop would provide a needed service for the community. While automobile repair shops are in good supply within the City, shops providing service for diesel vehicles (and particularly, semi-trucks) are much less numerous. The proposal meets several goals of the Master Plan, and fits the category of “auto oriented uses such as dealerships, gas stations and auto repair shops...”. The use would also fit the category of specialized and retail and service businesses, as semi-truck service and repair is not usually offered at a typical automobile repair shop.

Due to the nature and classification of the proposed use, parking needs are expected to be relatively minimal. Section 1261.01 requires that for automobile repair uses, two spaces be provided for each service bay, plus one space for each employee on the largest working shift. The applicant’s site plan indicates the construction of four service bays, with the site plan displaying a total of 15 parking spaces, plus one ADA accessible space. While minor alterations have been requested of the applicant as part of the site plan review process (including the addition of dedicated semi-truck parking spaces at the rear of the parking area to the west of the proposed building), the applicant’s site plan is generally compliant with the parking, loading and access requirements as described in Chapter 1261. The applicant states that the proposed business would operate Monday – Friday from 8:00 a.m. until 5:00 p.m. No excessive generation of light, glare, noise, or other nuisance is anticipated by the proposed use.

Staff has reviewed the application and finds that it meets the requirements for submittal. Additionally, upon reviewing the submitted site plan, staff finds that the proposed project is generally compliant with appropriate provisions of the Zoning Ordinance as well as the overall goals and intent of the Master Plan. Further, the proposed project will be harmonious with the surrounding area.

Chairperson Godfrey III asked if the petitioner or anyone on behalf of the petition #S-13-22 was present to speak.

Applicant: Jon Homrich, the owner of the proposed major vehicle repair shop, stated that he intends to clean up the area and build a heavy duty repair shop for diesel truck repair. He purchased this property and has since made changes to the current condition of the vacant lot in regards to the landscaping.

Public Comments: None, closed the public hearing.

MOTION MADE BY MORRIS AND SECONDED BY COMM. SPRANGER TO APPROVE #S-13-22 SPECIAL USE PERMIT FOR A MAJOR VEHICLE REPAIR SHOP IN A B-1 CORRIDOR COMMERCIAL ZONING DISTRICT AT 164 S 24TH STREET PARCEL # 0065-00-650-0 WHERE MAJOR VEHICLE REPAIR SHOPS CAN BE ALLOWED AS A SPECIAL USE IN ADDITION TO THE CONDITIONS RECOMMENDED BY STAFF.

ALL IN FAVOR, NONE OPPOSED, MOTION APPROVED.

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OLD BUSINESS: None

NEW BUSINESS:
2019-2020 Planning and Zoning Annual Report

Marcie Gillette, Community Services Director, gave the report, to summarize 2019 and 2020 the amount of requests coming into the department has been relatively consistent with previous years, though there is a decline in the types of projects requiring additional approvals from any of the appropriate boards and commissions. This may be due in part to the assistance provided to the applicants from the outset of a project to help it be successful

in the most expeditious and efficient manner. Additionally, it is critical to remember the impact that the Covid crisis of 2020 may have had on development patterns during the majority of 2020.

The department will continue to look at ways regulations can be amended to ensure that property improvements can be reviewed and approved promptly, while being conscientious of surrounding property owners and land uses to ensure their well-being and property values are protected. These efforts are a balancing act to ensure all concerns are treated equitably and the outcome is for the overall benefit of the community.

A priority project list is maintained by the Planning Department to ensure ongoing projects meet the goals of the Planning Commission, City Commission and the community as a whole.

COMMENTS FROM THE PUBLIC: None

COMMENTS FROM COMMISSION MEMBERS AND STAFF: None

ADJOURNMENT:

Chairman Godfrey adjourned the meeting at 4:39 p.m.

Submitted by: Crystal Bax, CSR II, Planning and Zoning

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