

City Of Hart

407 S. State St

Hart, Mi 49420

Planning Commission

Thursday, January 7th, 2021

Minutes

MEMBERS PRESENT: Betty Root, Gale Goldberg, Jim Cunningham, Jack Wittman, and Peggy Wittman

ABSENT: Diane LaPorte, Rob Splane

OTHERS PRESENT: Lynne Ladner (City Manager), and Karla Swihart (Dep. Clerk), David Jirousek (Horizon Community), Nicole Steele (HEART), and Wesley Berlin

B. Root called the meeting to order at 4 pm.

APPROVAL OF AGENDA: G. Goldberg motioned to approve the agenda and supported by J. Cunningham

- Ayes: 5 Nays: 0 Absent: 2. The motion carried.

APPROVAL OF MINUTES: G. Goldberg motioned to approve minutes from December 3rd, 2020, and supported by J. Cunningham

- Ayes 4 Nays 0 Absent 3. The motion carried.

PUBLIC COMMENTS, CORRESPONDENCE, EVENTS, PRESENTATIONS: None

PUBLIC HEARING:

- Proposed zoning map amendment to rezone of 311 East Main St, parcel # 020-209-008-00 from B-1 Central Business District to A- Residential.

Although no public attended, D. Jirousek from Horizon Community stated the applicant is requesting the rezoning of the subject lot from the B-1 Central Business District to the A-Residential zoning district. Existing conditions: the site is home to the Hart Barber Shop in recent years. A second floor was constructed to add an upstairs residential unit. Mixed-use buildings of this nature are only permitted in the B-1 zoning district.

Proposal: The applicant seeks a rezoning to refinance the building with a traditional mortgage. No other changes to the use or the site are proposed.

While rezoning standards are not included in the Zoning Ordinance, I recommend that the following general factors are considered during the review of the request

- A. Whether or not the proposed rezoning is consistent with the goals, policies, and future land use map of the Master Plan: or, if conditions have changed significantly since the Master Plan was adopted, consistency with recent development trends in the area.
- B. The proposed district and its uses are compatible with the site's physical, geological, hydrological, and other environmental features.
- C. The potential uses allowed in the proposed zoning district shall also be compatible with surrounding uses in terms of the land suitability, impacts on the community, density, potential influence on property values, and traffic impacts.
- D. Whether, if rezoned, the site is capable of accommodating the uses allowed, considering existing or planned infrastructure including roads, sanitary sewers, storm sewers, water, sidewalks, and road lighting.

D.Jirousek recommends denial of the A-Residential rezoning request for the following reasons.

1. A-Residential is inconsistent with the City's Master Plan.
2. The long-standing principal use of the property is commercial
3. The rezoning would result in the creation of a nonconforming use.

4. The need for the rezoning has no relation to land use and development but a personal financial consideration.

Public Hearing closed at 4:13 pm

ACTION ITEMS:

- Consider recommendation to City Council regarding rezone for 311 East Main St. (020-209-008-00) from B-1 Central Business District to A- Residential.

G. Goldberg questioned if the rezoning was other than financial could they resubmit the application at a later date? City Manager L. Ladner stated they would have to resubmit a zoning application.

- P. Wittman motioned to deny the request for rezoning 311 E. Main St and supported by J. Wittman
 - Ayes: 5 Nays: 0 Absent: 2

- Consider recommendation to City Council regarding approval of final site plan for parcel # 020-818-400-12 W. Polk Rd Hart Mi

G. Goldberg questioned if this was the 1st time this site plan has come to the planning commission and if the property is located between Big Hart Brewery and Excel Propane? City Manager L. Ladner stated yes, this is the 1st time presented to the planning commission.

D. Jirousek stated the applicant request approval of an AutoZone retail building along Polk Road. The subject area is zoned B-2 General Business District. The right permits retail stores in the B-2 zoning district, and development of the site is subject to the site plan review process conducted by the City of Hart Planning Commission. Approval of this application would authorize the following site improvements

- * 7381 square foot retail building
- * 27 parking spaces
- * Rear loading dock
- * Landscaping, Lighting, Stormwater management, and Utilities.

The project area is undeveloped and will be split off for parcel 64-020-818-400-12. Adjacent properties are undeveloped.

D. Jirousek recommends approval of the site plan with the following conditions:

1. Provide a photometric plan and light fixture specifications for review and approval.
2. Update site notes to reflect a pole sign maximum size of 64 sq feet.
3. Provide an easement and maintenance agreement for review and approval, and record the documents prior to construction.
4. Satisfy all recommendations by the City Engineer.

Wesley Burlin from spartin engineering is on the line and wanted to clear up a few items on D. Jirousek's recommendations. Item number one is no problem; they will be sure to submit a photometric plan and lighting fixture specification sheet shortly after the meeting. Will update for any permits coming in the site note that indicates sign will not exceed the 64 square-foot maximum. And there is already an easement in place located 60ft to the east of the property, and will pass that along as well.

- J. Cunningham motioned recommend to approve the site plan for AutoZone to the City Council and supported by G. Goldberg
 - Ayes: 5 Nays: 0 Absent: 2

DISCUSSION ITEMS:

- J. Cunningham asked where we are with the Gales IGA building? City Manager L. Ladner said, still waiting to hear back from the business interested.

OTHER BUSINESS AND COMMUNICATIONS FROM THE COMMISSION MEMBERS:

- G. Goldberg like to know how long ago it was we visited and approved the master plan? City Manager L. Ladner stated the City's master plan was approved in 2015 and believed will be coming up within the next year or two for review. D. Jirousek stated the final version was adopted on

December 19, 2017, and are to be reviewed every five years according to the States Planning and Enabling Act.

ADJOURN:

- There being no further business to come before the Planning Commission, the meeting adjourned at 4:35 pm upon a motion by G. Goldberg and supported by J. Wittman. The next scheduled meeting will be held on February 4th at 4 pm and will be held virtually.