

REGULAR MEETING – STURGIS PLANNING COMMISSION
JANURY 16, 2018
WIESLOCH RAUM – CITY HALL

Acting Chairman Allen called the meeting to order at 7:30 p.m.

Commissioners Present: Allen, Eaton, Liston, Brothers, Jones, Caywood
Commissioners Absent: Waltke, Mikulas, Stage

Staff Present: Director of Community Development, Will Prichard; Mike Hughes City Manager; Assistant City Manager and Recording Secretary, Andrew Kuk

Also Present: Robert Hile, City of Sturgis Mayor; Rick Bir, City Commission; Jeff Mullins, City Commission; Dany Gomez, 109 S. Jefferson Street; Dick Yesh; Rick Mahler, 107 Susan Street; Scott Pennington, 439 Liberty; Riley Pennington, 439 Liberty; Mark Ritter, 25929 Haven St.; Marvin Jarratt, 67392 Shimmel Road; Kristin Tencza, Oasis Wellness Center; Steve Shevick, The Kushion; Leah DuMouchel, Beckett and Raeder; Tom Nemeth, HAP; Phillip Slot, Applicant TIA Corp.; Mark McDowell, Applicant TIA Corp.; Cathi Abbs, Sturgis Chamber of Commerce; Fred Mazzoni, 70503 Kime Road; Joe Myers; Carl Merkh, 1105 Robin Hood Trail; Brandon Mieras, 511 E. Chicago Road; Dray Perkins, 206 Pleasant; Travis Klinger, 202 First Street; Lauren Kane, 202 First Street; Manan Patel, 67591 Shimmel Road; Trent Friske; Raphael Thurin; Dennis Rumsey, WLKM/WRCI; Elena Meadows, Sturgis Journal

Action of Minutes of Previous Meeting

APPROVAL of the minutes from December 19, 2017 Regular Meeting as presented

Acting Chairman Allen opened visitor comments, none were made. Acting Chairman Allen closed visitor comments.

Acting Chairman Allen presented the first agenda item – Master Plan Update – Beckett and Raeder

Leah DuMouchel, Senior Associate at Beckett and Raeder, explained that the Master Plan Update is approximately two-thirds to three-quarters towards completion. Many chapters have been completed and submitted to staff, Steering Committee and Commission members, with two remaining chapters to complete. The firm will then begin to prepare the Master Plan Update documents and the online component. DuMouchel reviewed the Summary of Community Engagement findings and explained what benchmark will be used to monitor progress once the Master Plan Update is implemented.

Acting Chairman Allen presented the second agenda item – Special Land Use Request – 1313 S. Centerville Rd.

Acting Chairman Allen asked if there was a representative for the property and that they would approach the podium. Mark McDowell, representative for the TIA Corp., approached the podium. Mr. McDowell explained that his firm had been hired for the architecture and civil design of the building located at 1313 S. Centerville Road. The proposed use for the building would be for a vehicle sales area and minor automobile repair, specific to Chrysler vehicles. Vehicle sales would be conducted at the front of the building. The rear of the building would be used for minor automobile repair including a proposed addition that would be used for service write-ups. Mr. McDowell explained that the dealership would be required by Chrysler to meet the company's standards.

Will Prichard, Director of Community Development, explained that if a new parking area were created then they would be required to maintain a 25 foot setback from the property line. Since this is an existing parking area, they must maintain a 5 foot buffer between the sidewalk and the car.

The Commission members reviewed the Special Land Use requirements, all requirements were met.

Motion: Made by Jones, seconded by Eaton, to grant the Special Land Use request for vehicle sales area, with the special condition that vehicles must maintain a 5 foot buffer between the sidewalk and the front of the cars and any new parking area must be in compliance with the conditions of the special land use.

Voting yea: Six Voting nay: None Absent: Waltke, Stage, Mikulenas MOTION CARRIED

Motion: Made by Eaton, seconded by Jones, to grant the Special Land Use request for minor automobile repair.

Voting yea: Six Voting nay: None Absent: Waltke, Stage, Mikulenas MOTION CARRIED

Acting Chairman Allen presented the third agenda item – Zoning District Change – 101, 103, and 105 S. Jefferson Street

Acting Chairman Allen explained that 101 S. Jefferson Street (The Depot Museum) is currently split-zoned Central Business (BC) and Residential-4 (R-4). A blight elimination grant will soon facilitate the demolition of the 3 unit apartment building located at 105 S. Jefferson. Once demolished, the Sturgis Historical Society would like to combine 101 S. Jefferson and 105 S. Jefferson. The combination would allow for a warehouse style building, used to house the museum gift shop, a model train set, and additional parking for the museum to be added to the proposed combined parcel. The building located at 103 S. Jefferson Street is a non-residential masonry building. The proposed rezoning to Central Business is consistent with the Future Land Use Map.

Public Notice of the rezoning request was given to neighboring properties within 300 ft. of all three properties and via The Sturgis Journal.

Acting Chairman Allen opened the Public Hearing.

Dick Yesh approached the podium and explained that the owner of 109 S. Jefferson Street, Dany Gomez, would like to know what the rezoning would mean for his property. Will Prichard, Director of Community Development, explained that screening would be required between the new parking and the residential areas.

Acting Chairman Allen closed the Public Hearing.

Motion: Made by Liston, seconded by Eaton, to recommend the request for rezoning of 101 S. Jefferson, 103 S. Jefferson and 105 S. Jefferson to BC-Central Business to the City Commission for approval.

Voting yea: Six Voting nay: None Absent: Waltke, Stage, Mikulenas MOTION CARRIED

Acting Chairman Allen presented item (a) of the fourth agenda item – Buffer Zone Recommendation

Acting Chairman Allen explained that at the October 25th City Commission meeting, the members reviewed the buffer zones recommended by the Planning Commission; 1,000 ft. from schools for growers, processors, secure transporters and safety compliance facilities; 1,000 ft. from schools, 250 ft. from public parks and facilities, 250 ft. from churches and 250 ft. from residential properties for Provisioning Centers. A City Commission member had voiced a concern with using only a 250 ft. buffer zones for public parks and facilities due to the presence of children. Another Commission member voiced the possibility of excluding a few parks from the buffer zones. Discussion followed and a request was made by the City Commission for the Planning Commission to reevaluate the recommended buffer zones.

Discussion began regarding Rest Stop Park, consisting of trees and a bench, located near S. Centerville Road and South Street. The Rest Stop Park, with a 500 or 1,000 ft. buffer zone from public parks could cripple viable options for Provisioning Centers.

Acting Chairman Allen opened the Public Hearing.

Kristin Tencza, a representative of the Oasis Wellness Center, approached the podium. She explained that her company is interested in purchasing the property located at 1139 S. Centerville Road. If the buffer zones were to be increased to 500 or 1,000 ft. for public parks and facilities, the proposed property would not be a viable location for a Provisioning Center. Ms. Tencza’s suggestion was to implement setbacks for parks that have playgrounds, not just solely parks. If members were not interested in this option for setbacks, she offered different methods of measurement. She asked that the members would reconsider the recommendation of increasing the buffer zones from the original 250 ft. buffer zone.

Acting Chairman Allen read an email submitted to the Community Development Department by Tim and Becky Balczo-Arellano who were unable to attend the meeting. The email outlined their concern for the negative effects Medical Marihuana could have on Sturgis.

Acting Chairman Allen closed the Public Hearing.

Discussion continued regarding buffer zones. Mr. Jones voiced interest as to why the Commission members should be concerned with distinguishing the difference of an increased buffer zone for parks specifically; children would be present at residential and church properties, what would make parks different from those properties, many members agreed.

Motion: Made by Jones and approved by consensus to reaffirm the 250 feet buffer from parks for provisioning centers to the City Commission.

Voting yea: Six Voting nay: None Absent: Waltke, Stage, Mikulenas

Acting Chairman Allen presented item (b) of the fourth agenda item – Amendment to 1.0603 (JJ) – Medical Marihuana Manufacturing and Distribution Facilities

Acting Chairman Allen explained that the amendment was proposed to clarify who the ordinance section might pertain to. The previously proposed language is not specific enough, in the titling, to caregivers and qualifying patients. The proposed amendment would specify caregivers and qualifying patients.

Acting Chairman Allen opened the Public Hearing. No public comment. Public Hearing was closed.

Motion: Made by Caywood, seconded by Jones, to approve proposed amendment.

Voting yea: Six Voting nay: None Absent: Waltke, Stage Mikulenas MOTION CARRIED

Acting Chairman Allen presented item (c) of the fourth agenda item – Amendment to 1.0603 (MM) – Commercial Medical Marihuana Facilities

Acting Chairman Allen explained that the proposed amendment would allow for a Special Land Use for Commercial Medical Marihuana facilities in the Manufacturing district, provided all buffer zone requirements are met.

Acting Chairman Allen opened the Public Hearing. No public comment. Public Hearing was closed.

There was little discussion among Commission members. There seemed to be no compelling reason to not allow for the proposed amendment.

Motion: Made by Jones, seconded by Liston, to recommend proposed amendment to City Commission.

Voting yea: Six Voting nay: None Absent: Waltke, Stage, Mikulenas MOTION CARRIED

Acting Chairman Allen presented item (d) of the fourth agenda item – Amendment to 1.0603 (NN) – Provisioning Centers

Acting Chairman Allen explained the proposed amendment would allow Provisioning Centers with a Special Land Use, provided all buffer zone requirements are met.

Acting Chairman Allen opened the Public Hearing. No public comment. Public Hearing was closed.

There was no discussion regarding the agenda item.

Motion: Made by Liston, seconded by Brothers, to recommend proposed amendment to City Commission.

Voting yea: Six Voting nay: None Absent: Waltke, Stage, Mikulenas MOTION CARRIED

Acting Chairman Allen presented item (e) of the fourth agenda item – Amendment to BOS, BC, BH1 and BH2 to allow Provisioning Centers as a Special Land Use

Acting Chairman Allen explained the proposed amendment would allow Provisioning Centers in the Business Office Service, Central Business, Business Highway 1 and Business Highway 2 districts with a Special Land Use, provided all buffer zone requirements are met.

Acting Chairman Allen opened the Public Hearing. No public comment. Public Hearing was closed.

Motion: Made by Jones, seconded by Eaton, to recommend proposed amendment to City Commission.

Voting yea: Six Voting nay: None Absent: Waltke, Stage, Mikulenas MOTION CARRIED

Acting Chairman Allen presented the fifth agenda item – Water Tower Antenna Update

Mike Hughes, City Manager, approached the podium and explained that the City Commission members had been given a presentation by Dennis Rumsey, owner of radio stations WLKM and WRCI, for a proposal that had been extended to the City of Sturgis to place antennas on the City's water tower. The City Commission members had reviewed the proposal and requested the information to be sent on to the Planning Commission for review, specifically if the antennas should be allowed and if so, how many to allow and what fees to charge.

Mr. Hughes continued, explaining that in the past the City, through an agreement, has allowed St. Joseph County Central Dispatch to place an antenna on the water tower. The agreement was formed only after a public notice and public hearing. The concern at that time was for aesthetics as the antennas are within the view of the City's skyline.

Dennis Rumsey approached the podium and explained what the intention of the proposal is and provided the members with a rendering of the type of antenna they would like to install.

Mike Hughes stated he is going to continue to gather information to bring back at a later meeting.

Acting Chairman opened Commissioner/Staff Comments.

Adjourned 8:47 p.m.

Kara Falkenstein

Kara Falkenstein, Recording Secretary

SPECIAL MEETING – STURGIS PLANNING COMMISSION
FEBRUARY 27, 2018
WIESLOCH RAUM – CITY HALL

Chairman Mikulenas called the meeting to order at 12:00 p.m.

Commissioners Present: Mikulenas, Allen, Eaton, Liston, Brothers, Jones, Caywood, Stage,
Commissioners Absent: Waltke

Staff Present: Director of Community Development, Will Prichard; Recording Secretary, Kara Falkenstein

Also Present: Nancy Flores, Owner of 207 W. Chicago Road; Anna Thrum, Special Land Use applicant; Thomas Thrum; Barbara Culberson, B and D Travel Consultants; Melvin Camburn, Camburn Appliance

Action of Minutes of Previous Meeting

APPROVAL of the minutes from January 16, 2018 Regular Meeting as presented

Chairman Mikulenas opened visitor comments, none were made. Chairman Mikulenas closed visitor comments.

Chairman Mikulenas presented the first agenda item – Special Land Use Request – 207 W. Chicago

Chairman Mikulenas explained the restrictions that are placed on downtown development. Requirements must be met to permit business office service downtown.

Chairman Mikulenas opened the Public Hearing.

Barbara Culberson, owner of B and D Travel Consultants, approached the podium. Ms. Culberson expressed her feelings of wanting to see the downtown filled, even if it is with service oriented businesses. She explained most feel her business is service oriented and though it is, she is also retail. She sells high dollar merchandise, i.e. vacations. She feels that any and all businesses may bring in foot traffic for other surrounding businesses.

Melvin Camburn, owner of Camburn Appliance, approached the podium. Mr. Camburn expressed he would like to see more retail businesses downtown. He does not want to discourage new businesses coming to the area or current businesses relocating to the downtown. However, he feels more retail may bring more foot traffic to surrounding businesses.

Chairman Mikulenas then read a letter from Todd Maynard, owner of Willer's shoe store. Mr. Maynard expressed he felt retail businesses are what make the downtown thrive. In recent years, new businesses have opened shop in the downtown. Since then, Mr. Maynard has noticed an increase in foot traffic and sales.

Anna Thrum, potential lessee of 207 W. Chicago Rd. and Special Land Use applicant, approached the podium. Ms. Thrum explained that currently she runs her financial services and consulting firm from her home via teleconferencing and home visits. She expressed her interest in relocating her business to the downtown. Her office hours would be from 9:00 a.m. to 5:00 p.m. Monday through Friday, with occasional weekend appointments. She understood the points of view that had been voiced earlier in the Public Hearing. However, she felt she met the requirements to proceed with relocating her business to the downtown.

Mr. Eaton expressed his concern for what the future might bring to the downtown and that the requirements may have to be revisited.

Chairman Mikulenas closed the Public Hearing.

The Commission members reviewed the Special Land Use requirements, all requirements were met. Review of the Special Land Use Standards are attached. Also, as per the required conditions for professional offices located in Business Central, the following conditions were met: the tenant space was vacant for the 6 month minimum; there were 5.4% unoccupied tenant spaces, exceeding the 5% minimum; and professional offices in Business Central was currently at 29%, under the 35% maximum.

Motion: Made by Eaton, seconded by Jones, to approve the Special Land Use request to allow a business office service at 207 W. Chicago Road.

Voting yea: Eight

Voting nay: None

Absent: Waltke

MOTION CARRIED

Chairman Mikulenas presented the second agenda item – Sign approval/Design Review Requirement due to Internally Lighted Signs – 300 W. Chicago Rd. – Century Bank

Chairman Mikulenas explained that Century Bank is proposing new signage to be affixed to their building located at 300 W. Chicago Road. The signage is internally lit, requiring approval from the Design Review Committee and the Planning Commission.

The proposed signage had been reviewed and approved by the Design Review Committee meeting at a February 14th meeting. Don Eaton, member of the Planning Commission and Design Review Committee, explained the contents of the Design Review Committee meeting as per the attached meeting minutes.

Motion: Made by Eaton, seconded by Jones, to approve the proposed signage for Century Bank, located at 300 W. Chicago Road.

Voting yea: Eight

Voting nay: None

Absent: Waltke

MOTION CARRIED

Discussion began regarding the Planning Commission meeting time. Members expressed an interest in holding future meetings, with the appropriate approval, at 5:30 or 6:00 p.m. Will Prichard, Director of Community Development, explained he would research to verify the change in meeting time would be possible.

Adjourned 12:36 p.m.



Kara Falkenstein, Recording Secretary

SPECIAL MEETING – STURGIS PLANNING COMMISSION
MARCH 13, 2018
WIESLOCH RAUM – CITY HALL

Chairman Mikulenas called the meeting to order at 7:30 p.m.

Commissioners Present: Mikulenas, Allen, Stage, Jones, Liston, Brothers, Waltke
Commissioners Absent: Caywood, Eaton

Staff Present: Director of Community Development, Will Prichard; Mike Hughes, City Manager;
Kara Falkenstein, Recording Secretary

Also Present: James Woods, 68725 Vinewood Avenue; Fred Mazzoni, The Depot Museum; Denell Reilly, 68516 Ilene Street; Joan Franks, The Depot Museum; Scott Morrison, The Depot Museum; Heather Mikulenas, The Depot Museum; Theo Omo, Thurston Woods; Dennis Rumsey, WRCI Radio; Walker Sisson, WRCI Radio; Salvatore Cali, 28330 U.S. 12; Mary Cali, 28330 U.S. 12; Rick Bir, Sturgis City Commission

Action of Minutes of Previous Meeting

APPROVAL of the minutes from February 27, 2018 Special Meeting as presented

Chairman Mikulenas opened visitor comments, none were made. Chairman Mikulenas closed visitor comments.

Chairman Mikulenas presented the first agenda item – Old Business – Water Tower Antenna

Mike Hughes, City Manager approached the podium and introduced Dennis Rumsey, owner of WLKM radio station in Three Rivers, and Walker Sisson, a Designer/Engineer contracted by the radio station. Currently, the City of Sturgis water tower houses an antenna for the St. Joseph County Central Dispatch. In previous discussions regarding the proposed radio station antenna, there had been a concern voiced regarding interference between the two antennas. They explained that there would be a possibility for their antenna to interfere with an existing antenna on the water tower but the possibility is very slim. If their proposed antenna were to interfere with the existing antenna, they would resolve the issue by repairing or removing their antenna, as they were the latest occupants on the water tower. Mr. Rumsey explained that the radio station would assume responsibility for installation and maintenance.

Mr. Hughes explained that the City had discussed with the engineers of the water tower on the proposed antenna installation. The assessments indicated a favorable outcome for the antenna to be installed to the water tower. The engineer stated that up to 6 of this style of antenna may be able to be installed on the tower. The next step would be discussion with the St. Joseph County Central Dispatch to determine any issues or objections they might have with the proposed antenna. The commission members were able to review a 4-page handout visually indicating what the proposed antenna would look like once installed on the water tower. Discussion was made about the costs to the potential customers who would place an antenna on the tower and the planning commission stated that they No objections were heard regarding the aesthetics of the proposed antenna.

Motion: Consensus to recommend the proposed radio antenna for installation on water tower to the City Commission.

Voting yea: Seven Voting nay: None Absent: Eaton, Caywood MOTION CARRIED

Chairman Mikulas presented the second agenda item – Site Plan Review – The Depot Museum

Chairman Mikulas asked if there was a representative for the property and that they would approach the podium. Scott Morrison, architect for the proposed project, approached the podium. Mr. Morrison explained that the proposed building would be a freight style building that would run adjacent to the existing railroad tracks. The building would be installed once the house located on the parcel is demolished. Zoning requirements for the proposed buildings would require screening from neighboring properties. Screening could be achieved by installation of 6 foot masonry wall or landscaping. It was indicated, through discussion of commission members, that landscaped screening would be preferred as it would have a softer look and would be more visually appealing.

Garry Allen inquired whether a masonry wall or landscaping would absorb sound more adequately. Will Prichard, Director of Community Development, felt landscaping would be more likely to absorb sound. Jim Liston inquired into the height requirement for landscaped screening. Mr. Prichard explained that the height requirement is the same, regardless of the type of screening. The landscaping height would have to meet the 6 foot minimum screening height requirement as a masonry wall would.

Salvatore Cali, a member of the audience, approached the podium and voiced a concern regarding the proposed parking lot plans. Mr. Cali wondered why the plan included 90 degree parking as opposed to angled parking. Mr. Morrison responded by explaining that when using angled parking there is loss of potential parking spaces. Mr. Cali explained, as an owner of an extended cab truck, he finds the angled parking more appealing because there is more ease to maneuver a larger vehicle. He also indicated that with the parking lot being proposed as one way traffic, angled parking may help with flow to and from the street. Eric Jones agreed with this assessment of the proposed parking lot.

Motion: Made by Jones, seconded by Liston, to approve the proposed site plan for The Depot Museum with the stipulation that the proposed landscaped screening meet the requirements.

Voting yea: Seven Voting nay: None Absent: Eaton, Caywood MOTION CARRIED

Chairman Mikulas presented the third agenda item – Zoning District Changes – As per Public Notice due to 425 Agreement and rezoning of BH-1 to BH-2 of East Chicago Road

Chairman Mikulas explained that properties recently annexed in to the city from Fawn River Township needed to be rezoned, as every parcel annexed in is automatically zoned as Residential-2 (R-2), regardless of use. In reviewing mapping of the recently annexed properties, it was discovered that many parcels on East Chicago Road, located east of Lakeview Avenue, are not zoned appropriately for use or have split zoning of a parcel. The Community Development

Department then decided to straighten up the mapping and rezone these parcels more appropriately. There were 13 different scenarios for rezoning, so these scenarios were broken down into groups.

Chairman Mikulenas opened the public hearing.

James Woods, owner of 68725 Vinewood Avenue, approached the podium with questions regarding the police enforcement and address assignments under the 425 Agreement. Salvatore and Mary Cali, owners of 28330 U.S. 12, approached the podium with questions regarding rental property requirements, taxes and code enforcement requirements under the 425 Agreement. Denell Reilly, owner of 68516 Ilene, approached the podium with questions regarding code enforcement, specifically garbage and rubbish. Theo Omo, representative from Thurston Woods Village, approached then approached the podium. Thurston Woods had recently installed a new sign on their property. Ms. Omo was concerned that with the proposed rezoning that the sign would be non-compliant. Will Prichard, Director of Community Development, explained that the sign would be non-conforming, but would not need to be removed from the premises. He also noted that the City is in the process of updating its electronic message display sign ordinance.

Chairman Mikulenas closed the public hearing.

Motion: Made by Liston, seconded by Brothers, to make recommendation to City Commission for proposed rezoning as presented.

Adjourned 8:40 p.m.



Kara Falkenstein, Recording Secretary

SPECIAL MEETING – STURGIS PLANNING COMMISSION
APRIL 17, 2018
WIESLOCH RAUM – CITY HALL

Chairman Mikulenas called the meeting to order at 7:30 p.m.

Commissioners Present: Mikulenas, Stage, Caywood, Brothers, Allen, Eaton
Commissioners Absent: Jones, Waltke, Liston

Staff Present: Director of Community Development, Will Prichard; Kara Falkenstein, Recording Secretary

Also Present: Rick Bir, City Commission; Jim Weiss, Maplecrest Plaza; Jena Root, Maplecrest Plaza; Kate Percival, Remax Elite Group; Lexann Modert, LKM Designs; Amy McClain, Chuck's Auto; Rob Falkenstein, Downtown Development Authority; Kristina Eaton; Elena Meadows, Sturgis Journal

Action of Minutes of Previous Meeting

APPROVAL of the minutes from March 13, 2018 Special Meeting as presented

Chairman Mikulenas opened visitor comments, none were made. Chairman Mikulenas closed visitor comments.

Chairman Mikulenas presented the first agenda item – Class "A" Non-Conforming Structure – 68930 (345) Vinewood

Chairman Mikulenas explained that the property located at 68930 had been recently annexed into the City per the 425 Agreement with Fawn River Township. In the future, once the property is sold, the address would then become 345 Vinewood. The structure's rear setback and parking lot were found to be non-conforming to the current Code of Ordinances.

Chairman Mikulenas opened the public hearing, none were heard.

Chairman Mikulenas closed the public hearing.

Motion: Made by Allen, seconded by Stage to approve the Class "A" Non-Conforming Structure for rear setback and parking lot.

Voting yea: Six Voting nay: None Absent: Jones, Waltke, Liston MOTION CARRIED

Chairman Mikulenas presented the second agenda item – Special Land Use – 68930 (345) Vinewood

Chairman Mikulenas explained that once the property was annexed into the City, the property was rezoned as Residential – 4 (R-4). Office buildings are permitted within residential districts with a Special Land Use. The prospective buyers of the property were there to seek a Special Land Use for future use as an office building. Some of the concerns for this request were, but not limited to: location of office building, off-street parking and screening for neighboring properties.

Office buildings within residential districts are limited to sites that abut a primary or secondary artery roads. The property abuts county major roads, meeting the requirements. Off-street parking satisfied the 28 space minimum, providing 32 spaces. On the north side, fencing is proposed to screen the abutting neighboring properties from the parking lot. On the northwest side, the prospective buyer proposed to use new and existing landscaping as screening for the backside of the building.

Chairman Mikulenas asked if there was a representative for the property and that they would approach the podium. Steve Steward, prospective buyer for the property, approached the podium. Mr. Steward inquired as to whether the screening would be required to screen the whole view. Mr. Mikulenas explained that the idea around the screening is to shield neighboring properties view from non-residential type activities. Mr. Steward inquired as to whether the landscape screening would have to start out at 4 ft. in height. Mr. Mikulenas responded that he would recommend Mr. Steward speak with City Staff regarding the requirement

as the intent was to not burden the property owner financially. Mr. Mikulenas felt that was something City Staff could help Mr. Steward resolve.

Chairman Mikulenas opened the public hearing.

Rick Bir, City Commission member, approached the podium and explained that he, as a Master Gardener, would recommend an Arborvitae evergreen tree(s) for screening. Arborvitae evergreens would require very little maintenance as they need no trimming.

Chairman Mikulenas closed the public hearing.

The Commission members reviewed the Special Land Use requirements, all requirements were met.

Motion: Made by Eaton, seconded by Stage, to approve the Special Land Use request.

Voting yea: Six Voting nay: None Absent: Jones, Waltke, Liston MOTION CARRIED

Chairman Mikulenas presented the third agenda item – Special Land Use – 201 S. Franks Avenue

Chairman Mikulenas asked if there was a representative for the property and that they would approach the podium. Lexann Modert, owner of LKM Designs, approached the podium and explained that she would like to host an exhibition type vendor market at 201 S. Franks from May through September. The market would take place on Saturdays and would feature new items from small vendors. Food vendors would not be permitted, unless approved by the Health Department. Many of the market vendors would be local, however, there would also be vendors from as far away as South Bend, Fort Wayne and Grand Rapids. Ms. Modert felt that might bring more commerce to the City of Sturgis, specifically to local hotels and restaurants.

Don Eaton inquired as to the size of trailers the vendors would use. Ms. Modert explained a short bus would be the largest trailer used at the market for the sale of goods. Mr. Eaton explained his concern that vendors may leave their trailers for extended periods of time, which could pose a problem. Ms. Modert explained each vendor would be removing their trailers and merchandise each week at the end of business.

Chairman Mikulenas opened the public hearing, none were heard.

Chairman Mikulenas closed the public hearing.

The Commission members reviewed the Special Land Use requirements, all requirements were met.

Motion: Made by Caywood, seconded by Eaton, to approve Special Land Use request contingent on stipulations set forth in application being met.

Voting yea: Six Voting nay: None Absent: Jones, Waltke, Liston MOTION CARRIED

Chairman Mikulenas presented the fourth agenda item – Special Land Use – 1549 E. Chicago Road

Chairman Mikulenas asked if there was a representative for the property and that they would approach the podium. Amy McClain, co-owner of Chuck's Auto, explained that they would like to move their auto sales portion of their business to a more visible location, the Maplecrest Plaza. The vehicle sales area would be placed on the northeast side of the plaza, with use of the existing gas station service building. Jim Weiss, owner of the Maplecrest Plaza has agreed to stripe the parking lot in an approved pattern.

Nearby traffic was a concern voiced by Commission members. The Maplecrest Plaza is a mixed use multi-tenant space; traffic patterns may be hindered by the placement of a vehicles sales area. Will Prichard, Director of Community Development, explained there would need to be visible striping or affixed bumpers to designate parking spots. A condition of the Special Land Use could be that if curb stripes are not followed, tenant must install curb stops.

Chairman Mikulenas opened the public hearing, none were heard.

Chairman Mikulenas closed the public hearing.

The Commission members reviewed the Special Land Use requirements, all requirements were met.

Motion: Made by Eaton, seconded by Brothers to approve the Special Land Use request with the stipulation that a 5 ft. setback (buffer) and abutments are met.

Voting yea: Six Voting nay: None Absent: Jones, Waltke, Liston MOTION CARRIED

Chairman Mikulenas presented the fifth agenda item – Zoning Amendments for 1.0202, 1.1006, 1.1007 and Electronic Message Display Signs

Will Prichard, Director of Community Development, reviewed the proposed zoning amendment regarding section 1.0202: Electronic Message Display. An amendment would be made to the definition of Electronic Message Display Signs.

Chairman Mikulenas opened the public hearing, none were heard.

Chairman Mikulenas closed the public hearing.

Motion: Made by Eaton, seconded by Stage to recommend proposed amendment, as written, to the City Commission.

Voting yea: Six Voting nay: None Absent: Jones, Waltke, Liston MOTION CARRIED

Chairman Mikulenas presented the sixth agenda item – Zoning Amendment Electronic Message Display Signs

Currently, there is not an ordinance specific to electronic message display signs. A proposed new ordinance regulating electronic message display signs would be created for General Requirements, section 1.1001 under Article X: Signs. Discussion regarding the length between message changes and the appropriate time the signage must be turned off took place. Commission members voiced they felt the proposed 5 minutes between message changes might hinder property owners; most were comfortable with 3 minute intervals in the Central Business District. The general consensus was that 7:00 p.m. was an appropriate time for electronic message display signs within 150 ft. of a residential district or directly in a residential district to be turned off; 7:00 a.m. being appropriate for powering on.

Chairman Mikulenas opened the public hearing, none were heard.

Chairman Mikulenas closed the public hearing.

Motion: Made by Eaton, seconded by Stage to recommend proposed amendment to the City Commission, with the following modifications: intervals between message changes in Central Business District to be modified to 3 minutes instead of the proposed 5 minutes; intervals between message changes in Business Highway 1 to be modified to 3 seconds instead of the proposed 5 seconds.

Voting yea: Six Voting nay: None Absent: Jones, Waltke, Liston MOTION CARRIED

Chairman Mikulenas presented the sixth agenda item – 1.1006 Signs in the B-C Central Business District

Mr. Prichard reviewed proposed changes to Zoning Ordinance 1.1006: Signs in the B-C Central Business District. The proposed amendments were highlighted in the Commission packet and the entire ordinance would be reformatted.

Chairman Mikulenas opened the public hearing, none were heard.

Chairman Mikulenas closed the public hearing.

Motion: Made by Allen, seconded by Eaton, to recommend the proposed changes to Zoning Ordinance 1.1006 Signs in the B-C Central Business District to the City Commission.

Voting yea: Six Voting nay: None Absent: Jones, Waltke, Liston MOTION CARRIED

Chairman Mikulenas presented the seventh agenda item – 1.1007 Signs in the Business Highway 1 District

Mr. Prichard explained that electronic message display signs would be regulated by the newly created section 1.1001 (M), therefore, it was proposed that sub-section 1.1007 (3) (e) be removed.

Chairman Mikulenas opened the public hearing, none were heard.

Chairman Mikulenas closed the public hearing.

Motion: Made by Eaton, seconded by Caywood to recommend the removal of sub-section 1.1007 (3) (e) to the City Commission.

Voting yea: Six Voting nay: None Absent: Jones, Waltke, Liston MOTION CARRIED

Commissioner/Staff Comments agenda item – Planning Commission Meeting Time Change Discussion

Discussion took place regarding the proposed time change for future Planning Commission meetings. The general consensus was that most Commission members would prefer an earlier meeting time.

Motion: Made by Mikulenas, seconded by Allen, to begin future meetings at 5:30 p.m. instead of the current 7:30 start time.

Commissioner/Staff Comments agenda item – Automotive Sales at Vehicle Repair Shops in Manufacturing District

The Community Development Department had received a request for review of the ordinance that prohibits automotive sales in Manufacturing districts. Discussion took place regarding the request. It was agreed to revisit the agenda item at a future meeting.

Adjourned 8:53 p.m.



Kara Falkenstein, Recording Secretary

REGULAR MEETING – STURGIS PLANNING COMMISSION
MAY 15, 2018
WIESLOCH RAUM – CITY HALL

Chairman Mikulenas called the meeting to order at 5:30 p.m.

Commissioners Present: Mikulenas, Liston, Brothers, Allen, Eaton, Jones

Commissioners Absent: Caywood, Stage

Staff Present: Director of Community Development, Will Prichard; Kara Falkenstein, Recording Secretary

Also Present: Chuck Friese, TNT Fireworks Elena Meadows, Sturgis Journal

Chairman Mikulenas acknowledged the passing of Planning Commission Member, Keith Waltke. Mr. Waltke served on boards within the City of Sturgis for decades. Mr. Mikulenas served with and learned from Mr. Waltke and said that he believes Sturgis is a better place because Keith chose to live here.

Chairman Mikulenas presented the first agenda item – Design Review Committee – Central Business District Sign Illumination – Five Lakes Coffee

Chairman Mikulenas explained that recently the City of Sturgis Design Review Committee had met regarding proposed signage for Five Lakes Coffee, located at 100 W. Chicago Road. The property owner had requested a backlit sign branded with their logo. The proposed backlit sign measured 4 ft. in diameter and would be affixed to the front of their building, along with non-lit lettering stating 'Five Lakes Coffee'. Both signs met the allowable signage requirement. Motion was made that the sign met the design guidelines and recommend to the Planning Commission for final approval.

Motion: Made by Eaton, seconded by Jones to approve the Five Lakes Coffee proposed signage as presented.

Voting yea: Six Voting nay: None Absent: Caywood, Stage MOTION CARRIED

Chairman Mikulenas presented the second agenda item – Special Land Use – Outdoor Sales Area – 1101 S. Centerville Road

Chairman Mikulenas explained that Jake's Firework's had requested a Special Land Use for an Outdoor Sales Area to be located at 1101 S. Centerville Road, the Sturgis Bowl. Previously, there had been issues with vendors for outdoor sales areas. There have been issues with restrooms, trash containment and proper barriers being in place. Barricades at past outdoor sales area have been very poor or non-existent. They would need to be sure all structures and parking deterrents are in place and capable of being stationary for the time being requested. Discussion took place about these requirements.

Will Prichard, Director of Community Development, explained that the Special Land Use for an Outdoor Sales Area, once granted, would be specific to the parcel and not to the vendor. Temporary structures are permitted for use 30 calendar days per year. Once a Special Land Use is granted, barring any and all changes, it would be valid for use on the parcel by vendor(s) for any 30 calendar days per year. If all conditions are met, the Special Land Use is ongoing and may be reused from year to year. Any changes made to the Special Land Use will require a new application and appearance before the Planning Commission.

Chairman Mikulenas opened the public hearing, none were heard.

Chairman Mikulenas closed the public hearing.

The Commission members reviewed the Special Land Use requirements, all requirements were met.

Motion: Made by Eaton, seconded by Liston, to approve the Special Land Use request for Outdoor Sales Area at 1100 S. Centerville Road with the following condition(s): information provided with initial application shall be followed with restrooms and trash containment being provided; any changes will require a new application for Special Land Use to appear before the Planning Commission for approval; an updated lease will be provided upon

application for a temporary structure and sign; all required inspections completed. City Staff shall also be open to complaints and make any type of improvements or revisions deemed necessary.

Voting yea: Six

Voting nay: None

Absent: Caywood, Stage

MOTION CARRIED

Chairman Mikulenas presented the third agenda item – Special Land Use – Outdoor Sales Area – 1500 S. Centerville Road

Chairman Mikulenas asked if there was a representative for the property and that they would approach the podium. Chuck Friese, representative for TNT Fireworks, approached the podium. Mr. Friese outlined their proposed business practices for an Outdoor Sales Area to be located at 1500 S. Centerville Road, the Walmart Super Center. Historically, TNT Fireworks had been located at the proposed site on Walmart's property, with little issue. This site provides use of the public restrooms and they provide their own trash containment on site. TNT did provide a rendering of their proposed barriers that have worked well in the past.

Chairman Mikulenas opened the public hearing, none were heard.

Chairman Mikulenas closed the public hearing.

The Commission members reviewed the Special Land Use requirements, all requirements were met.

Motion: Made by Eaton, seconded by Allen, to approve the Special Land Use request for Outdoor Sales Area at 1100 S. Centerville Road with the following condition(s): information provided with initial application shall be followed; any changes will require a new application for special land use to be applied for from the Planning Commission, an updated lease to be provided with an application for temporary structure and sign and all required inspections being completed annually. City Staff shall also be open to complaints and make any types of improvements or revisions deemed necessary.

Voting yea: Six

Voting nay: None

Absent: Caywood, Stage

MOTION CARRIED

Chairman Mikulenas presented an additional item for discussion – Appointment of Zoning Board of Appeals Member

Chairman Mikulenas explained that with the passing of Mr. Waltke, the Zoning Board of Appeals was lacking a representative from the Planning Commission. Mr. Mikulenas asked for a nomination or volunteer to represent the Planning Commission on the Zoning Board of Appeals. Mr. Prichard explained that usually there were very few Zoning Board of Appeals meetings, with a minimum of 2 meetings per year. Residency within the City of Sturgis was a requirement to act on the board.

Discussion took place between members. Mr. Allen volunteered to sit on the Zoning Board of Appeals; Jim Liston volunteered as an alternate, when needed. Consensus agreed upon these designations.

Will Prichard presented an additional item for discussion – Zoning changes regarding Accessory Structures and Accessory Buildings

Mr. Prichard outlined proposed changes to zoning regarding Accessory Structures versus Accessory Buildings. This will be brought to a future meeting for discussion.

Adjourned 5:53 p.m.



REGULAR MEETING – STURGIS PLANNING COMMISSION
JUNE 19, 2018
WIESLOCH RAUM – CITY HALL

Chairman Mikulenas called the meeting to order at 5:30 p.m.

Commissioners Present: Mikulenas, Liston, Brothers, Allen, Eaton, Jones, Caywood, Stage
Commissioners Absent: None

Staff Present: Director of Community Development, Will Prichard; Mike Hughes, City Manager; Kara Falkenstein, Recording Secretary

Also Present: Robert Hile, City of Sturgis Mayor; Elena Meadows, Sturgis Journal; Jimmy Meadows

Action of Minutes of Previous Meeting

APPROVAL of the minutes from April 17, 2018 Special Meeting as presented

Action of Minutes of Previous Meeting

APPROVAL of the minutes from May 15, 2018 Special Meeting as presented

Chairman Mikulenas opened visitor comments, none were made. Chairman Mikulenas closed visitor comments.

Chairman Mikulenas presented a request for an addition to the agenda – Proposed Signage at Free Church Park – 203 E. Chicago Road

Motion: Unanimous approval of addition of agenda item.

Chairman Mikulenas presented the first agenda item – Site Plan Review – The Depot Museum at 105 S. Jefferson Street

Chairman Mikulenas explained there had been changes made to the previously submitted site plan for The Depot Museum located at 105 S. Jefferson Street. Due to a comment made by an audience member at a previous Planning Commission meeting, a site plan change was made to the proposed parking lot. In the original site plan, the parking lot was proposed to include 90 degree parking; the change proposed angled parking.

The second change was made to proposed water distribution. The City Engineer had reviewed the proposed changes to the storm water retention plans and had found no issues.

Motion: Made by Eaton, seconded by Allen, to approve changes made to The Depot Museum's site plan.

Voting yea: Eight

Voting nay: None

Absent: None

MOTION CARRIED

Chairman Mikulenas presented the second agenda item – Design Review Committee – Central Business District Sign Illumination – Sunoco Station at 704 W. Chicago Road

Chairman Mikulenas explained that recently the City of Sturgis Design Review Committee had met regarding proposed signage for the Sunoco Station, located at 704 W. Chicago Road. The property owner had requested a backlit sign branded with their logo. The proposed backlit signage would be affixed to the canopy and a pylon located on the northwest corner of the property. Both signs met the allowable signage requirement. Motion was made that the sign met the design guidelines and recommend to the Planning Commission for final approval.

Motion: Made by Eaton, seconded by Jones, to approve the Sunoco station proposed signage as presented.

Voting yea: Eight

Voting nay: None

Absent: None

MOTION CARRIED

Chairman Mikulenas presented the third agenda item – Site Plan Review – Michiana Millworks at 1221 N. Clay Street

Chairman Mikulenas explained that Michiana Millworks is expanding their operations with an addition to their existing building for additional fabrication. Construction had begun prematurely prior to Planning Commission and Economic Development Committee’s approval. A Stop Work Order had been issued with the intent that construction could resume once approval was given by both boards.

The City Engineer was awaiting the Storm Water Calculations to formally approve the site plan.

Jim Liston, Planning Commission member, explained he has been involved with the project at Michiana Millworks. The site plan was for part 2 of 3 additions that would be made to the property. Due to his involvement with the project, Mr. Liston would abstain from voting to approve or deny the site plan.

Motion: Made by Eaton, seconded by Caywood, to approve the site plan contingent on City staff’s final approval of water distribution/storm water retention.

Voting yea: Seven Voting nay: None Abstaining: Liston Absent: None MOTION CARRIED

Chairman Mikulenas presented the fourth agenda item – Proposed Signage – Free Church Park at 203 E. Chicago Road

Chairman Mikulenas explained that the City of Sturgis was proposing new signage for the Free Church Park, located at 203 E. Chicago Road. The proposed signage would be a replacement for existing signage that had been in place for many years. Commission members discussed the Design Review criteria as the park falls within the Central Business district. It was determined the proposed signage met the intent of the criteria.

Motion: Made by Eaton, seconded by Jones, to approve the proposed signage for Free Church Park at 203 E. Chicago Road.

Voting yea: Eight Voting nay: None Absent: None MOTION CARRIED

Chairman Mikulenas presented the fifth agenda item – Defining Accessory Buildings and Accessory Structures

Will Prichard, Director of Community Development, explained that there were proposed changes to the ordinances that regulated accessory buildings and structures. Accessory buildings would have walls or columns, accessory structures would not. Examples of accessory buildings were sheds and garages; examples of accessory structures were swimming pools, play structures and tennis courts.

Mr. Prichard inquired whether the commission members felt there should be restrictions placed on the number of accessory buildings or structures allowed per parcel of land. In reviewing ordinances in other cities, it was determined that there did not appear to be consistency in restrictions of accessory buildings or structures. Discussion took place regarding possible accessory buildings or structure scenarios that property owners may propose to have on their property. Many members were in favor of restricting the number of accessory structures to 2 per parcel, with the possibility for approval of a third structure to be brought before a governing board rather than City staff.

Chairman Mikulenas presented the sixth agenda item – Temporary Signage Ordinances

Mr. Prichard explained that the current ordinance allows temporary signage, with a permit, for 30 days per calendar; the 30 days are not required to be used consecutively. Currently, feather type flags and banners are popular and many businesses are using them, without permits, to advertise their business.

Discussion took place among the members regarding types of temporary signage. The discussion was tabled until a later meeting when a public hearing will be held.

Adjourned 6:53 p.m.

Kara Falkenstein

Kara Falkenstein, Recording Secretary

REGULAR MEETING – STURGIS PLANNING COMMISSION
JULY 17, 2018
WIESLOCH RAUM – CITY HALL

Chairman Mikulenas called the meeting to order at 5:30 p.m.

Commissioners Present: Allen, Stage, Brothers, Liston, Jones, Eaton

Commissioners Absent: Mikulenas, Caywood

Staff Present: Director of Community Development, Will Prichard; Holly Keyser, City Controller; Kara Falkenstein, Recording Secretary

Also Present: Matt Zebert, Great Clips; Elena Meadows, Sturgis Journal

Action of Minutes of Previous Meeting

APPROVAL of the minutes from June 19, 2018 Regular Meeting as presented.

Acting Chairman Allen presented approval of the Agenda

Motion: Unanimous approval of Agenda as presented.

Acting Chairman Allen opened visitor comments, none were made. Acting Chairman Allen closed visitor comments.

Acting Chairman Allen presented the first agenda item – Capital Investment Plan Review

Holly Keyser, City of Sturgis Controller, approached the podium and explained that the Capital Improvement Plan is a tool used to identify the needs to achieve implementation of public improvements that are identified in the Master Plan. As the Planning Commission is involved in the creation and implementation of the Master Plan, the MPEA requires the Planning Commission to review proposed public projects and provide comments as needed.

Ms. Keyser explained that a Public Hearing will be held at the August 8th City Commission meeting for approval from the Commission members.

Acting Chairman Allen presented the second agenda item – Zoning Ordinance Discussion – Temporary Signs

Discussion took place regarding the proposed changes to the ordinances on temporary signage. Commission member Don Eaton felt that airblown signs should be allowed at special events, barring any safety or setback issues. He questioned whether the amount should be limited. Will Prichard, Director of Community Development, explained that if there would be no limits placed on the amount of airblown signs, property owners could create random events multiple times throughout the year, making it hard to regulate the use of airblown signs.

Temporary signage in residential districts was discussed. Signage that is temporary in nature (i.e. real estate, contractor, political) will be permitted to remain in a residential yard for up to 30 days.

Discussion continued regarding the types of different temporary signage that have been used throughout the City. The Commission members unanimously agreed to hold a Public Hearing regarding temporary signage at a future Planning Commission meeting.

Acting Chairman Allen presented the third agenda item – Zoning Ordinance Discussion – Accessory Buildings and Structures

At a previous meeting, proposed changes to the ordinances regarding accessory buildings and structures were

discussed. Since that meeting, changes had been made to the proposed ordinances. Mr. Prichard highlighted the proposed changes; setback requirements for corner lots; swimming pools will be required to follow accessory structure setback requirement with a minimum 10 ft. setback from any other structure(s) on the property.

The Commission members unanimously agreed to hold a Public Hearing regarding the proposed changes to the accessory building and accessory structures at a future meeting.

Commissioner Eaton exited the meeting.

Acting Chairman Allen presented the fourth agenda item – Zoning Ordinance Discussion – BH-1 Zoning District Uses

Mr. Prichard explained that there were certain types of establishments that are currently not permitted within the Business Highway 1 (BH-1) zoning district. Currently, the Community Development Department is reviewing and establishing the intent of use in the BH-1 zoning district.

City staff recommended ordinance changes to BH-1 zoning district uses to include those prohibited establishments that currently exist and to allow new establishments. No negative comments were heard regarding the proposed changes.

The Commission members unanimously agreed to hold a Public Hearing regarding the proposed changes to the Business Highway 1 Zoning District Uses at a future Planning Commission meeting.

Acting Chairman Allen presented the fifth agenda item – Zoning Ordinance Discussion – Hotels, Motels and Bed and Breakfast

Mr. Prichard explained that the definitions for hotels, motels and tourist homes required occupancy term limits to be put in place. The proposed change to the definition would read that occupancy for these establishments would be no longer than 30 days. Historically, the above listed types of establishments within the City of Sturgis have allowed patrons to reside in excess of 30 days and receive mail as if it was their permanent residence. Also, a definition for Tourist Homes will be defined in the proposed ordinance.

Rooming or Boarding Houses are prohibited within the residential zoning districts, with the exception of a special land use in Residential 4 (R-4) zoning districts, unless it is pre-existing.

The Commission members unanimously agreed to hold a Public Hearing regarding the proposed changes to the Hotels, Motels and Bed and Breakfast ordinance at a future Planning Commission meeting.

Acting Chairman Allen presented the sixth agenda item – Zoning Ordinance Discussion – Accessory Vehicle Sales Area in Manufacturing District

The idea of accessory vehicle sales area in manufacturing district has been discussed in the last few months at the Planning Commission. Brief discussion between Commission members took place regarding some options on how to implement this into the ordinance. Members agreed unanimously to bring the agenda item back to a future meeting for further discussion.

The Commission members unanimously agreed to hold a Public Hearing regarding the proposed changes to the Accessory Vehicle Sales Areas at a future Planning Commission meeting.

Acting Chairman Allen presented the seventh agenda item – Zoning Ordinance Discussion – Recreational Vehicle and Recreational Equipment

Discussion took place on regulation of recreational equipment and recreational vehicles. Currently, Recreational vehicles and recreational equipment is defined zoning ordinance. But recreational equipment is not regulated in the ordinance. Mr. Prichard explained that, after discussion with the planning consultants, it was decided to place language regarding recreational equipment under the Recreational Vehicle ordinance.

The Commission members unanimously agreed to hold a Public Hearing regarding the proposed changes to the Recreational Vehicle and Recreational Equipment at a future Planning Commission meeting.

Adjourned 6:39 p.m.

Kara Falkenstein

Kara Falkenstein, Recording Secretary

SPECIAL MEETING – STURGIS PLANNING COMMISSION
AUGUST 13, 2018
WIESLOCH RAUM – CITY HALL

Chairman Mikulenas called the meeting to order at 12:00 p.m.

Commissioners Present: Mikulenas, Liston, Allen, Eaton, Jones, Caywood, Stage
Commissioners Absent: Brothers

Staff Present: Director of Community Development, Will Prichard; Kara Falkenstein, Recording Secretary

Also Present: James Ware, James Ware Construction, Inc.

Chairman Mikulenas opened visitor comments, none were made. Chairman Mikulenas closed visitor comments.

Chairman Mikulenas approved the agenda.

Motion: Unanimous approval of agenda.

Chairman Mikulenas presented the first agenda item – Class “A” Non-Conforming Structure – Sturgis Molded Products at 1950 Clark Street

James Ware of James Ware Construction, Inc. approached the podium and explained to the Commission members that Sturgis Molded Products was proposing the addition of a 30,000 square foot building to their existing building. Mr. Ware outlined the site plan, including the placement of truck docks on the south side of the building.

Chairman Mikulenas then explained that Sturgis Molded Product’s existing building is a non-conforming structure, therefore an addition to the building would also be non-conforming. It was recommended by City staff to request a Class “A” Non-Conforming Structure status as the proposed site plan could not be approved without the status.

Chairman Mikulenas opened discussion, none was heard.

Motion: Made by Eaton, seconded by Jones, to approve the Class “A” Non-Conforming Structure request.

Voting yea: Seven Voting nay: None Absent: Brothers MOTION CARRIED

Chairman Mikulenas presented the second agenda item – Site Plan Review – Proposed Addition to Sturgis Molded Products at 1950 Clark Street

Discussion was made on the site plan. City staff had no requirements and were pleased with the site plan.

Motion: Made by Eaton, seconded by Garry, to approve the site plan as presented.

Voting yea: Seven Voting nay: None Absent: Brothers MOTION CARRIED

Adjourned 12:07 p.m.



Kara Falkenstein, Recording Secretary

REGULAR MEETING – STURGIS PLANNING COMMISSION
AUGUST 21, 2018
WIESLOCH RAUM – CITY HALL

Chairman Mikulenas called the meeting to order at 5:30 p.m.

Commissioners Present: Mikulenas, Stage, Brothers, Liston, Jones, Caywood

Commissioners Absent: Allen, Eaton

Staff Present: Director of Community Development, Will Prichard; Andrew Kuk, Assistant City Manager (partial meeting only); Kara Falkenstein, Recording Secretary

Also Present: Mikel Currier, Jones Petrie Rafinski Corporation (JPR); Laura Johnson, Laura Jean's Unique Boutique; Mike Parnon, BrandPoint Design; Ted Parsons, Omni Credit Union; Mark Cramer, Omni Credit Union; Robert Norton, R and D Estate Jewelry; Dana Mayer, R and D Estate Jewelry; Dannielle Lopez, El Taco Loco; Jon Good, Vice-Mayor of the City of Sturgis; Jimmy Meadows; Elena Meadows, Sturgis Journal

Chairman Mikulenas presented approval of the Agenda

Motion: Made by Liston, seconded by Jones to approve Agenda as presented. Unanimous approval of Agenda as presented.

Action of Minutes of Previous Meeting

APPROVAL of the minutes from July 17, 2018 Regular Meeting as presented.

APPROVAL of the minutes from August 13, 2018 Special Meeting as presented.

Chairman Mikulenas opened visitor comments, none were made. Chairman Mikulenas closed visitor comments.

Chairman Mikulenas presented the first agenda item – Site Plan Review – Omni Credit Union – 1313 S. Centerville Road

Chairman Mikulenas asked if there was a representative for the property and that they would approach the podium. Mike Parnon of BrandPoint Design approached the podium and explained that his firm had been working with Omni Credit Union to develop plans for their proposed new branch to be located at 1313 S. Centerville Road. He explained that the site plan offered a generous amount of green space and an additional tenant space that may attract new commerce.

Will Prichard, Director of Community Development, explained that the site plan being presented had met all the requirements of the City staff.

Motion: Made by Caywood, seconded by Liston, to approve the site plan as presented.

Voting yea: Six

Voting nay: None

Absent: Allen, Eaton

MOTION CARRIED

Chairman Mikulenas presented the second agenda item – Zoning District Change Request – 407 William, 410 W. Chicago Road and 414 W. Chicago Road

Chairman Mikulenas asked if there was a representative for the property and that they would approach the podium. Mikel Currier, Project Manager at JPR, approached the podium and explained that his client, Norfolk Properties, LLC, had recently acquired the properties located at 407 William, 410 W. Chicago Road and 414 W. Chicago Road. These properties were split-zoned Business Highway 2(BH-2) and Manufacturing. The owner had requested a zoning district change to BH-2 for the above listed properties; the change would accommodate new development. Once the lots are rezoned, the parcels may be combined and the future Sturgis Chrysler, Dodge, Ram and Jeep auto dealership could be developed.

Mr. Currier also indicated that most recently his client, Norfolk Properties, LLC, had acquired the property at 416 W. Chicago Road. This property was already zoned BH-2, requiring no zoning district change.

Chairman Mikulenas opened the Public Hearing.

Vice-Mayor Jon Good, responding from the audience, inquired about future land use of the area.

Motion: Made by Stage, seconded by Jones, to recommend to the City Commission the rezoning of the parcels located at 407 William, 410 and 414 W. Chicago Road to the BH-2 zoning district.

Voting yea: Six

Voting nay: None

Absent: Allen, Eaton

MOTION CARRIED

Chairman Mikulenas presented the third agenda item – Zoning Ordinance Amendment – Temporary Signage in All Zoning Districts

Chairman Mikulenas explained that city staff and the Planning Commission had been working to “relax” some of the ordinances regarding temporary signage. After much discussion at previous Planning Commission meetings, a Public Hearing was decided upon and would take place at that meeting.

The proposed ordinance includes 2 types of Temporary Sign Permits: Periodic and Permanent. Permanent Temporary Sign Permits would require a 1 time fee for temporary signage to be displayed at the place of business (tenant space). This fee would be applicable to only 1 type of sign and would require additional fees if a business owner requested additional types of signs. A Permanent Temporary Sign permit would allow a maximum of 1 type of temporary sign to be used at any given time.

Chairman Mikulenas opened the Public Hearing.

Laura Johnson, owner of Laura Jean’s Unique Boutique in downtown Sturgis, approached the podium. She explained that recently the tenant space located adjacent to her store began using a feather flag to indicate when their store was open for business. Ms. Johnson stated that when using the feather flag to draw attention to the stores within their block of the Central Business district, her store and the neighboring store have increased their sales by close to 50%. She explained that that is a large increase for stores of their size. She felt that consignment and resale shops, such as hers, were different than retail stores that sell only new goods. She wanted the Planning Commission to allow herself and the neighboring store to display the feather flag(s) during business hours. Planning Commission member, Michael Caywood, explained he didn’t feel it would be fair to allow only Ms. Johnson and the neighboring store owners within her city block to display feather flag(s), excluding all others within the downtown. Ms. Johnson expressed her concern that if everyone else is able to display feather flags, her business will get lost and not noticed.

Discussion took place regarding the existing flag sockets within the Central Business zoning district that the American Legion currently uses to display the American flag on designated holidays. Mr. Mikulenas did not feel that the City would allow additional holes to be drilled to accommodate the use of feather flags. Mr. Caywood explained he would recommend the American Legion’s designated holidays to use the flag sockets be included in the ordinance language, also to include language regarding unplanned events or circumstances that might occur. Ms. Johnson was asked whether she would be opposed to using the existing flag sockets when the American Legion was not occupying them. She stated she would not be opposed at all and would abide by the rules if the American Legion needed the use of the sockets for the American flag. Elena Meadows, Sturgis Journal correspondent, added that during the permitting process, her suggestion would be to obtain the contact information for all those tenant spaces choosing to occupy a flag socket, when allowed. The contact information could aid the American Legion in the event an unplanned occasion arises that the flag sockets are needed on a date not designated in the ordinance. Mr. Mikulenas stated he would change the proposed language to say that existing sockets, where equipped, would be used unless otherwise occupied by the American flag. Planning Commission member, Eric Jones, explained that he and his business partners own a portion of downtown buildings. Within the portion of buildings, there is a tenant space that historically had been harder to maintain tenants for any length of time. In the front of the tenant space is a tree blocks any signage on the front of the building, making it less visible to oncoming traffic.

Rob Norton, owner of R and D Estate Jewelry and Coins located in downtown Sturgis, approached the podium. He explained he was there in support of Ms. Johnson of Laura Jean's Unique Boutique. He explained that his store, located on the upper level of the building owned by the Masonic Temple, would not be conducive to feather flags, however, he understood how they would benefit Ms. Johnson in her first floor tenant space. Mr. Mikulenas inquired as to whether the ordinance language addresses 2nd story tenants. Mr. Prichard responded that 2nd story tenant spaces were not addressed in the proposed ordinance language. Mr. Norton expressed he would prefer a sandwich board sign to a feather flag on the lower level and would not desire to place a flag on the 2nd story.

Discussion continued regarding feather flags. The consensus was to modify the proposed ordinance language to include a maximum of 25 sq. ft. and 12 ft. maximum height, rather than the 16 sq. ft. and 8 ft. maximum height that was previously proposed.

Discussion took place regarding the ordinance language for the temporary periodic signage. There was a consensus that periodic signage would be limited to a maximum of 2 signs to be used at any given time and there must be 50 ft. between each sign.

During discussion regarding temporary signage, inflatable static devices were discussed. Mr. Mikulenas explained the difference between air-blown devices and inflatable static devices; he felt that the inflatable static devices should be permitted. Mr. Caywood inquired whether the size of the inflatable static devices should be restricted. Mr. Mikulenas explained that certain businesses would not have a choice in size of inflatable static devices due to corporate branding. Many members agreed that a reasonable size restriction should be established.

Motion: Made by Mikulenas, seconded by Stage, to table the Public Hearing until further discussion could be had with the American Legion regarding the use of their holes in the Central Business zoning district and the changes could be made to the proposed language in the ordinance. Mr. Caywood felt that the Commission should have been able to reach a decision without consulting the American Legion and voted against tabling the agenda item until a later meeting.

Voting yea: Five Voting nay: Caywood Absent: Allen, Eaton MOTION CARRIED

Chairman Mikulenas presented the fourth agenda item – Zoning Ordinance Amendment – Business Highway 1 (BH-1) Zoning District Uses

Chairman Mikulenas explained that there was a proposed ordinance amendment for Business Highway 1 (BH-1) uses. The existing ordinance does not allow certain types of establishments to exist within the BH-1 zoning district. The City staff recommendation was to include those prohibited establishments that currently exist and to allow new establishments.

Mr. Mikulenas did an overview of the proposed ordinance changes and added definitions. He suggested that Podcasts be added to the 'Studio' definition as it seems to be a growing method of broadcasting and felt it could be pertinent in the future.

Chairman Mikulenas opened the Public Hearing, none were heard.

Chairman Mikulenas closed the Public Hearing.

Motion: Made by Jones, seconded by Liston, to approve the proposed ordinance language, including changes and definitions, regarding Business Highway uses.

Voting yea: Six Voting nay: None Absent: Allen, Eaton MOTION CARRIED

Adjourned 7:12 p.m.



REGULAR MEETING – STURGIS PLANNING COMMISSION
SEPTEMBER 18, 2018
WIESLOCH RAUM – CITY HALL

Chairman Mikulenas called the meeting to order at 5:30 p.m.

Commissioners Present: Mikulenas, Allen, Stage, Brothers, Liston

Commissioners Absent: Jones, Caywood, Eaton

Staff Present: Director of Community Development, Will Prichard; Mike Hughes, City Manager; Kara Falkenstein, Recording Secretary

Also Present: Dean Maystead, G and K Gas (902 S. Orange Street); Barb Maystead, G and K Gas (902 S. Orange Street); Michael Pesti, Jr., 1100 E. Hatch Street; Douglas Pesti, 1100 E. Hatch Street; Patricia Presdorf, 68573 Arden Park; Robert Hile, Mayor of the City of Sturgis; Elena Meadows, Sturgis Journal

Chairman Mikulenas presented approval of the Agenda

Motion: Unanimous approval of Agenda as presented.

Action of Minutes of Previous Meeting

APPROVAL of the minutes from August 21, 2018 Regular Meeting as presented.

Chairman Mikulenas opened visitor comments, none were made. Chairman Mikulenas closed visitor comments.

Chairman Mikulenas presented the first agenda item – Old Business – Zoning Ordinance Amendments – Temporary Signage in All Zoning Districts

During a Public Hearing before the Planning Commission on August 21, 2018, temporary signage in all zoning districts were discussed and changes to the proposed amendments were made. The following items were agreed upon as changes or additions to the proposed amendments:

-Commercial Districts: B-H-1, B-H-2 and BOS.

1. Change language to allow no more than two temporary periodic signs at one time.
2. Create a new definition for and allow inflatable signs.

- In the Central Business District:

1. Change allowable feather flag maximum square footage to 25 sq. ft. instead of the proposed 16 sq. ft.; maximum feather flag height to 12 ft. instead of the proposed 10 ft.
2. Change the wording from "immediately adjacent to the building entrance" to now read "In front of tenant space" when discussing location of temporary signs in B-C district.
3. Allow the City holes in the sidewalks to be used for feather and flag signs when not being used by the American Legion for American flags.
4. Allow tenant spaces other than first floor tenants to display a sandwich board in front of the building that they are a tenant.

After much discussion and agreement upon the above listed changes and additions at the August 21st meeting, a motion was made to table discussion until a future meeting; in the meantime a meeting would be set between City staff, Planning Commission Chairman and a representative of the American Legion to discuss use of the existing flag pole sockets within the Central Business zoning district. Currently, the flag pole sockets are used periodically by the American Legion for display of the American flag on designated holidays and during events pertaining to U.S. Military service.

During the meeting with American Legion Commander Harold Melvin, Will Prichard (zoning administrator) and John Mikulenas (Planning Commission Chairperson) discussed in detail the use of existing flag pole sockets by business owners within the Central Business zoning district. Business owners would be prohibited from use of the flag pole sockets on and around designated holidays and any occasion requiring use of the sockets by the American Legion.

Also, during the meeting, it was agreed upon that City staff will obtain names, phone numbers and email addresses of the business owners proposing to use the existing flag pole sockets to display their feather or flags signs in advertisement of their business. If an occasion would arise that the American Legion would need use of the flag pole sockets at an undesignated time, the business owners would be contacted to remove their merchant flags for the period of time requested by the American Legion.

The final change was made to temporary signs in areas that may be located in the B-C zoning district as per the master plan would not be required to follow the B-C requirements for temporary signs but rather the zoning district in which they are located.

Motion: Made by Allen, seconded by Brothers, to recommend to the City Commission the Zoning Ordinance Amendments regarding temporary signage in all zoning districts as presented.

Voting yea: Five Voting nay: None Absent: Jones, Caywood, Eaton MOTION CARRIED

Chairman Mikulenas presented the second agenda item – Class “A” Non-Conforming Structure Request – 1100 E. Hatch Street

Chairman Mikulenas asked if there was a representative for the property and that they would approach the podium. Mike Pesti, Jr., the new owner of the property located at 1100 E. Hatch Street, approached the podium. He explained that he wished to expand the existing single car garage to a two-car garage on the west side of the property. Current setback requirements would prohibit him from doing so, hence the request for a Class “A” Non-Conforming structure status request. The West side setback does not meet current front yard setback requirements. This property is a corner lot, meaning they have two front yards. This property is zoned R-3 and requires a 25 foot front yard setback. They meet the requirement on the South side but not on the West side. The West side has a setback of approximately 17 feet.

Chairman Mikulenas opened for public comment; no comments were made; public comment was closed.

Motion: Made by Liston, seconded by Allen, to approve the Class “A” Non-Conforming structure status request at 1100 E. Hatch Street as presented.

Voting yea: Five Voting nay: None Absent: Jones, Eaton, Caywood MOTION CARRIED

Chairman Mikulenas presented the third agenda item – Class “A” Non-Conforming Use and Structure – 902 S. Orange Street

Chairman Mikulenas asked if there was a representative for the property and that they would approach the podium. Dean Maystead, a representative of G and K Gas, approached the podium and explained that, currently the building that houses their business is non-conforming in use and structure. The property owner(s) had decided to protect their property, in the event that something would happen to the buildings located on the property, with a Class “A” Non-Conforming status for use and structure.

Per the City of Sturgis Code of Ordinances section 1.0501, the front yard setback requirement in the R-3 zoning district is 25 feet; the primary structure was approximately 19 feet from the front property line and was non-conforming. The accessory structure was also non-conforming due to its size in comparison to the primary structure. The accessory structure is limited to 50 percent of the square footage of a single story building as per the zoning ordinance section 1.1105. The primary structure was approximately 728 square feet and the accessory structure was 576 square feet. To be a conforming structure the accessory garage could not be more than 364 square feet.

In the R-3 zoning district, office space and storage is not a permitted use. The property was currently zoned R-3 and had housed G and K Gas Corporation. This property had been a commercial property in the City for many years. As per the City of Sturgis Zoning Ordinance section 1.0403: Residential-3 (R-3), this use is not permitted.

Mr. Allen questioned whether in the future the City would entertain the change from a residential zoning district to a more fitted zoning district based on the businesses surrounding the property. Mr. Prichard explained the

property would remain non-conforming, even if rezoned. A Class "A" Non-Conforming was the simplest way to protect the property in the event something would happen to the property.

Mr. Liston inquired as to what would happen to the property if it were sold. Mr. Prichard replied that the Class "A" Non-Conforming stays with the building, but the same use must exist.

Chairman Mikulenas opened for public comment; no comments were made; public comment was closed.

Motion: Made by Liston, seconded by Brothers, to approve the Class "A" Non-Conforming request for use and structure as presented.

Voting yea: Five Voting nay: None Absent: Jones, Caywood, Eaton MOTION CARRIED

Chairman Mikulenas presented the fourth agenda item – Class "A" Non-Conforming – 68573 Arden Park

Chairman Mikulenas asked if there was a representative for the property and that they would approach the podium. Patricia Presdorf, sister to property owner of 68573 Arden Park, approached the podium. She explained that currently there is an accessory structure (single car garage) on the property that is in disrepair. Her sister was proposing to demolish the existing garage and construct a new garage in its place, however the location of the septic tank and drain field made it impossible to meet the current setback requirements. The property was a corner lot and had to meet the front yard setback requirements from both right of ways. Ms. Presdorf explained that they would construct the proposed garage to the northernmost point as possible without blocking the septic tank and drain field.

The property owner's request for a Class "A" Non-Conforming Structure status request would allow her to remove the existing dilapidated garage and construct a new 20' X 20' garage. A Class "A" Non-Conforming structure designation would allow for the construction of the proposed garage; structure may be rebuilt in the same location if anything catastrophic were to destroy more than 50% of the structure.

Chairman Mikulenas opened for public comment; no comments were made; public comment was closed.

Motion: Made by Allen, seconded by Brothers, to approve the Class "A" Non-Conforming request for structure as presented.

Voting yea: Five Voting nay: None Absent: Jones, Caywood, Eaton MOTION CARRIED

Adjourned 6:04 p.m.



Kara Falkenstein, Recording Secretary

**SPECIAL MEETING – STURGIS PLANNING COMMISSION
SEPTEMBER 26, 2018
WIESLOCH RAUM – CITY HALL**

Chairman Mikulenas called the meeting to order at 9:00 a.m.

Commissioners Present: Mikulenas, Allen, Stage, Liston, Jones, Caywood
Commissioners Absent: Brothers, Eaton

Staff Present: Director of Community Development, Will Prichard; City Manager, Mike Hughes; Kara Falkenstein, Recording Secretary

Also Present: None

Chairman Mikulenas presented approval of the Agenda

Motion: Unanimous approval of Agenda as presented.

Chairman Mikulenas opened visitor comments, none were made. Chairman Mikulenas closed visitor comments.

Chairman Mikulenas presented the first agenda item – New Business – Minor Site Plan Review – Auto Park Ford – 1820 S. Centerville Road

Jones Petrie Rafinski (JPR) had recently submitted minor changes to the Auto Park site plan that had been previously approved on July 19, 2016. The “footprint” of the project had not been changed, only the details. However, the changes were significant enough to warrant a Planning Commission meeting. A representative for JPR was not available to be present; Will Prichard, Director of Community Development, presented the submitted minor site plan changes.

The changes to the site plan were within the parking lot detail labeled future parking lot. The proposed changes included: elimination of curbed grass islands, expansion of the parking area into the triangle to the Southeast of the lot, increased amount of storm water drainage requirements and an increase of parking spaces (from 75 to 128). Mr. Prichard explained that Barry Cox, City Engineer, had reviewed and approved the storm water calculations; the calculations met the minimum requirements. City Staff had also reviewed and approved as all parking lot requirements were met.

Motion: Made by Liston, seconded by Allen, to approve the minor site plan changes as presented by City Staff.

Voting yea: Six

Voting nay: None

Absent: Brothers, Eaton

MOTION CARRIED

Adjourned 9:06 a.m.



Kara Falkenstein, Recording Secretary

REGULAR MEETING – STURGIS PLANNING COMMISSION
October 16, 2018
WIESLOCH RAUM – CITY HALL

Chairman Mikulenas called the meeting to order at 5:30 p.m.

Commissioners Present: Mikulenas, Allen, Stage, Brothers, Liston, Eaton, Caywood
Commissioners Absent: Jones

Staff Present: Director of Community Development, Will Prichard; Mike Hughes, City Manager; John Griffith, City of Sturgis Electric Department Superintendent; Kara Falkenstein, Recording Secretary

Also Present: Bob Hile, City of Sturgis Mayor; Jon Good, City of Sturgis Vice-Mayor; Travis Klinger, City Commissioner; Chuck Huber, City Commissioner; Sanjay (Lalo) Patel, Sunoco Station; Alajandro Delgado, 315 N. Nottawa; Hilary Dulany; Jeremy Jones, Prism Power Partners; Elena Meadows, Sturgis Journal

Chairman Mikulenas presented approval of the Agenda

Motion: Unanimous approval of Agenda as presented.

Action of Minutes of Previous Meeting

APPROVAL of the minutes from September 18, 2018 Regular Meeting as presented.

APPROVAL of the minutes from September 26, 2018 Special Meeting as presented.

Chairman Mikulenas opened visitor comments, none were made. Chairman Mikulenas closed visitor comments.

Chairman Mikulenas presented the first agenda item – R and R Fabwerks – 1220 Kitson Avenue - Minor Site Plan Review

The original site plan for the property located at 1220 Kitson Avenue was approved when the building was constructed for Stewart Construction and did not include a driveway entrance off of Memorial Drive. The current owner wanted to asphalt the current driveway, but with a couple of minor changes, including a driveway entrance from Memorial Drive.

Planning Commission member, Jim Liston, abstained from voting due to a conflict of interest; he was involved in planning on the R and R Fabwerks project.

Motion: Made by Eaton, seconded by Caywood, to approve minor changes to parking lot site plan as presented.

Voting yea: Six Voting nay: None Absent: Jones Abstaining: Liston MOTION CARRIED

Chairman Mikulenas presented the second agenda item – Medical Marihuana Buffer Zones

Chairman Mikulenas explained that at the City of Sturgis Commission meeting on October 10, 2018, a potential applicant for the Medical Marihuana Facilities Licensing Act (MMFLA) requested the City Commission review the language for the MMFLA. The request was in regards to the buffers from residences; they felt residences located in commercial districts should not be counted against them as a buffer requirement for operating a commercial establishment.

Currently, in the Zoning Ordinance existing housing is allowed to remain as a required condition. It is the intent that a residence currently existing in a commercial zone would remain until the residence is removed. No new housing could be constructed or a building converted into a residence unless it would be specifically allowed as a permitted or special land use.

During the October 10th meeting, the Commission reviewed the language in question and made a recommendation for the Planning Commission to review the request and return to them a recommendation.

Chairman Mikulenas explained that the Commission must decide whether to protect the residences that are zoned residential or protect all residences. Discussion among the Commission began; maps were shown indicating the properties that the proposed changes to the language regarded. The property in question was a Sturgis Township residence located within a non-residential zoning district and was located approximately 192 ft. away from the proposed medical marihuana facility.

Chairman Mikulenas opened the Public Hearing.

Mr. Caywood commented that a decision needed to be made whether to protect residences that are non-conforming; Mr. Mikulenas felt he wanted to know how many more properties this decision could impact. Mr. Stage inquired as to what the members felt their responsibility to the surrounding townships.

John Good, City of Sturgis Vice-Mayor, explained that he did not understand their decision at the Commission level to include all township residences, but only those residences zoned residential; he was unsure of where the current language had come from. Will Prichard, Director of Community Development, explained that the language had been transferred over from the original ordinance. Travis Klinger, City of Sturgis Commissioner, came to the podium and explained that his assumption had been the same as Mr. Good's; the township residences within the residential zoning districts would be the only residences protected by the buffer zones.

Chairman Mikulenas closed the Public Hearing.

Motion: Made by Eaton, seconded by Stage, to recommend the removal of the term 'residence' from 38.92, Required Spacing (i) (2), which then will state: Two hundred and fifty (250) feet from any Township district zoned for residential use.

Voting yea: Seven Voting nay: None Absent: Jones MOTION CARRIED

Chairman Mikulenas presented the third agenda item – Zoning Amendment – Special Land Use for Large Energy Solar Systems in Manufacturing Zoning District

Chairman Mikulenas explained that at the September 18th Planning Commission meeting there was discussion regarding a property located at the Southeast corner of Bogen and S. Centerville Roads that will be annexed into the City from Fawn River Township as part of the 425 agreement; Prism Power Partners were proposing to place a large energy solar system on the property. At that meeting, the Commission decided unanimously to hold a Public Hearing for the proposed ordinance regarding large energy solar systems at a later meeting.

Chairman Mikulenas opened the Public Hearing.

Jeremy Jones of Prism Power Partners approached the podium to provide an overview of their proposed project. He explained that until recently wind was the most used resource; solar is now competitive in the market as most wind sites have been developed. Mr. Jones explained tariffs have had some negative impact on their business, however, they are able to grow with state based incentives.

Mr. Mikulenas reviewed changes he would recommend to the proposed ordinance. They were:

- 1.0603 (11) (a): removal of the word razor, change to security; Fencing shall be no greater than 6 feet tall. An additional two feet of height can be added for security wire.
- 1.0603 (12) (a): removal of the word this, change to the; The Large Solar Energy Systems shall be exempt from the other landscape requirements of the zoning ordinance.

Motion: Made by Allen, seconded by Eaton, to recommend the zoning amendments to section 1.0202 Specific terms adding new terms, 1.0410 Manufacturing District (C) Special Land Uses, adding Large Solar Energy System and amending section 1.0603 Special Land Uses to create a new special land use for Large Solar Energy System as presented, including all revisions approved by Planning Commission members, to the City Commission.

Voting yea: Seven Voting nay: None Absent: Jones MOTION CARRIED

Chairman Mikulenias presented the fourth agenda item – Design Review Approval – Façade – Sunoco Station – 704 W. Chicago Road

Chairman Mikulenias that the owner of 704 W. Chicago Road, the Sunoco gas station, had recently painted the building. Due to the location of the business, a recommendation must be given from the Design Review Committee when a paint color is chosen that does not meet the color requirements of the Central Business zoning district. Will Prichard, Director of Community Development, explained that he did not feel that the paint colors chosen by the property owner met the requirements for the Central Business district. A Design Review Committee meeting was held on October 5, 2018 and a recommendation was made to approve the chosen paint colors.

Chairman Mikulenias opened for public comment; no comments were made; public comment was closed.

Motion: Made by Eaton, seconded by Allen, to approve the Design Review Committee member's recommendation to approve the proposed façade color.

Voting yea: Six Voting nay: One (Caywood) Absent: Jones MOTION CARRIED

Chairman Mikulenias presented the fifth agenda item – Design Review Approval – Internally Lit Sign – Olive Fresh – 103 E. Chicago Road

Chairman Mikulenias explained that the tenant at 103 E. Chicago Road, Olive Fresh, had proposed an internally lit sign for their new business. Due to the location of the business, a recommendation for approval from the Design Review Committee was necessary. On October 5, 2018, the Design Review Committee met and made a recommendation to the Planning Commission to approve the proposed internally lit sign contingent upon the signage fitting within the boundaries of the window it would be affixed to.

Motion: Made by Stage, seconded by Brothers, to approve the proposed signage contingent upon applicant complying with the Design Review Committee member's recommendation that signage must fit within the boundaries of the window.

Voting yea: Seven Voting nay: None Absent: Jones MOTION CARRIED

Chairman Mikulenias presented the sixth agenda item – City Approval – Sign at Oaklawn Cemetery

Chairman Mikulenias explained that the City of Sturgis was proposing a new sign to be located at the entrance of Oaklawn Cemetery. The new sign would be an archway approximately 24' wide and 14' high. The 3 standards used to approve proposed signage were reviewed and determined all standards were met.

Motion: Made by Eaton, seconded by Caywood, to approve the proposed signage as presented.

Voting yea: Seven Voting nay: None Absent: Jones MOTION CARRIED

Mr. Eaton exited the meeting.

Chairman Mikulenias presented the seventh agenda item – Zoning Amendment to City of Sturgis Zoning Ordinance 1.0409: Business Highway 2 (BH-2) and 1.0202 Specific Terms

Chairman Mikulenias explained that in previous Planning Commission meetings the proposed amendments to the Zoning Ordinance 1.0409 had been introduced. It was now time for a Public Hearing and a recommendation to the City Commission to amend the current zoning ordinance.

Chairman Mikulenias opened the Public Hearing.

Alejandro Delgado of 315 N. Nottawa and his translator approached the podium. Mr. Delgado inquired as to possible uses for his building located at 315 N. Nottawa. The Commission members responded to his inquiries and recommended that Mr. Delgado seek assistance from the Community Development Department with any future questions or concerns.

Chairman Mikulenas opened discussion between the members and outlined a few proposed changes he found while reviewing the ordinance. The following changes to the proposed ordinance 1.0409 B-H 2 Business Highway 2 were agreed upon among the Commission:

- (B) – Add 'Existing Housing' as item number 26.
- (D) (5) (a) – Add 'lines': Rear and sideline setbacks from residential property lines shall be 45 feet from any structure.
- (D) (5) (b) – Remove 'wood': Screening of residential uses to restrict view from residential property shall be provided by a solid fence of stained, sealed or painted eight feet in height, or a solid planting strip 15 feet in width and six feet in height at planting.

The following change was made to the proposed 1.0202 Specific Terms:

- Add a period at the end of the definition for 'Animal Hospital'.

Motion: Made by Allen, seconded by Liston, to recommend the zoning amendments to section 1.0409 Business Highway 2 and section 1.0202 Specific Terms, as presented, including revisions approved by the Planning Commission members, to the City Commission.

Voting yea: Six

Voting nay: None

Absent: Jones, Eaton

MOTION CARRIED

Adjourned 7:00 p.m.



Kara Falkenstein, Recording Secretary

REGULAR MEETING – STURGIS PLANNING COMMISSION
NOVEMBER 20, 2018
WIESLOCH RAUM – CITY HALL

Chairman Mikulenas called the meeting to order at 5:30 p.m.

Commissioners Present: Mikulenas, Allen, Stage, Jones, Liston, Brothers, Caywood
Commissioners Absent: Eaton

Staff Present: Mike Hughes, City Manager; Will Prichard, Director of Community Development; Kara Falkenstein, Recording Secretary

Also Present: Elena Meadows, Sturgis Journal

Chairman Mikulenas presented approval of the Agenda

Motion: Unanimous approval of Agenda as presented.

Action of Minutes of Previous Meeting

APPROVAL of the minutes from October 16, 2018 Regular Meeting as presented.

Chairman Mikulenas opened visitor comments, none were made. Chairman Mikulenas closed visitor comments.

Chairman Mikulenas presented the first agenda item – Zoning Ordinance Amendment to 1.1105 – Relating to Accessory buildings, structures and uses

Will Prichard, Director of Community Development, explained that the amendments to the ordinances reflect how the ordinances are currently enforced; previous language does not.

Mr. Prichard reviewed the proposed amendments to zoning ordinance 1.1105 regarding accessory buildings, structures and uses. Highlighted were the use of dog kennels as photos were shown of various types of enclosures used in close proximity to homes throughout the City. Mr. Stage inquired as to how the City would differentiate between a chain link enclosure and a dog kennel. Mr. Prichard explained it would be the intent to which the enclosure is being used and the size of the structure.

Mr. Mikulenas reviewed changes that were discussed to the proposed ordinance. They were:

- 1.1105 (A) (3): addition of exception list of structures that may be placed within ten (10) feet from any other building on the same parcel, to include dog houses, pergolas, play houses, pump houses and accessory buildings similar to the above.
- 1.1105 (A) (5): correction of misspelled word, principle, to principal.

Chairman Mikulenas opened the Public Hearing; no comments were made; Public Hearing was closed.

Motion: Made by Allen, seconded by Liston, to recommend proposed amendments, including revisions presented at the meeting, to zoning ordinance 1.1105 to the City Commission.

Voting yea: Seven

Voting nay: None

Absent: Eaton

MOTION CARRIED

Chairman Mikulenas presented the second agenda item – Zoning Ordinance Amendment to 1.0202 – Specific Terms

Mr. Prichard reviewed the proposed amendment to zoning ordinance 1.0202 regarding specific terms. The amendments included definitions for Accessory Building, Accessory Structure, Residential Kennel and Dog House; these definitions were not previously defined in 1.0202: Specific Terms.

Chairman Mikulenas opened the Public Hearing; no comments were made; Public Hearing was closed.

Motion: Made by Allen, seconded by Liston, to recommend proposed amendments to zoning ordinance 1.0202, Specific Terms, to the City Commission.

Voting yea: Seven

Voting nay: None

Absent: Eaton

MOTION CARRIED

Chairman Mikulenas presented the third agenda item – Commissioner/Staff Comments

- Medical Marihuana

Mr. Prichard reviewed proposed new language from the City Commission regarding the Medical Marihuana ordinance; the proposed new language would specify buffer zones from residential zoning districts.

- Stapleton, Bullard and Dresser Industrial Park

Mr. Prichard explained that the language regarding the Stapleton, Bullard and Dresser Industrial Park's process for approval had changed. Currently, in the restrictive covenants for the industrial parks the approval committee is listed as the EDC. This creates some redundancy in the approval process due to the owner having to get approvals from both the "approval committee" and the City Planning Commission. The changes to the covenants has changed the approval committee to be the City of Sturgis Planning Commission.

- Animation on Electronic Message Boards

Mr. Prichard outlined a request that the Community Development Department received from the American Legion regarding signage; the request was to allow animation on Electronic Message Board signs within their zoning district; Business-Highway 2. The current ordinance for electronic message display signs allows no movement and may only change screens every three minutes in the BC zoning district. Mr. Prichard indicated that a new zoning district, Business Central 2, could be a possibility; the Master Plan Update would be an opportune time to rezone. Further discussion took place regarding the request. The Planning Commission directed staff to bring back language at a later meeting for further discussion.

- Vehicle Sales in the Manufacturing Zoning Districts

Mr. Prichard reviewed a request a property owner regarding vehicle sales in the Manufacturing zoning district. The business would be run online via the internet and sales would be limited to the interior of the building; the inventory would be kept to a minimum and would include some rare or hard to find vehicles; there would be limited business hours via appointment only. Mr. Mikulenas voiced that if more than one individual would choose to run their business in this manner within the Manufacturing zoning district, manufacturing properties may become saturated. The Planning Commission requested more information on this type of business.

Large Energy Solar Systems

City Manager, Mike Hughes, explained setback possibilities for the large energy solar systems. In previous discussions regarding the large energy solar systems, the developers would create lots on S. Centerville Road that were 200 feet deep. This would allow for more commercial type development on S. Centerville Road. Some Planning Commissioners were asking questions if 200 feet was enough to allow for a proper building and parking areas. Comparisons were made of current lot dimensions on other developments within the area. The Planning Commission agreed by consensus that 200' deep was adequate.

Adjourned 6:29 p.m.



Kara Falkenstein, Recording Secretary

**REGULAR MEETING – STURGIS PLANNING COMMISSION
DECEMBER 18, 2018
WIESLOCH RAUM – CITY HALL**

Chairman Mikulenas called the meeting to order at 5:30 p.m.

Commissioners Present: Mikulenas, Allen, Stage, Jones, Liston, Brothers

Commissioners Absent: Eaton, Caywood

Staff Present: Mike Hughes, City Manager; Will Prichard, Director of Community Development; Kara Falkenstein, Recording Secretary

Also Present: Mark Dvorak, City of Sturgis Vice Mayor; Al Bloom, Bloom General Contracting; Tom Ward, Bloom General Contracting; Mikel Currier, Jones Petrie Rafinski; Jerry Hoffman, US Architects; Chuck Wood, 310 N. Nottawa; Alejandro Delgado, 315 N. Nottawa; Phil Jourdan, 418 W. Chicago Road; Arthur Esparza, 315 N. Nottawa; Jenifer Blouin Policelli, Sturgis Historical Museum; Elena Meadows, Sturgis Journal

Chairman Mikulenas presented approval of the Agenda with one change in the order: 410 W. Chicago Road Special Land Use Request and Site Plan Review would precede the 315 N. Nottawa Zoning District Change request and Site Plan Review.

Motion: Unanimous approval of Agenda as presented.

Action of Minutes of Previous Meeting

APPROVAL of the minutes from November 20, 2018 Regular Meeting as presented.

Chairman Mikulenas opened visitor comments, none were made. Chairman Mikulenas closed visitor comments.

Chairman Mikulenas presented the first agenda item – Special Land Use Request – 410 W. Chicago Rd.

A request for a Special Land Use for vehicle sales and major vehicle repairs at 410 W. Chicago Road had been received from the owner of the property.

Chairman Mikulenas explained that a Special Land Use requirement within a Business Highway 2 zoning district, as per section 1.0603 (V), is that no vehicle sales area shall be accessory to a service station (gas or fuel station). The proposed vehicle sales area did not include a service station; the requirement was met.

Mr. Mikulenas explained that the proposed site plan includes construction of a new parking lot and two Jeep Mountains to display Jeep vehicles. Another requirement for the Special Land Use is no vehicles or equipment may be placed within 10 feet to any side or rear property line and no closer than 25 feet from any front street right-of-way; the proposed site plan met both setback requirements.

Another requirement, pavement of all outdoor parking servicing or storage of vehicles, will be met as per the proposed site plan. The parking spaces must be a minimum of 9 ft. wide and 20 ft. deep and must maintain a 20 ft. maneuvering lane; parking stripes must be in place.

All proposed structures shall be located a minimum of 300 ft. from any property that is used for a public or private school, church, hospital, theater, playground, fire station, place of public congregation, or another service station or vehicle repair shop as per the City of Sturgis Code of Ordinances section 1.0603 (U) (5); all proposed structures meet this requirement.

City of Sturgis Code of Ordinances Section 1.0603 (U) (5) (b) regarding Special Land Uses requires no major repair work or refinishing to be done on the lot; the Special Land Use applicant has agreed that none of the above listed would be performed on the lot; all vehicle repairs will be done in the proposed service garage.

Mr. Mikulenas reviewed screening requirements for the Special Land Use; display lighting is required to be screened from any public street or residential zone; all lighting will be screened from public streets and residential zones. A six-foot completely obscuring wall shall be provided abutting a residential district, however, per section

1.1106, the Planning Commission may permit a wood or metal wall or landscaping materials where such materials provide a suitable compatibility with abutting uses. The Special Land Use applicant was requesting to provide 6 ft. high vinyl fencing around the lot where it may abut a residential zone. An 8 ft. high fence is required under the Business Highway 2 schedule of regulations with a condition of the Special Land Use, however City Staff felt that a 6 ft. high vinyl fence would meet the intent of the section and could be a condition of the Special Land Use.

A Special Land Use for vehicle repair shops within a Business Highway 2 district requires a paved or enclosed area for the business to store inoperable or damaged vehicles that may be awaiting repair and must be screened from any public street or residential zone. The site plan proposes all parking lots for inoperable vehicles will be paved and will be screened from any public street and residential zone.

Requirements for under canopy lighting was discussed within the Staff Report, however, there were no canopies proposed on the property.

Chairman Mikulenas opened the Public Hearing.

Phil Jourdan, owner of 416 W. Chicago Road, approached the Commission members and explained that during the demolition and excavation of the neighboring properties, his home's foundation had sustained cracks that were not previously present. He had contacted the contractors for the project to report the damage and requested they stop their demolition and excavation, however, the project continued. He had also requested the contractors contact him regarding the damage, but to date, had not heard from anyone. He felt other neighbor's homes could have possibly sustained damage also.

Al Bloom and Tom Ward from Bloom General Contracting then explained that they would be contacting Mr. Jourdan in regards to the damage of his homes foundation; they were in need of Mr. Jourdan's contact information and requested it from him.

Chairman Mikulenas closed the Public Hearing.

Will Prichard, Director of Community Development, explained that the proposed dealership would include an employee used car wash; the car wash would exit at the back of the property with a driveway off of William Street. A vacant, fully fenced lot was located directly across from the proposed exit for the car wash; City Staff could find no reason to deny the proposed location of the car wash exit.

Mr. Liston inquired as to whether City Engineering had reviewed and approved the site plan; Mr. Prichard confirmed the approval had been received from Barry Cox, the City Engineer.

The Commission members reviewed the Special Land Use requirements; all requirements were met.

Motion: Made by Allen, seconded by Jones, to approve the Special Land Use request for 410 W. Chicago Road, including the following conditions:

1. Allow the two Jeep Mountains located as per the approved site plan so long as a 10' landscaping buffer be provided between the property line and mountain displays and all corner clearances must be maintained.

Voting yea: Six

Voting nay: None

Absent: Eaton, Caywood

MOTION CARRIED

Chairman Mikulenas presented the second agenda item – Site Plan Review – 410 W. Chicago Rd. -

The owner of 410 W. Chicago Road, Norfolk Properties, LLC, had submitted a site plan for review for a future development of the Sturgis Chrysler, Jeep, Dodge, Ram vehicle dealership. The proposed building that would house the dealership, including major vehicle repair, would be 23,229 sq. ft.; a proposed parking lot was also included in the submitted plans.

Mikel Currier of Jones Petrie Rafinski (JPR) approached the podium to review the submitted site plan. He explained their firms and the property owner's intentions of complying with the current and future plans of the City. He highlighted that the property owner's intention is to place a 6 ft. white vinyl fence to screen neighboring properties.

Chairman Mikulenas asked if there was any comment from the public; no comments were made.

Motion: Made by Jones, seconded by Allen, to approve as presented contingent upon combination of all lots prior to the issuance of a Building Permit and Design Review Committee final approval.

Voting yea: Six Voting nay: None Absent: Eaton, Caywood MOTION CARRIED

Chairman Mikulenas presented the third agenda item – Zoning District Change Request – 315 N. Nottawa – Carniceria San Miguel, LLC

The owners of 315 N. Nottawa, Carniceria San Miguel, LLC, had requested a zoning district change. Currently, the property is split zoned as a portion is Business Highway 2 (B-H2) and Residential 4 (R-4). The property owner is requesting the entire parcel to be zoned as B-H2.

Chairman Mikulenas explained that the northwestern portion of the property is currently zoned B-H2, however, the northeastern portion is zoned R-4. In addition to 315 N. Nottawa, the applicant owns an adjoining lot located at 103 E. Hatch Street, which is currently zoned B-H2. Neighboring parcels are currently zoned R-4 to the east and B-H2 to the north and south.

Currently, the building is vacant; the owner would like to place a vehicle sales area on the property. Vehicle sales areas are permitted in a B-H2 zoning district with a Special Land Use.

Chairman Mikulenas opened the Public Hearing; no comments were made; Public Hearing was closed.

Motion: Made by Jones, seconded by Brothers, to recommend rezoning of the entire parcel to Business Highway 2 to the City Commission.

Voting yea: Six Voting nay: None Absent: Eaton, Caywood MOTION CARRIED

Chairman Mikulenas presented the fourth agenda item – Special Land Use – 315 N. Nottawa – Carniceria San Miguel, LLC

The building at 315 N. Nottawa was currently vacant after a previous business had vacated. The new owner was requesting a Special Land Use for a vehicle sales area to be located on the property. Vehicle sales area is a permitted use within the Business Highway 2 zoning district with a Special Land Use.

Arthur Esparza, the architect contracted by the property owner, approached the podium. He outlined the site plan for the proposed vehicle sales area. Currently, there are 2 driveways off of N. Nottawa; the proposed plans include closure of the northern driveway upon approval from the Michigan Department of Transportation (MDOT). If MDOT were to approve the closure, the owner would make improvements to the driveway located farthest west off of E. Hatch Street. If MDOT does not approve the closure, the owner will continue to use both driveways on N. Nottawa and close the driveway on E. Hatch Street, unless they would decide to improve upon in the future.

The owner was proposing to turn two of the service bay areas into indoor showrooms for vehicles and the remaining bay would be used to detail and wash cars that would be placed for sale. Any additional detailing or repair business would require an additional Special Land Use.

A Special Land Use requirement is that no service station (gas or fuel) may be accessory to the vehicle sales area; there will be no service station located on this property.

City Staff's suggestion was to place a condition on the Special Land Use that the existing parking area to be utilized as it has been used in the past. The existing parking area is a solid surface asphalt material; the parking lot would need to be striped to match plan submitted. Also, a special condition of a 5' buffer between the property line and vehicle parking; all corner clearances from the driveways shall be maintained.

Per the City of Sturgis Code of Ordinances, section 1.0603 (U) (2), all above ground or underground structures, other than permitted signs or drives, must be a minimum of 20' from any lot line and at least 25' from any residential zone line; the main building at the front of the property meets this requirement as a Class "A" Non-Conforming status was granted on May 16, 2017 for the setbacks of the front building on the property. However, the rear building was denied the Class "A" Non-Conforming status on May 16, 2017, so it may not be utilized for any of the permitted uses on site. The necessary improvements to the rear non-conforming building are not feasible at this time.

Section 1.0603 (U) (3) requires the area used for outdoor parking, servicing or storage of vehicles must be paved and conform to 1.0904 and 1.0905. The proposed site plan indicated that all outdoor parking used for the vehicle sales area was paved. Parking striping must be in place and must be 9' wide and 20' deep and must maintain a 20' maneuvering lane. The parking area on the east side of the building was not in compliance and the owners agree they would have not use this area unless improvements were made; if improvements were made, a site plan would be submitted and appropriate permits would be issued. Chairman Mikulenas voiced he felt bollards could be used on the non-compliant east side parking area to deter people from using.

All proposed structures shall be located a minimum of 300 ft. from any property that is used for a public or private school, church, hospital, theater, playground, fire station, place of public congregation, or another service station or vehicle repair shop as per the City of Sturgis Code of Ordinances section 1.0603 (U) (5); the main building located at the front of the property met this requirement. However, the rear building on the property did not comply with this condition and the owners had previously agreed to not use this building.

As per section 1.0603 (U) (5) (b), no major repair work or refinishing may be completed on the lot; the applicant had agreed neither would be done on site. Section (U) (5) (c) requires display lighting to be screened from public streets or residential zones; the owner had indicated that he would not be installing any additional lighting and if they choose to in the future, it will meet the requirements.

A 6' obscuring wall is a requirement of a Special Land Use, however, the proposed site plan indicated a 6' obscuring wood fence which may be permitted with the Change of Use Building Permit. The owners will be required to maintain the front yard setback requirements. Commission members indicated that a 6' vinyl fence may be more aesthetically pleasing and lower maintenance for a commercial property due to proximity to property lines. The architect was awaiting a property survey to determine lot lines.

Chairman Mikulenas opened the Public Hearing.

Chuck Wood, owner of 310 N. Nottawa, voiced a concern that if the vehicle sales business would be vacated in the future, that a grocery or convenience store could be placed there. He did not feel that the neighborhood would have a need for another store of that nature. Mr. Prichard explained that any permitted use would be allowed to exist on that property without permission from City staff or the public.

Chairman Mikulenas closed the Public Hearing.

Discussion continued among Commission members. Mr. Liston asked whether the owner would still have the burden to maintain the rear building when he agreed to not use. Mr. Prichard explained the City of Sturgis Code of Ordinances regarding property maintenance would require the owner to maintain the rear building. Mr. Esparza inquired as to whether the owner may use the rear building for tools that may be used to maintain the property, such as a lawn mower, lawn trimmers, etc. The Commission members felt that would be an adequate use for the building; Mr. Prichard indicated that the use could be listed as a condition of the Special Land Use. The Commission members then indicated that the rear building may only be used to store items related to the maintenance of the Special Land Use.

Mr. Liston asked Mr. Esparza what the likelihood that the east parking area would be brought into compliance; he explained that it would be dependent upon the success of their vehicle sales business. Mr. Prichard asked Mr. Esparza whether the owner had intentions of adding additional lighting and if any changes would be done to the front facade; he indicated no. Mr. Prichard informed Mr. Esparza that lighting or changes to the façade would require a Building Permit.

The Commission members reviewed the Special Land Use requirements; all requirements were met.

Motion: Made by Liston, seconded by Allen, to approve the Special Land Use request as presented, contingent on the following conditions:

1. Lot is approved zoning district change at the City Commission.
2. The two lots are combined as shown on site plan.
3. Parking be allowed on already improved parking areas as long as a buffer of 5' be maintained between the property line and the front of vehicles. Wheel stops must be installed to protect pedestrians and the building. Any new parking area must be in compliance with zoning requirements at the time of construction.
4. Bollards be place at the East driveway entrance off Hatch Street to eliminate the use of an unimproved parking area.
5. Provide approvals from MDOT to eliminate driveway as site plan indicates. If MDOT does not approve, then allow staff to approve revised plan based on these conditions and zoning requirements.
6. The rear building must only be used for storage of items related to the maintenance of the Special Land Use.
7. Substitute a 6 foot vinyl fence for property separation from residential properties.

Voting yea: Six

Voting nay: None

Absent: Eaton, Caywood

MOTION CARRIED

Chairman Mikulenas presented the fifth agenda item – Recreational Marihuana Discussion

City Manager, Mike Hughes, approached the podium and explained that due to the passing of the legalization of recreational marihuana in the State of Michigan, the City of Sturgis now must determine what, if any, actions should be taken. He reviewed a memorandum from the Dickinson Wright Municipal Group regarding recreational marihuana; he explained that currently the State of Michigan does not have any regulations for recreational marihuana commercial establishments.

The State of Michigan Ballot Proposal 1 that legalized recreational marihuana was passed by the voters in November of 2018. Unlike the Medical Marihuana Facilities Licensing Act, Recreational Commercial establishments are automatically opted in and each jurisdiction must choose to opt out. The City Commission had met on December 12th and had discussed recreational marihuana and voiced they would prefer to opt out until they are certain of what the best option would be for the City of Sturgis. Many voiced they would prefer to wait until the State of Michigan releases their regulations to decide whether opting in would be a viable option for the City of Sturgis.

One of the concerns regarding recreational marihuana was that though there are separate applications for medical and recreational marihuana licensing, cities would not be able to prohibit co-locating the two types within the same building. Mr. Hughes explained that he has heard some conflicting information regarding limits and caps. The statute does not allow recreational marihuana to be used in public spaces unless permission is granted for an event.

Mr. Hughes explained that if the City of Sturgis would opt out now, in the future opting in would still be an option; he felt it might be more beneficial to opt out immediately rather than waiting because there would less likely be a conflict with vested rights. His recommendation to the Planning Commission members was to hold a Public Hearing at a later meeting; the members agreed with his recommendation to hold a Public Hearing at an upcoming meeting.

Mr. Liston asked whether there was any indication from the State of Michigan when the regulations would be released; Mr. Hughes indicated they have roughly a year to complete and release them for enforcement.

Adjourned 6:54 p.m.

Kara Falkenstein

