

SPECIAL MEETING – STURGIS PLANNING BOARD
January 24, 2023
WIESLOCH RAUM – CITY HALL

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

Commissioners Present: Mikulenas, Allen, Alvez, Brothers, Mahler, Liston, Stage, Perez
Commissioners Absent: Caywood

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

Also Present: Cathy Knapp, 1013 Robin Hood Trail; Earl Ambrose, 1011 Robin Hood Trail; Faye Ambrose 1011 Robin Hood Trail; Phyllis Wolfe, 800 Wilshire

APPROVAL OF AGENDA

Motion: Approval of agenda as presented.

Action of Minutes of Previous Meetings

APPROVAL of the minutes from December 20, 2022, regular meeting.

Chairman Mikulenas presented the first agenda item – Special Land Use – 1013 Robin Hood Trail – Home Bakery Business

Chairman Mikulenas read the Staff report and opened the public hearing. Cathy Knapp, owner of the property at 1013 Robin Hood Trail, approached the podium. She explained that she follows the Cottage Food Law and makes simple home baked goods that do not require refrigeration and sells them at the local farmer's markets. Since the code of ordinances did not call out a home bakery business as a permitted use, it requires a special land use.

Faye Ambrose, owner of the property located at 1011 Robin Hood Trail, voiced that her and her husband, Earl, did not have any problems with Ms. Knapp's business.

Chairman Mikulenas asked for any further comments from the public, none were heard. He closed the Public Hearing.

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

Motion: Made by Stage, seconded by Alvez, to approve the Special Land Use for a home bakery business at 1013 Robin Hood Trail, parcel number 75-052-777-056-00, as per plans presented.

Voting yea: Mikulenas, Allen, Alvez, Brothers, Mahler, Liston, Stage, Perez
Absent: Caywood,

Voting nay: None
MOTION CARRIED

Chairman Mikulenas presented the second agenda item – Zoning District Change Request – Sturgis Bank and Trust Company – 119 S. Monroe Street

Chairman Mikulenas read the Staff report and opened the public hearing. Will Prichard, Director of Community Development, discussed the change and reviewed the map from the packet.

Mr. Liston inquired whether it would be used as a parking area and what the plans for the property at 121 S. Monroe were; Mr. Prichard indicated that the property at 119 S. Monroe would be used for additional parking, however the house that was located at 121 S. Monroe Street would remain a rental property owned by the bank.

Chairman Mikulenas asked for comments from the public, none were heard. He closed the Public Hearing.

Motion: Made by Allen, seconded by Liston, to approve the rezoning of 119 S. Monroe, parcel number 052-040-457-00, from the Residential 4 (R-4) zoning district to Central Business (BC) zoning district to the City Commission for final approval.

Voting yea: Mikulenas, Allen, Alvez, Brothers, Mahler, Liston, Stage, Perez
Absent: Caywood

Voting nay: None
MOTION CARRIED

Chairman Mikulenas presented the third agenda item – Electronic Message Display Sign Ordinance Amendments

Chairman Mikulenas read the Staff report and opened the public hearing. Mr. Prichard discussed the changes to the ordinance. Mr. Mikulenas asked where the proposed language of 150' from residential districts came from; Mr. Prichard indicated City staff had reviewed ordinances from other municipalities and 150' seemed acceptable.

Chairman Mikulenas asked for comments from the public, none were heard. He closed the Public Hearing.

Motion: Made by Mahler, seconded by Perez, that the Sturgis Planning Commission recommend the amendments to Section 1.1001, General Requirements - M. Electronic Message Display Signs, as presented to the Sturgis City Commission for approval.

Voting yea: Mikulenas, Allen, Alvez, Brothers, Mahler, Liston, Stage, Perez
Absent: Caywood

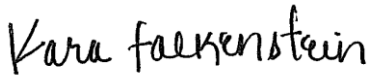
Voting nay: None
MOTION CARRIED

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

Mr. Prichard indicated that the amendments to the ordinances regarding site plan reviews and temporary events with conditions would be proposed at a future meeting.

Mr. Prichard gave an update on the Popeye's and 2 carwash projects.

Adjourned 6:04 p.m.



Kara Falkenstein, Recording Secretary

REGULAR MEETING – STURGIS PLANNING BOARD
February 21, 2023
WIESLOCH RAUM – CITY HALL

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

Commissioners Present: Allen, Alvez, Brothers, Mahler, Stage, Caywood

Commissioners Absent: Mikulenas, Liston, Perez

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

Also Present: None

APPROVAL OF AGENDA

Motion: Approval of agenda as presented.

Action of Minutes of Previous Meetings

APPROVAL of the minutes from January 24, 2023, special meeting.

Acting Chairman Allen presented the first agenda item – Site Plan Review Ordinance Amendments

Acting Chairman Allen read the Staff report and opened the public hearing. Will Prichard, Director of Community Development, gave an overview of the proposed amendments to the ordinance regarding site plan reviews. The amendments to the site plan review process would not only update the review process to more contemporary standards but also would be one of the last requirements to being approved by the Michigan Economic Development Corporation (MEDC) as certified Redevelopment Ready Community (RRC).

Mr. Mahler inquired whether the changes would make the processes easier; Mr. Prichard indicated that it would. Mr. Alvez indicated that he felt by streamlining the site plan review process, some of the items that have ended up on the Planning Commission's agenda will not need to be reviewed by them.

Acting Chairman Allen asked for any further comments from the public, none were heard. He closed the Public Hearing.

Motion: Made by Alvez, seconded by Mahler, that the Sturgis Planning Commission recommend the amendments to Article XII, Site Plan Review, and Article II, Section 1.0202 as presented to the Sturgis City Commission for approval.

Voting yea: Allen, Alvez, Brothers, Mahler, Stage, Caywood

Absent: Mikulenas, Liston, Perez

Voting nay: None

MOTION CARRIED

Acting Chairman Allen presented the second agenda item – City Sign Approval – Sturges-Young Center for the Arts – 201 N. Nottawa

Acting Chairman Allen read the Staff report and opened the public hearing. Mr. Prichard explained that the sign could be approved, however, a condition should be placed on the approval that the building permit cannot be approved and issued until the electronic message display ordinance is formally approved.

Acting Chairman Allen asked for comments from the public, none were heard. He closed the Public Hearing.

Motion: Made by Caywood, seconded by Stage, to approve the site plan review at 201 N. Nottawa, Sturges-Young Center for the Arts, as per plans submitted with the following condition:

- A building permit cannot be approved and issued until the electronic message display ordinance has been formally adopted on March 15, 2023.

Voting yea: Allen, Alvez, Brothers, Mahler, Stage, Caywood

Absent: Mikulenas, Liston, Perez

Voting nay: None

MOTION CARRIED

Acting Chairman Allen presented the third agenda item – Commissioner/Staff Comments

Mr. Prichard reviews the new way that the ordinances will be sectioned and discussed how Municode works. He indicated that some of the redevelopment money may be allocated to pay for the updates to the system.

Adjourned 5:56 p.m.

Kara Falkenstein

Kara Falkenstein, Recording Secretary

REGULAR MEETING – STURGIS PLANNING BOARD
March 21, 2023
WIESLOCH RAUM – CITY HALL

Vice-Chairman Allen called the meeting to order at 5:30 p.m.

Commissioners Present: Allen, Alvez, Brothers, Mahler, Stage, Liston

Commissioners Absent: Mikulenas, Caywood, Perez

Staff Present: Will Prichard, Director of Community Development

Also Present: Steve Barrus, 911 Madison Avenue; Amy Okeke, 801 Clinton Avenue; Ben Carmichael, 801 Clinton Avenue

APPROVAL OF AGENDA

Motion: Approval of agenda as presented.

Action of Minutes of Previous Meetings

APPROVAL of the minutes from February 21, 2023, regular meeting.

Acting Chairman Allen presented the first agenda item – Special Land Use – 1117 Madison Avenue – Home Occupation

Acting Chairman Allen read the Staff report and opened the public hearing. Jordan Key, owner of the property located at 1117 Madison approached the podium and explained that he was requesting a special land use for a home occupation. Mr. Key owned a fire extinguisher servicing business and was requesting to service the extinguishers at his home. He explained that the area of his property he would be using was located at the rear of the pool house. The room is well ventilated with the use of a fan and filter and the nitrogen that is used is sealed. Mr. Allen asked whether there is a risk of explosion with pressurized nitrogen; Mr. Key indicated that there is no risk, if not more than 125°. Mr. Key reviewed different types of extinguishers and explained that he does not service CO₂ extinguishers but has them serviced through another company for his customers.

Mr. Liston inquired whether Mr. Key was licensed; Mr. Key indicated that he is not required to be, however, he is licensed. Mr. Brothers asked whether any of the neighbors were opposed to the home occupation; Will Prichard, Director of Community Development, explained that a couple of neighbors had contacted the department, however, only 1 would provide their name. Warnette Johnson, owner of the property at 909 Madison Avenue had indicated that she was opposed to the home occupation in her neighborhood. She had been urged to attend the meeting, however, did not attend.

Steve Barrus, the owner of the property located at 911 Madison, approached the podium. He indicated that most all his questions and concerns had already been answered but wanted to know whether Mr. Key would be installing a sign for his business at his home. Mr. Key indicated he would not, as he did not want to advertise his place of business and did not want customers visiting his home. He explained he primarily serviced extinguishers for businesses and if he would service one for a private citizen, he would deliver it to their property. No business transactions would be conducted on the property, as the business is strictly mobile.

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

Acting Chairman Allen asked for any further comments from the public, none were heard. He closed the Public Hearing.

Motion: Made by Mahler, seconded by Liston, to approve the special land use request for a home occupation for a fire extinguisher servicing business at 1117 Madison Avenue, Parcel ID #75-052-450-026-00, pending final approval from the City of Sturgis Fire Marshal.

Voting yea: Allen, Alvez, Brothers, Mahler, Stage, Liston

Absent: Mikulenas, Caywood, Perez

Voting nay: None

MOTION CARRIED

Acting Chairman Allen presented the second agenda item – Site Plan Review – Amended – 1040 S. Centerville Road

Acting Chairman Allen read the Staff report. Mr. Prichard discussed the amendments to the site plan. He explained that the stormwater retention was still being addressed and there was a manhole that must be raised. Mr. Prichard discussed the site plan and traffic patterns. Mr. Liston inquired whether there was a target date for opening the carwash; Mr. Prichard indicated he thought most likely in April, as they were very close to being done.

Acting Chairman Allen asked for comments from the public, none were heard.

Motion: Made by Alvez, seconded by Stage, to approve the amended site plan at 1040 S. Centerville Road, parcel number 75-052-777-227-01, as per plans submitted, with the stipulation that final approval from the city engineering department must be received.

Voting yea: Allen, Alvez, Brothers, Mahler, Stage, Liston
Absent: Mikulenas, Caywood, Perez

Voting nay: None
MOTION CARRIED

Acting Chairman Allen presented the third agenda item – Commissioner/Staff Comments

Zoning Update

Mr. Prichard explained that the city had received funds for qualifying as a redevelopment ready community. The funds that will be collected are estimated to cover 75% of the proposed zoning updates.

Urban Chickens

Mr. Prichard explained that the City Commission would be discussing urban chickens at the March 22nd meeting. He discussed the history of the urban chickens throughout the city boards. Mr. Stage indicated he remembered some of the past discussions, as he had served on the board for many years.

Tiny Homes

Mr. Mahler asked about the status of a project that the Sturgis Housing Commission is looking into at a property located in the 200 block of North Prospect Street. He explained that he is on the Housing Commission, and he was aware that they were looking at possibly doing a tiny home development. Mr. Prichard discussed tiny homes and requirements.

Solar Amendments

Mr. Prichard explained that city staff may be proposing some amendments to the requirements within the current solar ordinances. Due to an uptick in residential solar panel installations, one example he gave was an amendment to regulate the glare to protect neighboring properties.

Marihuana Update

Mr. Prichard explained that many of the marihuana grow operations that had received a special land use, were not growing. Mr. Liston asked whether they must start all over again with the process if they let their license expire; Mr. Prichard indicated they would have to begin at the beginning and meet all the requirements if their licenses or permits expire.

Mr. Prichard explained the excise tax and what the City of Sturgis received for the marihuana businesses that were in business at the time the tax was figured. He indicated that marihuana businesses, though new prospects have slowed down, still require time to process the renewals.

Industrial Park

Mr. Liston asked if there was progress being made on the proposed industrial park near the toll road. Mr. Prichard indicated that the city was assessing how to get utility services to the property

Adjourned 6:39 p.m.

Will Prichard

Will Prichard, Recording Secretary

REGULAR MEETING – STURGIS PLANNING BOARD
April 18, 2023
WIESLOCH RAUM – CITY HALL

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

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

Commissioners Absent: Caywood, Liston, Mahler, Perez

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

Also Present: Jamie Crites, 66181 N. Lakeview; Barry Cox, 1421 S. Merribe Street; Mary Kay Kunce, 1300 Rolling Ridge Lane; Steve Swihart, 1300 Rolling Ridge; Jaime Hypes, 602 Cottage Street; Larry Hahn, 604 Cottage Street; Linda Hahn, 604 Cottage Street; Marv Smith, 206 E. Jerolene Street; Newell Franks, 702 Independence; Kelly Franks, 702 Independence; Rudie Lantz, 614 Sturgis Street; Kelly Lawrence, 505 S. Jefferson; Michael Kirkpatrick, 501 E. South Street; Micheline Combs, 217 Jacob Street; Brandon Combs, 217 Jacob Street; Mason Combs, 217 Jacob Street; Alyvia Ritenburg, 203 E. Electric Court; Angela Lawrence, 209 Pleasant; Anastasia Griffith, 416 Sturgis Street; Jeff Mullins, 1001 Merribe Street; Tomor Ali, 1103 N. Centerville Road; Dan Cherry, Sturgis Journal

APPROVAL OF AGENDA

Motion: Approval of agenda with a change in the order:

1. Agenda item 5a, the public hearing for a special land use at 1103 N. Centerville, would be moved due to the representative's arrival being delayed. The public hearing for a special land use at 1189 N. Nottawa would be moved to first on the agenda.

2. Amended site plan for 200 Timothy would be heard following the special land use at 1189 N. Nottawa, as the same owner owns both properties.

3. Agenda item 5d, Urban Chickens, would be moved to 5f.

Action of Minutes of Previous Meetings

APPROVAL of the minutes from March 21, 2023, regular meeting.

Visitor Comments

Jeff Mullins, City Mayor, approached the podium with Michael Kirkpatrick, the owner of the property located at 501 E. South Street. Mr. Mullins explained that Mr. Kirkpatrick's property is located in his precinct, and he had contacted him about the ordinances regarding accessory structures. Mr. Mullins indicated he understood the ordinance to be excessive to the building code. Mr. Kirkpatrick explained the requirements for an accessory structure located on his property.

Mr. Mikulenas responded they are open to reviewing any changes that City staff may bring to the members.

Chairman Mikulenas presented the first agenda item – Special Land Use – 1189 N. Nottawa – Warehousing

Chairman Mikulenas read the Staff report and opened the public hearing. Jamie Crites, owner of the property located at 1189 N. Nottawa, came to the podium. He explained that he was purchasing 15 to 20 feet from Grace Church to straighten up some of the boundary lines.

Will Prichard, Director of Community Development, reviewed the site and the requirements. Jamie explained the patterns of truck traffic, indicating there are typically 2 trucks per week that would deliver to the site. Mr. Mikulenas asked if the warehouse would be ran during normal business hours; Mr. Crites indicated it would be.

Marv Smith asked from the audience whether the logs and stumps would be cleaned up; Mr. Crites indicated that they would be.

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

Chairman Mikulenas asked for any further comments from the public, none were heard. He closed the Public Hearing.

Motion: Made by Alvez, seconded by Brothers, to approve the special land use request for warehousing at 1189 N. Nottawa, Parcel ID #75-052-777-501-00, as presented.

Voting yea: Mikulenas, Allen, Alvez, Brothers, Stage
Absent: Caywood, Liston, Mahler, Perez

Voting nay: None
MOTION CARRIED

Chairman Mikulenas presented the second agenda item – Site Plan Review – Amended – 200 Timothy

Chairman Mikulenas read the Staff report. Mr. Crites discusses the amendments to the site plan. He indicated that he had had problems with some of the church members from Grace driving through their property to get to the road, however, that problem had been fixed.

Chairman Mikulenas asked for comments from the public, none were heard.

Motion: Made by Brothers, seconded by Stage, to approve the amended site plan at 200 Timothy Street, parcel number 75-052-777-509-10, as per plans submitted

Voting yea: Mikulenas, Allen, Alvez, Brothers, Stage
Absent: Caywood, Liston, Mahler, Perez

Voting nay: None
MOTION CARRIED

Chairman Mikulenas presented the third agenda item – Special Land Use – 1103 N. Centerville Road – Marihuana Retailer

Chairman Mikulenas read the Staff report and opened the public hearing. Tomor Ali, a representative for the proposed marihuana retailer, approached the podium. He explained his business plan and expressed his passion for the business. Mr. Mikulenas asked Mr. Ali whether he was aware of how many facilities there were within the city; Mr. Ali indicated that he did.

Mr. Mikulenas inquired whether there were any comments or concerns from the public notice; Mr. Prichard indicated that there had not been. Mr. Mikulenas reviewed the buffer requirements. He reminded the board members that the property had been a dispensary in the past but had gone out of business.

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

Chairman Mikulenas asked for any further comments from the public, none were heard. He closed the Public Hearing.

Motion: Made by Allen, seconded by Brothers, to approve the application for special land use for an adult-use retailer establishment for TAJIS, LLC dba 20 Past 4 at 1103 N. Centerville Road, as presented.

Voting yea: Mikulenas, Allen, Brothers, Stage
Absent: Caywood, Liston, Mahler, Perez

Voting nay: Alvez
MOTION CARRIED

Chairman Mikulenas presented the fourth agenda item – Class “A” Non-Conforming Structure – 1300 Rolling Ridge Lane – Fence

Chairman Mikulenas read the Staff report and asked if there was anyone present to represent the property. Mary Kay Kunce, owner of the property located at 1300 Rolling Ridge Lane and Steve Swihart, Ms. Kunce’s son, approached the podium. Mr. Mikulenas discusses the situation regarding the fence. Mr. Prichard reviewed the maps and photos indicating where the fence was that Ms. Kunce was requesting to repair.

Mr. Swihart explained that in 2022, the swimming pool that had been located in the backyard of the property had been demolished. During the demolition, a few of the fence panels had been repaired, however, were repaired

incorrectly and became buried within the ground. The gate had been unusable due to the placement of the panel. Ms. Kunce was requesting to have those panels replaced or repaired properly.

Chairman Mikulenas asked for any further comments from the public, none were heard.

Motion: Made by Allen, seconded by Alvez, to approve the Class "A" Non-Conforming designation for the fence at 1300 Rolling Ridge Lane, parcel number 75-052-180-047-00, as presented for the two panels to be repaired or replaced. If more than 2 sections require repair or replacement, the fence must be brought into conformity.

Voting yea: Mikulenas, Allen, Alvez, Brothers, Stage
Absent: Caywood, Liston, Mahler, Perez

Voting nay: None
MOTION CARRIED

Chairman Mikulenas presented the fifth agenda item – Design Review Committee Member Nomination

Chairman Mikulenas read the Staff report. Ms. Denman was unable to be present, however, the members were able to refer to a letter written requesting appointment to the committee.

Chairman Mikulenas asked for any further comments from the public, none were heard.

Motion: Made by Stage, seconded by Brothers, to appoint Elizabeth Denman to the Design Review Committee.

Voting yea: Mikulenas, Allen, Alvez, Brothers, Stage
Absent: Caywood, Liston, Mahler, Perez

Voting nay: None
MOTION CARRIED

Chairman Mikulenas presented the sixth agenda item – Urban Chickens

Chairman Mikulenas read the Staff report and explained that the Planning Commission was giving the public a chance to weigh in on their interest regarding urban chickens. He explained that the comments should be kept brief and should be a maximum of 2 minutes per person. He explained that this was not a public hearing, however, dependent on interest, an ordinance may be drafted, and a public hearing would be held at a later date. The ordinance would have to be approved at 2 readings in front of the City Commission as well.

Mr. Mikulenas invited the public to the podium to speak. Marv Smith, City Commissioner and owner of the property at 206 E. Jerolene Street, approached the podium. He then handed out an ordinance that he had drafted regarding livestock and fowl. Mr. Mikulenas asked why it was labeled urban fowl instead of urban chickens; Mr. Smith indicated that he had removed geese, however, it would allow for ducks. Mr. Smith expressed that he felt the less rules you have, the less enforcement that will be required. He indicated that he did not feel that there should be a charge for owning fowl, only the building permit fee for the chicken coop. Mr. Mikulenas thanked Mr. Smith for his time and input in drafting the ordinance.

Rudie Lantz of 614 Sturgis Street approached the podium. She explained that citizens have been excited about chickens and she had even started a Facebook page for discussion regarding the topic. She expressed that she felt that those opposed to urban chickens should be educated on the topic. She indicated that most people understand that there is not a cost benefit to owning chickens and that the risk will be on the property owners. She indicated that a yearly inspection might be helpful for the owners to be held accountable. Mr. Mikulenas indicated that the permits would most likely require a renewal. Ms. Lantz indicated she did not disagree from having to pay a fee. She explained that farmers would gladly take the compost, so that may not be a problem. She indicated she thought that it would be a fad that would wear off and only the serious owners will be left.

Mason Combs of 217 Jacob approached the podium. He explained that there were benefits to having egg and meat chickens. He indicated that he would like quails to be allowed, as he is aware of people that are not able to eat eggs from chickens. He expressed that it would be beneficial for children to be able to have animals for 4H animals.

Newell Franks, owner of the property located at 702 Independence, approached the podium. He explained that his son had approached the Planning Commission regarding urban chickens approximately 10 years ago. He indicated that the topic had died due to lack of support.

Kelly Lawrence, owner of the property located at 505 S. Jefferson Street, approached the podium. She indicated that she is in favor of allowing chickens in the city, however, would like the ordinance to include allowing ducks and quails also. She explained she felt that the fowl should be treated like dogs and cats and that the rules and requirements should be similar. She indicated citizens should be required to maintain their properties the same as if they own dogs or cats.

Micheline Combs of 217 Jacob approached the podium and explained that she did not feel that the people that choose to have chickens be taxed. She had heard that there would be a cost for "banding" and wanted to know who would pay for the bands. Mr. Mikulenas explained that banding would be a way used to help identify and locate the owner of the chicken. He indicated it would be part of the permitting process and most likely would be a minimal cost. Ms. Combs explained that there should not be an issue with breeding because roosters would not be allowed. Mr. Mikulenas asked what enforcement she would recommend for those owners that did not take care of the chickens properly. Ms. Combs indicated that she felt people can change and they should be allowed 3 strikes before the privilege is taken away. She explained that she felt there was a small percentage of citizens that would actually choose to own chickens.

Barry Cox, owner of the property located at 1421 E. Merribe Street, approached the podium. He explained that he had read an article that indicated it was best to not mix types of fowl. He inquired whether landlords would be able to allow their tenants to have chickens, especially in multi-unit dwellings. Mr. Cox expressed his opinion that a chicken coop should be included as an accessory structure. He indicated that if someone were to stop owning chickens and abandons the chicken coops, there will be 3 accessory structures on the property, in excess of the 2 accessory structures that are currently allowed. Mr. Cox indicated concern for code enforcement and what the cost will be for the city. Mr. Mikulenas indicated that a lot of expenses would have to be considered, especially for enforcement.

Larry Hahn, owner of the property located at 604 Cottage, approached the podium. He indicated he had extensive experience with chickens. He indicated he would not recommend allowing roosters. He explained portable chicken coops.

Anastasia Griffith, owner of the property located at 416 Sturgis Street, approached the podium and explained that she lived on a corner lot, has issues with being allowed fencing, and expressed that she hoped that the Planning Commission would take corner lots into consideration when making any decisions on ordinances regarding chickens. She indicated she felt that they are penalized for owning a home on a corner lot and wanted to have equal opportunity for chicken ownership as someone that did not live on a corner lot. She stated she disagreed with Mr. Cox regarding the accessory structure. She did not feel that someone would choose to have chickens just for an extra accessory building.

Linda Hahn, owner of the property located at 604 Cottage, approached the podium and explained she felt that neighbors would most likely do code enforcement by turning their neighbors in. She agreed with allowing for 3 strikes and taking the privilege away. Mr. Mikulenas discussed with Ms. Hahn how code enforcement may be hindered if citizens are hesitant to report their neighbors.

Kelly Franks, owner of the property located at 702 Independence, approached the podium and expressed that our default as citizens should always be to take care of ourselves. She stated liberty over more rules.

Jeff Mullins, City Mayor, approached the podium and requested that the commission members may benefit from reviewing the fence ordinance when they discussed the accessory structures.

Chairman Mikulenas asked for any further comments from the public, none were heard.

Motion: By consensus for City staff to draft an ordinance for review at an upcoming meeting.

Chairman Mikulenas presented the seventh agenda item – City Sign Approval – 720 Langrick Street – Langrick Park

Chairman Mikulenas read the Staff report and explained that the sign was part of the process of replacing old park signs throughout the city. Signs had been brought before the members several times for parks throughout the city. Mr. Prichard explained the site plan and setback requirements, but there was very little comment.

Chairman Mikulenas asked for any further comments from the public, none were heard.

Motion: Made by Brothers, seconded by Allen, to approve the site plan review at 720 Langrick Street, Langrick Park as per plans submitted.

Voting yea: Mikulenas, Allen, Alvez, Brothers, Stage

Absent: Caywood, Liston, Mahler, Perez

Voting nay: None

MOTION CARRIED

Adjourned 6:44 p.m.



Will Prichard, Recording Secretary

REGULAR MEETING – STURGIS PLANNING BOARD
May 16, 2023
WIESLOCH RAUM – CITY HALL

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

Commissioners Present: Mikulenas, Allen, Caywood, Brothers, Mahler, Liston

Commissioners Absent: Perez, Alvez, Stage

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

Also Present: Steve Shevick, 302 S. Lakeview Avenue; Dennis Cates, 501 E. Chicago Road; Gina Cates, 501 E. Chicago Road; Bryan Boughton, Extreme Emergency Weather Center; Marvin Smith, City Commissioner; Linda Hahn, 604 Cottage; Larry Hahn, 604 Cottage; Jaime Hypes, 602 Cottage; Travis Klinger; Dan Cherry, Sturgis Journal

APPROVAL OF AGENDA

Motion: Approval of agenda with a change to the order: Move Urban Chickens from 5a to the end of the agenda

Action of Minutes of Previous Meetings

APPROVAL of the minutes from April 18, 2023, regular meeting.

Visitor Comments

Bryan Boughton approached the podium and explained that he was representing a group that was trying to get an extreme weather shelter. He explained that him and others had been working with the city for approximately 3 years to establish a shelter for extreme weather conditions. He indicated that there were zoning issues that needed to be worked through, however, they would like to continue with the project. Mr. Mikulenas recommended that as the project progressed, Mr. Boughton could keep the commission updated.

Chairman Mikulenas presented the first agenda item – Driveway Consideration – 501 E. Chicago Road

Chairman Mikulenas read the Staff report and opened the Public Hearing. He asked if there was a representative for the property. Dennis and Gina Cates approached the podium and explained that they had come to the city 5 to 6 years earlier to inquire what was needed to construct a driveway. Due to misinformation, they were told they did not need a permit. The parking area was constructed with a width of 28'; the maximum width allowed was 26'.

Chairman Mikulenas explained that changes have been made over time to the parking ordinance. He explained that the current ordinance allowed for the request for consideration for a wider driveway. He indicated that final approval from the City Engineer had not yet been received, as he was on vacation. Once returning from vacation, the City Engineer could review and issue approval for the driveway width in the city right-of-way.

Chairman Mikulenas asked for any further comments from the public, none were heard. He closed the Public Hearing.

Motion: Made by Mahler, seconded by Allen, to approve the driveway consideration at 501 E. Chicago Road, Parcel ID #75-052-777-082-00, with the stipulation that approval is contingent on final approval from the Engineering Department.

Voting yea: Mikulenas, Allen, Caywood, Brothers, Mahler, Liston

Absent: Perez, Alvez, Stage

Voting nay: None

MOTION CARRIED

Chairman Mikulenas presented the second agenda item – Design Review Recommendation – 220 W. Chicago Road

Chairman Mikulenas read the Staff report. Chairman Mikulenas asked if there was a representative present for the property. Lucas Tice approached the podium and explained that he and the other 2 property owners

for the property would like to paint the exterior of the building. There was discussion between commission members.

Chairman Mikulenas asked for comments from the public, none were heard.

Motion: Made by Caywood, seconded by Liston, to approve the colors for Horton Group, located at 220 W. Chicago Road, as presented.

Voting yea: Mikulenas, Allen, Caywood, Brothers, Mahler, Liston

Absent: Perez, Alvez, Stage

Voting nay: None

MOTION CARRIED

Chairman Mikulenas presented the third agenda item – Design Review Recommendation – 110 Pleasant Avenue

Chairman Mikulenas read the Staff report. There was no representative for the property. Steve Shevick asked from the audience whether the proposed roof was asphalt shingle or metal; Will Prichard, Director of Community Development, indicated the roof material would be shingles. Marvin Smith asked from the audience if the proposed shingles were a dark or light green; Mr. Prichard indicated a dark hunter green. Mr. Brothers inquired whether the owners have indicated what their plan is for the property in the long term; Mr. Prichard stated they have not indicated what the use will be.

Chairman Mikulenas asked for any further comments from the public, none were heard. He closed the Public Hearing.

Motion: Made by Brothers, seconded by Mahler, to approve the roof color at 110 Pleasant Avenue, as presented. Mr. Caywood amended the motion to include the stipulation that the exterior colors remain as indicated in the statement; Mr. Brothers and Mr. Mahler agreed to the amendment.

Voting yea: Mikulenas, Allen, Caywood, Brothers, Mahler, Liston

Absent: Perez, Alvez, Stage

Voting nay: None

MOTION CARRIED

Chairman Mikulenas presented the fourth agenda item – Urban Chicken Discussion

Chairman Mikulenas read the Staff report and explained that there would be discussion. He explained that they may readdress the issues that had come about from previous meetings.

Steve Shevick indicated that he is not in favor of chickens within the city. Travis Klinger, Marvin Smith, Bryan Boughton, Jaime Hypes, Larry Hahn, and Linda Hahn spoke and indicated they were in favor of chickens within the city. Topics that were covered were: size and types of accessory structures and materials that could be used for chicken coops, fencing/barrier requirements, types and prevention of predators, types and cost of enforcement, possibility of a community chicken coop, and caging requirements.

Mr. Prichard reviewed the previously proposed ordinance with the Commission members. He explained each section and the origin of the proposed language. They discussed restricted covenants that exist in some areas of the city that would prohibit chickens.

Mr. Caywood inquired as to how much support from Commission members there would be to continue forward. There was discussion as to how many times the topic had been brought to the Commission members and the outcome. Mr. Brothers indicated that he had been on a committee one of the times it had been brought to them and that once it reached the City Commission, the topic died. Mr. Smith indicated that if the topic reaches the City Commission, he believed there would be support, even if the ordinance did not pass.

Chairman Mikulenas asked for any further comments from the public, none were heard.

Chairman Mikulas presented the fifth agenda item – Commissioner/Staff Comments

Outdoor Storage in Manufacturing Zoning District

Mr. Prichard explained that he had received a request from a local business owner to allow outdoor storage in the Manufacturing zoning district. He explained outdoor storage was only permitted in the zoning district if it was accessory to a permitted use inside the building. He indicated that the owner at 1103 N Centerville Road (old Armory building) would like to lease outdoor storage space that they would not be using. Mr. Klinger asked from the audience what type of storage they were proposing to use the space for; Mr. Prichard indicated it would be whatever the lessee would choose to store at the site. Mr. Klinger indicated he felt like it was a stretch to allow that use.

Mr. Prichard explained that with more RV companies coming to Sturgis, more outdoor storage may be requested. Mr. Mikulas asked if they could impose that a special land use be required; Mr. Prichard explained that they could make a special land use required or could issue conditional permits. This would allow the permit to be revoked if the owner is not complying with the requirements.

There was a consensus from the members that they would review a proposed ordinance at a future meeting.

Parking in the Business Highway Zoning Districts

Mr. Prichard indicated that a business owner located in the Business Highway zoning district had requested permission to park vehicles on a yard area. Mr. Mahler inquired whether it was employees or random people parking on the yard area; Mr. Prichard indicated they are vehicles/trailers were to be sold.

Mr. Mahler indicated that he felt they should meet the requirements of the zoning district for parking and screening. The commission agreed that they could not see this use being permitted in the district.

Adjourned 7:23 p.m.



Kara Falkenstein, Recording Secretary

SPECIAL MEETING – STURGIS PLANNING BOARD
June 27, 2023
WIESLOCH RAUM – CITY HALL

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

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

Commissioners Absent: Allen, Caywood, Alvez, Mahler

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

Also Present: Bryan Boughton, Emergency Weather Center; Krysti Boughton, Emergency Weather Center; Jeff Mullins, City Mayor; Rick Bir, City Commissioner; Marvin Smith, City Commissioner; Rudie Lantz, 614 Sturgis; Larry Hahn, 604 Cottage Street; Linda Hahn, 604 Sturgis Street; Chris Purcell, 1301 Rolling Ridge; Paula Purcell, 1301 Rolling Ridge; Craig Bolthouse, Sturgis Housing Commission; Bob Frays, Sturgis Bank and Trust Company; Aaron Budd, Sturgis Bank and Trust Company; Barry Cox, 1421 S. Merribe Street; Dan Cherry, Sturgis Journal

APPROVAL OF AGENDA

Motion: Approval of agenda with an amendment: add public art to agenda to follow Capital Improvement

Action of Minutes of Previous Meetings

APPROVAL of the minutes from May 16, 2023, regular meeting.

Chairman Mikulenas presented the first agenda item – Zoning District Change – 121 S. Monroe Street

Chairman Mikulenas read the Staff report and opened the Public Hearing. Representatives from Sturgis Bank and Trust Company, Bob Frays and Aaron Budd, approached the podium. Mr. Frays explained that as stated in Staff report, the bank would like to construct additional parking space to the south of Sturgis Bank and Trust Company. However, a zoning district change was needed to allow for this expansion.

Chairman Mikulenas asked for any further comments from the public, none were heard. He closed the Public Hearing.

Motion: Made by Liston, seconded by Brothers, to recommend the rezoning of 121 S. Monroe Street, Parcel #052-040-461-00, from Residential 4 (R-4) zoning district to Central Business (BC) zoning district to the City Commission for final approval.

Voting yea: Mikulenas, Brothers, Liston, Stage, Perez

Absent: Allen, Caywood, Alvez, Mahler

Voting nay: None

MOTION CARRIED

Chairman Mikulenas presented the second agenda item – Class “A” Non-Conforming Structure – Fence - 1301 Rolling Ridge Lane

Chairman Mikulenas read the Staff report. He explained that the property was considered a corner lot because it abutted 2 street frontages at two locations. The property faced 3 streets: South Street, Sunnyfield Road and Rolling Ridge Lane. Due to the corner lot requirement, the full front yard setbacks had to be met. The property was located in the R-2 zoning district which required a 30- foot front yard setback.

Chairman Mikulenas asked if there was a representative present for the property. The property owners, Chris and Paul Purcell, approached the podium. They explained that the existing fence had been there a minimum of 13 years. They were proposing to place the fence at 25’ from the property line instead of the required 30’.

Chairman Mikulenas asked for comments from the public, none were heard.

Members reviewed conditions for a Class “A” Non-Conforming status; all conditions were met.

Motion: Made by Brothers, seconded by Stage, to approve the Class "A" Non-Conforming structure designation for the fence at 1301 Rolling Ridge Lane, Parcel ID#75-052-180-001-00, as presented.

Voting yea: Mikulenas, Brothers, Liston, Stage, Perez

Absent: Allen, Caywood, Alvez, Mahler

Voting nay: None

MOTION CARRIED

Chairman Mikulenas presented the third agenda item – Zoning Ordinance Discussion – Cottage Courts

Chairman Mikulenas read the Staff report. Craig Bolthouse, a representative from the Sturgis Housing Commission, approached the podium. He explained that the Sturgis Housing Commission was proposing construction of a "Cottage Court" at a property located at 208 N. Prospect Street. The proposed construction would not be done as a single home, but rather a community of "tiny homes". Krysti Boughton asked how much of the project would be funded by the Sturgis Housing Commission; Mr. Bolthouse indicated the project would be solely funded by a grant from the U.S. Department of Housing and Urban Development (HUD).

Mr. Bolthouse explained that the intended use of each "tiny home" would be for a single person or a couple, not a family, as there would not be enough space. This style of living would be ideal for someone that had been used to living in isolation to be brought back into a community. He indicated 1 unit would be constructed as ADA compliant.

Mr. Bolthouse reviewed the plans for lighting and greenery. Mr. Mikulenas inquired as to how sensitive the lighting would be; Mr. Bolthouse explained their plan for the lighting to meet the residential lighting requirements. Rick Bir, City Commissioner, inquired as to whether the homes would be constructed with a basement; Mr. Bolthouse indicated they would not.

Mr. Bolthouse explained a unique program that would be available for the proposed type of housing. The program would allow a portion of the payments made toward rent to be used towards future housing. The new housing units would not be rent-to-own, however, the funds used for rent may be used towards a future purchase of another home. Mr. Liston asked how much the rent would be for the proposed housing; Mr. Bolthouse indicated that the housing commission was exploring the possibility of setting rent below the market rate which was approximately \$900.00 per month.

Mr. Brothers asked whether appliances would be included; Mr. Bolthouse indicated they would be included. Mr. Mikulenas inquired as to how often appliances would get replaced and walls would get repainted; Mr. Bolthouse explained that the housing commission will assess items and units when a tenant moves out.

Chairman Mikulenas asked for any further comments from the public, none were heard.

Mr. Mikulenas indicated he did not see any issues to the proposed housing and that there seemed to be enough interest from the commission members to move forward with the process and have a Public Hearing at a future meeting.

Motion: Made by consensus to move forward with a Public Hearing at a future meeting.

Chairman Mikulenas presented the fourth agenda item – Zoning Ordinance Discussion – Emergency Weather Center

Chairman Mikulenas read the Staff report and explained that there had been a brief discussion regarding an emergency weather center at the May meeting. He asked if there was a representative present for the project; Bryan Boughton approached the podium and explained that there was a local group that was looking to provide and man a center for individuals requiring housing during extreme weather. Mr. Mikulenas inquired as to where the temperature requirements (0°F) for use of the center came from; Mr. Boughton explained that the board felt if they set too high of a temperature, the center might be needed more than they would have people to man it.

Krysti Boughton explained that the group had done research as to what was feasible to man the type of center. She explained that there was approximately 53 people involved with the project, however, felt that amount could possibly dwindle down to under 30 when the winter months arrive. Mr. Liston asked how the length of stay would be determined; Mr. Boughton indicated it would be based on how long the weather would stay at 0°F or below.

Chairman Mikulenas asked for any further comments from the public, none were heard.

Motion: Made by consensus to move forward with a Public Hearing at a future meeting.

Chairman Mikulenas presented the fifth agenda item – Zoning Ordinance Discussion – Accessory Structures

Mr. Mikulenas read the Staff report and explained that concerns had been brought up at recent Planning Commission meetings. He indicated that he believed when the ordinance had been discussed in the past, there was consensus that the ordinance protected the integrity of neighborhoods. He explained he believed that most of the concerns that have been raised from people that had started a project without a permit and then found out that their project did not meet the code requirements; Mr. Prichard confirmed that belief.

Mr. Bir inquired as to the intention of the word “compatible” since it did not state “identical” in the existing ordinance. He indicated he felt that gray would be compatible with blue. Mr. Mikulenas indicated he felt it was all about the perspective, as he did not believe gray was compatible with blue.

Mr. Prichard discussed the recent amendments to the ordinance that permitted different types of materials to be used. Barry Cox of 1421 S. Merribe Street confirmed his understanding that the ordinance was brought into question because someone either did not ask questions or get a permit; Mr. Mikulenas confirmed that was correct. Jeff Mullins, City Mayor, indicated that some of the City of Sturgis requirements are above State of Michigan requirements, so he had inquired for a citizen within his precinct.

Mr. Prichard explained the City of Sturgis Zoning Board of Appeals had decided that the intention of the ordinance was to enforce the color compatibility as house roof to garage roof and house siding to garage siding. He discussed options the members would have regarding the ordinance: make the color compatibility requirement as house to house and garage to garage, eliminate the color compatibility requirement, or leave the existing ordinance as it was written. Mr. Mikulenas indicated he felt the Planning Commission should be consistent with the Zoning Board of Appeals decision.

Motion: By consensus to leave the existing ordinance regarding accessory structures as it was written.

Chairman Mikulenas presented the sixth agenda item – Zoning Ordinance Discussion – Fences in Front Yard

Mr. Mikulenas read the Staff report and Mr. Prichard discussed the history of the ordinance regarding fences in the front yard. Mr. Prichard indicated that many concerns had been brought up regarding corner clearance and had a suggestion regarding a possible amendment. He explained that an option would be to permit a 3’ tall fence that was 85% viewable or a 2’ solid fence; the existing requirement was a 2’ tall solid fence only.

Larry Hahn, owner of property located at 604 Cottage, inquired as to how the funeral home on the corner of Chicago Road and Lakeview Avenue was able to put up the stone wall surrounding their parking area. Mr. Prichard indicated he was not part of the permitting process for the wall, however, understood the approval was due to the property extending into the right-of-way.

Mr. Cox indicated he would be in favor of the amendment to the ordinance. He inquired whether the 2’ height maximum for shrubbery would remain; Mr. Prichard indicated yes. Mr. Cox stated he was agreeable to that since shrubbery creates more blockage for vision. Mr. Liston inquired whether an illustration as to what the percentage of viewability would be; Mr. Prichard indicated that that would be possible.

Chairman Mikulenas presented the seventh agenda item – Zoning Ordinance Discussion – Exterior Storage in Manufacturing Zoning District as Special Land Use

Mr. Mikulenas read the Staff report. Mr. Prichard discussed the options to require special land use and a conditional permit. He reviewed the requirements based on discussions during past meetings. Mr. Prichard explained the site plan review process and that a sketch plan would be required to determine that parking requirements had been met.

Motion: Made by consensus to move forward with a Public Hearing at a future meeting.

Chairman Mikulas presented the eighth agenda item – 2022 Planning Commission Annual Report

Mr. Prichard explained that the report that was being presented was an overview of what the Planning Commission had done in the 2022 calendar year. He explained why the report was created and who it would be reported to.

Motion: Made by consensus to approve the 2022 Planning Commission Annual Report and submit to the City Commission.

Chairman Mikulas presented the ninth agenda item – Capital Improvement Plan 2023/2024

Andrew Kuk, City Manager, came to the podium and presented the plan to the members. As per the Michigan Planning Enabling Act, the Planning Commission must be presented with the capital improvement plan. Mr. Kuk highlighted projects that were indicated as part of the City's master plan. He highlighted line items on the report and whether grants or loans would be required for the projects. Mr. Mikulas noted that there was a large amount for shelters/playgrounds and wanted to know if there was a specific park project; Mr. Kuk indicated there was nothing planned specifically. Rudie Lantz of 614 Sturgis asked whether there was any type of surveillance planned for the parks; Mr. Kuk indicated that nothing was planned yet, however, if it was installed, it would not be advertised.

Chairman Mikulas presented the tenth agenda item – Monument Sign – Free Church Park – 203 E. Chicago Road

Mr. Prichard explained that the city had been working with the Open Door Gallery to install a piece of artwork. A photo of the proposed artwork was presented, and Mr. Prichard indicated that the piece was not completed or ready to be displayed. Mr. Liston commented that to him the piece screamed "climb me". Mr. Prichard explained that there were wires within the piece to hold it together.

Motion: Made by Stage, seconded by Perez, to approve the sign and art piece located in the City of Sturgis easement at 301 E. Chicago Road as presented.

Voting yea: Mikulas, Brothers, Liston, Stage, Perez
Absent: Allen, Caywood, Alvez, Mahler

Voting nay: None
MOTION CARRIED

Chairman Mikulas presented the eleventh agenda item – Urban Chickens

Mr. Mikulas read the Staff report and inquired whether the proposed ordinance language and fee schedule had been made public; Mr. Prichard indicated it had not and had only been provided to commissioners as part of the packet.

Mr. Mikulas reviewed the proposed fee schedule for permitting urban chickens and Mr. Prichard high pointed the proposed ordinance. Mr. Prichard noted that if a permit was issued for urban chickens and the property had a covenant against urban chickens, the permit would be void.

Possible setback requirements were discussed for the chicken coops. The members indicated by consensus they would prefer 10' from the primary structure and 3' from an accessory structure. However, citizens in the audience indicated they would prefer 3' from the primary structure. Rudie Lantz indicated concern that a 10' setback may force some property owners to place the chicken coops in the middle of their yards.

The requirement for rodent proofing was discussed. Mr. Mikulas indicated he would prefer to add the word "predator" also, as he did not consider some animals to be "rodents", but predators.

Mr. Liston inquired who would be responsible for the inspections of the chicken coops; Mr. Prichard indicated it would be the Community Development Department and Code Enforcement would handle complaints. Mr. Liston inquired as to how many people come into City Hall to ask for a permit or if they can have chickens;

Mr. Prichard explained he usually would get asked if chickens are permitted because they have a complaint that a neighbor has one.

Marvin Smith, City Commissioner, indicated that he felt the fee schedule was high. Mr. Mikulas explained there would be time invested in permitting and enforcement, adding to administrative burden. Mr. Smith noted that the penalty/violation fee is less than the application fee; Mr. Mikulas indicated he felt that the violation fee should be higher. Mr. Prichard discussed the timeline for the fee schedule; Mr. Mikulas indicated he felt that the cost might be determined better once the ordinance is in effect. Rudie Lantz of 614 Sturgis Street indicated that though she would not be thrilled to pay the fee, that a higher cost might make sure people follow the rules and would be serious about taking care of their chickens.

Adjourned 7:58 p.m.

A handwritten signature in black ink that reads "Kara Falkenstein". The script is cursive and fluid, with the first letter of each word being capitalized and prominent.

Kara Falkenstein, Recording Secretary

REGULAR MEETING – STURGIS PLANNING BOARD
July 18, 2023
WIESLOCH RAUM – CITY HALL

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

Commissioners Present: Mikulenas, Brothers, Liston, Stage, Caywood, Mahler, Alvez

Commissioners Absent: Allen, Perez

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

Also Present: Bob Frays, Sturgis Bank and Trust Company; Aaron Budd, Sturgis Bank and Trust Company; Lee Jacobson, 921 Broadus; Art Bates, 921 Broadus; Mike Sutter, 1206 Independence; Bryan Boughton, Extreme Weather Center; Marv Smith, City Commissioner; Linda Harrington, City Commissioner; Mike Stiles, WBET Radio

APPROVAL OF AGENDA

Motion: Approval of agenda with an amendment: add Sturgis Bank and Trust site plan review after their special land use, if approved

Action of Minutes of Previous Meetings

APPROVAL of the minutes from June 27, 2023, special meeting.

Chairman Mikulenas presented the first agenda item – Driveway Consideration – 1206 Independence

Chairman Mikulenas read the Staff report and opened the Public Hearing. He explains that prior to an amendment, a driveway consideration was not possible. Will Prichard, Director of Community Development, gave a brief summary of the history of the driveway. He indicated that the right-of-way had been approved in 2008, however, current requirements would have to be met.

Chairman Mikulenas asked for comments from the public, none were heard. He closed the Public Hearing.

Motion: Made by Caywood, seconded by Alvez, to approve this request for a driveway width of 28' at 1206 Independence Avenue (Parcel ID 75-052-370-018-00), as per the site plan presented.

Voting yea: Mikulenas, Brothers, Liston, Stage, Caywood, Mahler, Alvez

Absent: Allen, Perez

Voting nay: None

MOTION CARRIED

Chairman Mikulenas presented the second agenda item – Special Land Use – Off Street Parking Lot – 119/121 S. Monroe

Chairman Mikulenas read the Staff report and opened the Public Hearing. Bob Frays and Aaron Budd of Sturgis Bank and Trust Company approached the podium. Mr. Frays indicated that the additional parking would allow for bank employees to park further south and create more parking for everyday use, as well as after hours.

Mr. Prichard explained that a request had been made for no screening to be required. They are installing some landscaping to the west side of the new parking area. Mr. Frays indicated that the contractors would most likely not be able to start until late August.

Chairman Mikulenas asked for comments from the public, none were heard.

Mr. Caywood indicated that he must abstain from the vote due to a conflict of interest.

Members reviewed conditions for a special land use designation; all conditions were met.

Motion: Made by Liston, seconded by Brothers, to approve the special land use request for off-street parking at 119 S. Monroe (Parcel ID# 052-040-457-00) and 121 S. Monroe (Parcel ID# 052-040-461-00), as presented, with the condition that no screening from abutting properties is required

Voting yea: Mikulenas, Brothers, Liston, Stage, Mahler, Alvez
Absent: Allen, Perez **Abstained:** Caywood

Voting nay: None
MOTION CARRIED

Chairman Mikulenas presented the third agenda item – Site Plan Review – 119/121 S. Monroe

Chairman Mikulenas read the Staff report. He explained that there was a condition that the parcels located at 117, 119, and 121 S. Monroe must be combined prior to construction of the additional parking area and that the bank was aware of this requirement.

Chairman Mikulenas asked for any further comments from the public, none were heard.

Mr. Caywood indicated that he must abstain from the vote due to a conflict of interest.

Motion: Made by Alvez, seconded by Mahler, to approve the amended site plan for 117, 119 and 121 S. Monroe Street (Parcel ID#’s 75-052-040-456-00, 75-052-040-457-00, and 75-052-040-461-00) as per plans submitted with the condition that the parcels be combined prior to building permit being issued.

Voting yea: Mikulenas, Brothers, Liston, Stage, Mahler, Alvez
Absent: Allen, Perez **Abstained:** Caywood

Voting nay: None
MOTION CARRIED

Chairman Mikulenas presented the fourth agenda item – Zoning Ordinance Amendment – Urban Chickens and Accessory Structures

Chairman Mikulenas opened the Public Hearing. He read into the record an email from Karyl Kreps of 709 Nottingham. Ms. Kreps indicated in the email that she was a representative for herself and 2 others that did not want urban chickens to be permitted in the city. Mr. Mikulenas also read into record an email from Planning Commission member Garry Allen, as he was not able to attend the meeting. His email indicated he did not want urban chickens permitted within the city either.

Ryan Banaszak, Director of Public Safety, approached the podium. Mr. Mikulenas inquired as to what would happen to the chickens, banded or unbanded, if they were loose. Mr. Banaszak indicated that animal control may transport the chickens when needed, however, it would be difficult during the evening hours when the Animal Control Officer is not available. There would not be anywhere to house them. Mr. Mikulenas asked what would be done with the chickens that were found loose; Mr. Banaszak indicated that he did not have that answer, as it would be an issue that must be addressed. He indicated that City staff had researched what other municipalities were doing, however was not able to find much information. A women from the audience indicated transporting the chickens would require additional cleaning of vehicles to prevent the spread of disease. She indicated that she felt the officers would have better ways to spend their time than dealing with chickens.

Marvin Smith, City Commissioner, indicated he thought maybe there was not much information regarding enforcement in other cities because they were not having problems. Mr. Banaszak explained that some do not enforce ordinances. Mr. Mikulenas asked Mr. Smith whether he was speaking as a commissioner or a citizen; Mr. Smith indicated he was representing himself as a citizen. Mr. Mikulenas asked Mr. Smith if he thought residents in precinct 3 were in favor of permitting chickens; Mr. Smith indicated yes.

Mr. Banaszak explained some of the process for enforcement. He indicated that a disadvantage with purchasing chicks is that whether it is a hen, or a rooster only becomes known once they are grown. If someone unknowingly purchases a rooster, it would have to be removed if roosters were not allowed. He indicated that in some cases a court order would need to be obtained for non-compliance which would take time. Mr. Mikulenas inquired how court costs would be recuperated; Mr. Banaszak indicated that it would be up to the attorneys to determine.

Mr. Mikulenas asked for a raise of hands from the commission members on how many thought permitting chickens in the city was a good idea; no members raised their hand. Mr. Brothers indicated he felt the people of Sturgis should be able to vote and the issue should be put on a ballot; members agreed.

Chairman Mikulas asked for any further comments from the public, none were heard.

Motion: Made by Mikulas, seconded by Stage, to not recommend the addition of ordinance section 10.65 – Urban chickens and amendment to ordinance section 10.64 – Keeping of animals, fowl, etc. restricted – to the Sturgis City Commission.

Commission members agreed that they would support this issue being placed on an upcoming ballot for the residents of the City of Sturgis to vote.

Voting yea: Mikulas, Brothers, Liston, Stage, Mahler, Alvez, Caywood
Absent: Allen, Perez

Voting nay: None
MOTION CARRIED

Chairman Mikulas presented the fifth agenda item – Zoning Ordinance Amendment – Outside Storage in Manufacturing Zoning District as Special Land Use

Mr. Mikulas read the Staff report and opened the Public Hearing. Mr. Prichard explained the proposed ordinance and outlined the requirements. Mr. Liston asked whether the ordinance should add more requirements for screening; Mr. Mikulas explained the amendment only allows for the permitting of outside storage on a case-by-case basis and would require a special land use.

Chairman Mikulas asked for comments from the public, none were heard.

Motion: Made by Alvez, seconded by Caywood, to recommend the amendment to Special Land Use Designated section 1.0603 and Manufacturing section 1.0401 for Outdoor Storage Area not accessory to principal building use in the Manufacturing zoning district as presented to the City Commission for approval.

Chairman Mikulas presented the sixth agenda item – Class “A” Non-Conforming Request – Accessory Structure - 328 Arden Park

Mr. Mikulas read the Staff report and asked if there was a representative present for the property; no representative was present. Mr. Prichard explained that the garage was non-conforming to current setback requirements. The property owners had proposed to install solar array panels on the roof of the garage, however, were unable to due to setback requirements of the garage without a Class A request being approved. Mr. Mikulas asked whether the neighbors had been notified; Mr. Prichard explained that they had not been because it is not required for a Class “A” designation.

Mr. Alvez asked whether they would be able to rebuild if anything happened; Mr. Prichard indicated the Class “A” designation would allow for the garage to be rebuilt. Mr. Brothers asked how City staff feel about how close the garage is to the property line; Mr. Prichard indicated that there were quite a few garages within the city with similar proximities to property lines and there had not been any issues. The new garage would have to be built conforming to the building code in effect at time of construction.

The members reviewed the conditions for a Class “A” designation; all conditions were met.

Motion: Made by Liston, seconded by Brothers, to approve the Class “A” Non-Conforming Structure designation for the accessory structure at 328 Arden Park Avenue (Parcel ID#75-052-560-012-00), as presented.

Voting yea: Mikulas, Brothers, Liston, Stage, Mahler, Alvez, Caywood
Absent: Allen, Perez

Voting nay: None
MOTION CARRIED

Chairman Mikulas presented the seventh agenda item – Site Plan Review – 921 Broadus

Mr. Mikulas read the Staff report and asked if there was a representative for the property. Lee Jacobson, President of Wayne International, approached the podium and gave an overview of their business. He explained that Sturgis is closer in proximity to their customer base than their current location in Indiana.

Mr. Mikulenas inquired about the parking deferral request. Mr. Jacobson discussed the parking requirements according to the ordinance. He discussed how many employees would be working in his portion of the building. He indicated that the amount of parking required is more than his employees will use.

Mr. Mikulenas indicated he was not familiar with deferred parking and asked what the options were; Mr. Prichard explained what it meant to defer parking. Mr. Jacobson explained that most likely employees would be parking inside the building because there were so few employees.

Mr. Mikulenas asked whether there was someone present from Pennzoni Display Company; Mr. Jacobson indicated that the architect, Art Bates, was present. Mr. Mikulenas asked Mr. Bates if he understood what Pennzoni Display Company needed; Mr. Bates indicated he did.

Mr. Jacobson discussed the projected traffic patterns for his company. He explained that paving the turn-around on the property would cost approximately \$40,000 and indicated how costly that could be for a start-up business. Mr. Liston asked how it could be justified to not make them pave, but someone that would build a new building would be required to. There was discussion on how requirements would be determined.

Mr. Prichard reviewed the overhead view of the property and indicated which portions they were asking for an exception to pave. Mr. Alvez asked how long it would be until anticipated growth; Mr. Jacobson indicated 3 to 5 years. Mr. Alvez asked whether it was possible to defer parking and paving requirements for 3 years and then revisit the requests; Mr. Prichard indicated it would be possible to put a stipulation that the requests be reviewed again in 2 to 3 years.

Mr. Liston indicated he felt that approving a deferral may set a dangerous precedence; Mr. Caywood said that he understood the requests, however, he agreed with Mr. Liston. Mr. Jacobson urged them to look at the necessity and what is going on the property. Mr. Caywood asked whether a variance might be appropriate; Mr. Prichard indicated he was not sure because he had concerns that they might outgrow their space. Mr. Mikulenas explained that they were as far as they could go for the meeting. He indicated that the initial site plan and deferred parking could be voted on, however, the turn-around would have to be researched further.

Motion: Made by Mahler, seconded by Alvez, to approve the site plan with deferred parking at 921 Broadus Street (Parcel ID# 75-052-605-025-00). No motion was made regarding the request to defer paving the turn-around area.

Chairman Mikulenas presented the eighth agenda item – Zoning Ordinance Amendment Discussion – Extreme Weather Center

Mr. Prichard did a quick overview of previous meetings. He explained the requirements for the extreme weather centers. He indicated that the warming centers would only be used to get warm, not a place to live. He explained that a permit would be issued for 1 year with annual renewal.

Bryan Boughton, representative for the extreme weather centers, inquired about the polar vortex and what they would be able to offer. Mr. Mikulenas asked whether they would be able to provide cots to sleep on; Mr. Prichard explained that City legal advised that no cots are to be used. Mr. Mikulenas asked whether any food service would be provided; Mr. Boughton indicated they would not provide food. Diane Wilson, a volunteer for the centers, indicated that some churches and restaurants had offered to provide food. Andrew Kuk, City Manager, explained that the special land use may indicate hours of operation.

Motion: Made by consensus to hold a Public Hearing at next meeting.

Chairman Mikulenas presented the ninth agenda item - Commissioner/Staff Comments

Mr. Prichard updated the Planning Commission on an amended site plan for Popeye's. He explained it was minor enough that it did not require approval from the Planning Commission. He reviewed the changes that had been made to the exits and to water retention.

Adjourned 7:23 p.m.

Kara falckenstein

Kara Falkenstein, Recording Secretary

REGULAR MEETING – STURGIS PLANNING BOARD
August 15, 2023
WIESLOCH RAUM – CITY HALL

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

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

Commissioners Absent: Perez, Brothers, Alvez

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

Also Present: Bryan Boughton, Extreme Weather Center; Krysti Boughton, Extreme Weather Center; Diana Wilson, Extreme Weather Center; Rebecca Sicard, Bark About It; Pete Tackett, Bark About It; Lee Jacobson, Wayne International Products; Alexis Guerrero, 805 Mechanic; Adan Guerrero, 805 Mechanic; Megan Horner, 1124 Tracy Drive; Natasha Stahl, 1124 Tracy Drive; Craig Bolthouse, 707 Myrtle; Dan Cherry, Sturgis Journal; Mike Stiles, WBET Radio

APPROVAL OF AGENDA

Motion: Approval of agenda with an amendment: move agenda item 5a.

Action of Minutes of Previous Meetings

APPROVAL of the minutes from July 18, 2023, regular meeting with an amendment that the names be added under the motion for the site plan review at 921 Broadus and staff requested confirmation that the approval was for the site plan that was presented at the meeting which was confirmed by Mr. Mahler.

Chairman Mikulenas asked for visitor's comments.

Rebecca Sicard, owner of Bark About It, approached the podium and explained that she was interested in relocating her business to a property located in the Business Neighborhood zoning district. She indicated her business was currently in the Manufacturing zoning district because it allows her to kennel dogs. However, the Business Neighborhood zoning district does not. She asked if the members would be open to adding uses to the Business Neighborhood zoning district that would allow a commercial kennel. This request is due to her finding a building to relocate her business.

Will Prichard, Director of Community Development, explained the timeline for making the amendment to the zoning district; he indicated it would take some time to get it accomplished. He asked the members if they would be agreeable to hold a Public Hearing at an upcoming meeting; the members agreed to holding a Public Hearing in the future.

Chairman Mikulenas presented the first agenda item – Zoning Ordinance Amendments – Extreme Weather Center

Chairman Mikulenas read the Staff report and opened the Public Hearing. He highlighted the requirements and conditions for the extreme weather centers. Bryan Boughton, a representative for the extreme weather center, indicated that the volunteers were waiting for the process to come to completion. He inquired as to what the timeline is for the approval of the zoning ordinance; Mr. Prichard explained the process for the Planning Commission and City Commission. Diana Wilson, a volunteer for the proposed extreme weather centers, indicated she had 20 to 25 volunteers that were willing to help at the center.

Chairman Mikulenas asked for comments from the public, none were heard. He closed the Public Hearing.

Motion: Made by Allen, seconded by Stage, that the Planning Commission recommend an Extreme Weather Center as a special land use with amendments to City Code of Ordinance, Appendix A, Zoning Ordinance sections: Section 1.0202, 1.0603, 1.0401, 1.0402, 1.0403, 1.0404, 1.0406, 1.0407, 1.0408, 1.0409, 1.0409.1, and 1.0410, as presented to the Sturgis City Commission for approval.

Voting yea: Mikulenas, Allen, Liston, Stage, Mahler

Voting nay: None

Absent: Perez, Brothers, Alvez

MOTION CARRIED

Chairman Mikulenas presented the second agenda item – City Sign Approval – 310 N. Franks Avenue – Splash Pad

Chairman Mikulenas read the Staff report. Mr. Prichard reviewed the renderings for the new sign and the site plan for the location. There was little discussion regarding the proposed signage.

Chairman Mikulenas asked for comments from the public, none were heard.

Motion: Made by Liston, seconded by Mahler, to approve the sign for the splash pad at 310 N. Franks Avenue, as per plans submitted.

Voting yea: Mikulenas, Allen, Liston, Stage, Mahler

Absent: Perez, Brothers, Alvez

Voting nay: None

MOTION CARRIED

Chairman Mikulenas presented the third agenda item – Zoning District Change Request – 1189 N. Nottawa

Chairman Mikulenas read the Staff report and opened the Public Hearing. He explained that Grace Christian Fellowship is selling a portion of their property to Jamie Crites. Mr. Crites had indicated his plans to construct warehousing for his existing Culligan Water Conditioning business during a site plan review at the April 18th Planning Commission meeting.

Natasha Stahl, owner of the property at 1124 Tracy Drive approached the podium and explained that she has a special needs child and had concerns over any changes that might come to their neighborhood. She indicated that their family feels safe in their home, however, changes to the neighborhood might be dangerous for their child with disabilities.

Mr. Mikulenas explained that Mr. Liston was involved with the Culligan project, however, not directly with the zoning district change request. He asked Mr. Liston how he felt about voting on the request; Mr. Liston indicated he would prefer to abstain from voting, however, if they did not have enough people to meet quorum, he would vote since there was not a direct conflict of interest. Mr. Prichard indicated he had confirmed that quorum would be met if Mr. Liston abstained and only 4 voted. Mr. Mikulenas asked the members whether they felt it was necessary for Mr. Liston to abstain; the members indicated that if Mr. Liston preferred to abstain, they would have him abstain.

Chairman Mikulenas asked for any further comments from the public, none were heard.

Motion: Made by Stage, seconded by Allen, that the Sturgis Planning Commission recommend the zoning district change for the portion indicated on the survey as "Grace Christian Fellowship" to Crites at 300 Timothy, Parcel #75-052-777-003-10, from Residential 2 (R-2) to Business Highway 2 (B-H2) as presented to the City Commission for approval with the condition that the zoning district change is in combination with an approval of a boundary line adjustment.

Voting yea: Mikulenas, Allen, Stage, Mahler

Absent: Perez, Brothers, Alvez Abstained: Liston

Voting nay: None

MOTION CARRIED

Chairman Mikulenas presented the fourth agenda item - Commissioner/Staff Comments

805 Mechanic

Mr. Prichard explained that the owner of the property located at 805 Mechanic was requesting to amend the site plan that was previously submitted and approved. Previously the site plan indicated the parking area would be 17' wide, however, the property owner was requesting the parking area to be the same width of the garage which would be 18'7".

The members approved by consensus to amend the approval to 18'7".


Cottage Courts

Craig Bolthouse, a representative for the cottage courts project, approached the podium and updated the members on the progress of the cottage courts project.

Mr. Mikulenas explained the lengthy timeline involved to amend ordinances to permit cottage courts. He confirmed that Mr. Bolthouse understood the timeline and process. Mr. Prichard reviewed the proposed ordinance and requirements.

There was discussion about covered porches and their benefits and parking requirements. There was further discussion on responsibilities of owner versus tenant to maintain the property.

Adjourned 6:24 p.m.

A handwritten signature in black ink that reads "Kara Falkenstein". The script is cursive and fluid, with the first letter of each word being capitalized and prominent.

Kara Falkenstein, Recording Secretary

SPECIAL MEETING – STURGIS PLANNING BOARD
August 31, 2023
WIESLOCH RAUM – CITY HALL

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

Commissioners Present: Mikulenas, Allen, Alvez, Brothers, Mahler, Stage, Liston (entered meeting at 12:05 p.m.)
Commissioners Absent: Perez

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

Also Present: Karissa Rarick, 136 Campbell Street; Doug Finnerman, 136 Campbell Street

APPROVAL OF AGENDA

Motion: Approval of agenda as presented.

Chairman Mikulenas presented the first agenda item – Class “A” Non-Conforming Structure and Use – 136 Campbell Street

Chairman Mikulenas read the Staff report and explained that the Class “A” Non-Conforming designation would be for structure and use due to the setbacks and the residential use.

Will Prichard, Director of Community Development, explained that housing is not permitted within the Business Highway 1 (B-H1) zoning district. He explained the setback requirements for the property and the non-conformities.

Mr. Mikulenas inquired whether the Class “A” Non-Conforming designation becomes void if the property is vacant for more than 1 year; Mr. Prichard indicated that the parcel would lose the Class “A” Non-conforming status if it were to become vacant for more than 1 year.

Chairman Mikulenas asked for any further comments from the public, none were heard. He closed the Public Hearing.

Motion: Made by Mahler, seconded by Stage, to approve the Class “A” Non-Conforming designation request at 136 Campbell Street for Structure and Use, as presented.

Voting yea: Mikulenas, Allen, Alvez, Brothers, Mahler, Stage, Liston
Absent: Perez

Voting nay: None
MOTION CARRIED

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

Mr. Allen announced his resignation from the Planning Commission and the Zoning Board of Appeals due to relocation.

Adjourned 12:14 p.m.

Kara Falkenstein

Kara Falkenstein, Recording Secretary

REGULAR MEETING – STURGIS PLANNING BOARD
September 19, 2023
WIESLOCH RAUM – CITY HALL

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

Commissioners Present: Mikulenas, Alvez, Brothers, Mahler, Liston, Stage
Commissioners Absent: Perez

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

Also Present: Marvin Smith, City Commissioner; Rick Bir, City Commissioner; Dan Cherry, Sturgis Journal; Noe Nieves, 209 N. Fourth Street; Amanda Nieves, 209 N. Fourth Street; Jeff Miller, 406 E. West Street; Matt Miller, 403 North Street; Cameron Polen, 811 Broadus; Tim Stoll, Thurston Woods

APPROVAL OF AGENDA

Motion: Approval of agenda by consensus.

Action of Minutes of Previous Meetings

APPROVAL of the minutes from August 15, 2023 regular meeting, as presented

APPROVAL of the minutes from August 31, 2023 special meeting, as presented

Chairman Mikulenas presented the first agenda item – Special Land Use – 811 Broadus Street – Marihuana Retailer

Chairman Mikulenas read the Staff report and opened the Public Hearing. He asked if there was a representative for the property. Cameron Polen, a representative of True Leaf Solutions, LLC., approached the podium and highlighted the special land use request. The business was veteran owned and had 2 existing locations, one in Lawrence and one in Kalamazoo.

Mr. Mikulenas indicated that the buffer requirements had been met and discussed the conditions and deadlines for the special land use and asked Mr. Polen if he understood and agreed to the conditions. Mr. Polen asked whether the conditions must be met prior to the commencement of business; Mr. Mikulenas indicated they must be met prior to commencement of business.

Chairman Mikulenas asked for comments from the public, none were heard. He closed the Public Hearing.

Members reviewed conditions for a special land use designation; all conditions were met.

Motion: Made by Stage, seconded by Brothers, to approve the application for special land use for an adult-use retailer establishment for True Leaf Solutions, LLC. at 811 Broadus Street Suite 100, as presented.

Voting yea: Mikulenas, Alvez, Brothers, Liston, Stage
Absent: Perez

Voting nay: Mahler
MOTION CARRIED

Chairman Mikulenas presented the second agenda item – Special Land Use – 811 Broadus Street – Marihuana Class C Grow

Chairman Mikulenas read the Staff report and opened the Public Hearing. Mr. Polen explained that the previous owners did an excellent job constructing the space for the grow operation. He indicated the grow space was well ventilated and that you could not smell odor from the exterior of the building.

Mr. Mikulenas discussed the conditions and deadlines for the special land use and confirmed that Mr. Polen understood and agreed to them. He asked if there were any comments from the members; there were none.

Will Prichard, Director of Community Development, explained what the expected timeline was for the project. He indicated that it should go quickly unless there were changes to be made to the interior of the building. Mr. Polen indicated there were no plans to alter the interior of the building.

Chairman Mikulenas asked for comments from the public, none were heard. He closed the Public Hearing.

Members reviewed conditions for a special land use designation; all conditions were met.

Motion: Made by Brothers, seconded by Liston, to approve the special land use request for an Adult Use Marihuana Class C Grow Establishment license for Great Lakes Natural Solutions, LLC. located at 811 Broadus Stret Suite 200, as presented.

Voting yea: Mikulenas, Alvez, Brothers, Liston, Stage
Absent: Perez

Voting nay: Mahler
MOTION CARRIED

Chairman Mikulenas presented the third agenda item – Special Land Use – 1103 N. Centerville Road – Outdoor Storage Area

Chairman Mikulenas read the Staff report and opened the Public Hearing. He asked whether there was a representative for the property; no one was present. Mr. Mikulenas reminded the members of previous discussions regarding use of vacant land in parking areas. He indicated that the request is specific to the parcel and not the tenant and explained that responsibility for maintenance, enforcements, etc. would rest on the property owner and not the tenant.

Mr. Liston asked if a fee would be required every year to maintain the special land use; Mr. Prichard indicated that there would not be a fee each year. Mr. Mahler asked whether there were any plans to clean up the parking lot, as he felt the asphalt would soon turn to gravel due to its age.

Chairman Mikulenas asked for any further comments from the public, none were heard. He closed the Public Hearing.

The members indicated hesitation to make a motion due to lack of information from the property owner. They indicated they would prefer to discuss the agenda item further with the property owner present at a future meeting.

Motion: Tabled the agenda item until a later time.

Voting yea: By consensus
Absent: Perez

Voting nay: None
MOTION CARRIED

Chairman Mikulenas presented the fourth agenda item – Special Land Use – 2170 E. Chicago Road – Adult Daycare

Chairman Mikulenas read the Staff report and opened the Public Hearing. He asked if there was a representative for the property. Tim Stoll, the Chief Executive Officer at Thurston Woods, approached the podium and highlighted the project. He explained that currently the adult daycare was being operated in the adult foster care unit at Thurston Woods Village. The special land use would allow for the relocation of the adult daycare.

Mr. Stoll indicated that the architect they were working with had not made it to the property, however, had provided preliminary information to them. Mr. Alvez asked what the plan for the property was; Mr. Stoll indicated that the structure would stay, however, minor changes might be made, such as a handicap accessible ramp, widening of doors, etc. Mr. Brothers asked whether there was a basement underneath the structure; Mr. Stoll indicated that there was not, only a crawlspace.

Mr. Stoll explained that most of their adult daycare clients are from within the community. The families use the program as respite care for their loved ones while they work, etc. He indicated he believes that the location will increase visibility of the adult daycare program. Mr. Mikulenas asked whether signage would be used on the property; Mr. Stoll indicated yes. Mr. Alvez asked how many people they typically have for the program; Mr. Stoll indicated 5 to 7 people per day. Mr. Mikulenas asked whether there was a maximum

amount of people; Mr. Stoll said there is nothing that dictates the maximum amount, only what they feel they can safely serve.

Chairman Mikulenas asked for comments from the public, none were heard. He closed the Public Hearing.

Members reviewed conditions for a special land use designation; all conditions were met.

Motion: Made by Alvez, seconded by Mahler, to approve the special land use request for an adult daycare center at 2170 E. Chicago Road, Parcel ID#75-052-800-120-00, as provided.

Voting yea: Mikulenas, Alvez, Brothers, Liston, Stage, Mahler

Absent: Perez

Voting nay: None

MOTION CARRIED

Chairman Mikulenas presented the fifth agenda item – Class “A” Non-Conforming Structure – 305 E. Lafayette Street

Chairman Mikulenas read the Staff report and asked if there was a representative present. Ken Summey, the contractor for the project, approached the podium. Mr. Summey explained he was not changing the footprint of the structure, only repairing the roof. Mr. Prichard explained the reason for the Class “A” non-conforming structure request was because the existing garage is non-conforming and since the roof was going to be repaired or rebuilt, a Class “A” non-conforming designation was required.

Mr. Mikulenas asked if there were asbestos shingles on the side of the existing garage. Mr. Summey indicated he did not know, as there had been no testing. Mr. Mikulenas asked if any of the siding would be disturbed; Mr. Summey indicated no. Mr. Mikulenas asked if the city had any concerns with asbestos; Mr. Prichard indicated it would be the contractor’s responsibility to complete the testing.

Mr. Mikulenas read the requirements for the designation request: provide a maximum 4-inch overhang on the east and south side of the new roof system and provide an eavestrough and downspout system to assist with water runoff from getting to neighboring property. Mr. Summey agreed to the requirements.

Motion: Made by Stage, seconded by Alvez, to approve the Class “A” Non-conforming structure designation for the accessory structure at 305 E. Lafayette Street, parcel number 75-052-300-003-00, as presented.

Voting yea: Mikulenas, Alvez, Brothers, Liston, Stage, Mahler

Absent: Perez

Voting nay: None

MOTION CARRIED

Chairman Mikulenas presented the sixth agenda item – Old Business – Cottage Court Discussion

Mr. Prichard explained the ordinance language regarding cottage courts. He provided an overview of the different zoning districts and what would be permitted, however, could change based on size. He discussed the requirements of a cottage court. Mr. Mikulenas inquired whether the requirements would be the same if someone wanted to do a mobile tiny home; Mr. Prichard indicated that those would follow the requirements for an RV park.

Marvin Smith, City Commissioner, approached the members and explained that he would like to see the covered porch requirement removed. He indicated he would rather have it be an accessory than a necessity. Mr. Mikulenas explained that the thought behind the front porch requirement is a sense of community. Mr. Smith indicated he was not in favor of the covered porch because it takes away from green space. Rick Bir, City Commissioner, inquired about the requirement for a fence that is 6’ minimum in height. Mr. Prichard reviewed the proposed language and indicated that it should be 6’ maximum, not minimum.

Jeff Miller, owner of the property located at 406 E. West Street, approached the members and indicated he had started a petition against the cottage courts. He explained that he had been keeping the neighboring property owners informed of the situation. He indicated he did not feel like an “experimental” community should be built within an existing neighborhood and that others within the neighborhood do not either. Mr. Mikulenas asked what forum a petition should be brought to; Mr. Prichard indicated he was not sure without asking City legal.

Matthew Miller, owner of the property located at 210 N. Prospect, approached the members and explained that his property is located to the north of the property where the proposed cottage court would be located. He explained that the proposed location for the cottage court would be very close to his property line. There was an alley in the past, however, it has been vacated, so if fences were to be added to the property, he felt he might become landlocked, and it would be difficult to maintain/mow. Mr. Prichard discussed the setback requirements for Mr. Miller's property. Both Mr. Prichard and Mr. Mikulenas explained how a Class "A" Non-Conforming structure designation may benefit Mr. Miller's property in case something would happen to the structures on the property.

Jeff Miller explained that he had approached the city and gotten the alley designated as abandoned. He indicated there was an easement for electric.

Jeff Miller asked Matthew Miller about contamination on his property from the old Kirsch plant; Mr. Miller indicated that the contamination is being taken care of. The tenants are aware of the remediation, as there is a yearly inspection of the property.

Mr. Mikulenas asked what the next steps would be; Mr. Prichard indicated that City staff will continue to work on the ordinance and could reach out to the developer to attend upcoming meeting.

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

Adjourned 6:47 p.m.

A handwritten signature in black ink that reads "Kara Falkenstein". The script is cursive and fluid, with the first letters of each word being capitalized and prominent.

Kara Falkenstein, Recording Secretary

REGULAR MEETING – STURGIS PLANNING BOARD
October 17, 2023
WIESLOCH RAUM – CITY HALL

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

Commissioners Present: Mahler, Alvez, Brothers, Liston, Stage

Commissioners Absent: Mikulenas, Perez

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

Also Present: Jamie Crites, 1163 N. Nottawa; Claire Stickler, 401 N. Lakeview Avenue

APPROVAL OF AGENDA

Motion: Approval of agenda by consensus.

Action of Minutes of Previous Meetings

APPROVAL of the minutes from September 19, 2023 regular meeting, as presented.

Acting Chairman Mahler presented the first agenda item – Special Land Use – 485 W. Chicago Road – Outdoor Sales Area

Acting Chairman Mahler read the Staff report and opened the Public Hearing. He asked if there was a representative present; Will Prichard, Director of Community Development, indicated there would not be anyone present from Country Fresh Farms.

Mr. Prichard explained that approving for the time they are utilizing the space only would put an expiration on the special land use. If the applicants would like to return to this location in the future, they would have to reapply, and a Public Hearing would be held. If the applicants did not comply with the requirements of this special land use, the Planning Commission could deny any future special land use requests from the applicants. This would also not leave it available for anyone to use, as in past approvals, management has changed, setups are different, and the conditions of the special land use have not been followed.

Acting Chairman Mahler asked for comments from the public, none were heard. He closed the Public Hearing.

Members reviewed conditions for a special land use designation; all conditions were met.

Motion: Made by Stage, seconded by Brothers, to approve the application for special land use for an outdoor sales area located at 485 W. Chicago Road, Parcel ID#75-052-330-010-00, from October 25, 2023 to October 28, 2023, as presented.

Voting yea: Mahler, Alvez, Brothers, Liston, Stage

Absent: Mikulenas, Perez

Voting nay: None
MOTION CARRIED

Acting Chairman Mahler presented the second agenda item – Class “A” Non-Conforming Use and Structure – 401 N. Lakeview Avenue

Acting Chairman Mahler read the Staff report and asked if there was a representative for the property. Claire Stickler came to the property and explained that she was purchasing the dental office located at 401 N. Lakeview from Dr. Bastin, as he had retired.

Mr. Prichard explained the reason for the request for class “A” non-conforming use and structure. Mr. Mahler asked whether it had always been a dental office; Mr. Prichard explained that records indicated a vacant lot and then construction of an office.

Acting Chairman Mahler asked for comments from the public, none were heard.

Motion: Made by Alvez, seconded by Liston, to approve the Class "A" Non-Conforming use, professional service office and structure at 401 N. Lakeview Avenue, Parcel #75-052-800-108-00, as presented.

Voting yea: Mahler, Alvez, Brothers, Liston, Stage

Absent: Mikulenas, Perez

Voting nay: None

MOTION CARRIED

Chairman Mikulenas presented the third agenda item – Old Business – 1103 N. Centerville Road – Outdoor Storage Area

Acting Chairman Mahler read the Staff report and opened the Public Hearing. He asked if there was a representative present for the property; Jamie Crites approached the podium. Mr. Crites explained that he was asking permission for an outdoor storage area and indicated that he understood he must maintain the area. He indicated that the gymnasium was not in use, but he was looking for a tenant.

Mr. Alvez inquired about the entrances to the property; Mr. Prichard reviewed where the entrances were located. Mr. Mahler asked how tall the fencing was; Mr. Crites indicated it was 6 foot high with a 2-foot barbed wire extension on the top. Mr. Mahler asked whether Mr. Crites would be marketing for city residents to rent; Mr. Crites indicated that was not his intent.

Mr. Crites indicated that he had sprayed for overgrowth between the cracks. Mr. Stage asked whether the lot was secured; Mr. Crites indicated that when the gates are closed, people cannot get in. He had not had any issues with illegal entry.

Mr. Prichard provided information on the annual permit renewal process for the special land use. This would give the Planning Commission the opportunity to review.

Acting Chairman Mahler asked for any further comments from the public, none were heard. He closed the Public Hearing.

Motion: Made by Brothers, seconded by Stage, to approve the special land use request for an outdoor storage area located at 1103 N. Centerville Road, Parcel ID#75-052-777-011-00, as presented, with the condition that the required maintenance to the parking lot be completed on or before June 1, 2024.

Voting yea: Mahler, Alvez, Brothers, Liston, Stage

Absent: Mikulenas, Perez

Voting nay: None

MOTION CARRIED

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

Cottage Court Update

Mr. Prichard provided an update on the cottage courts project. He indicated they were currently working on utilities.

Quorum Requirement

Mr. Prichard explained that since the Planning Commission only had 7 members, 5 members were required to meet quorum requirements.

Special Upcoming Meeting

Mr. Prichard explained to the members that a special meeting might be necessary prior to the November meeting, as there were some site plans that must be reviewed for construction to commence.

Adjourned 6:15 p.m.



SPECIAL MEETING – STURGIS PLANNING BOARD
October 31, 2023
WIESLOCH RAUM – CITY HALL

Chairman Mikulenas called the meeting to order at 11:00 a.m.

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

Commissioners Absent: Perez, Alvez

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

Also Present: Joshua Schwartz, 512 N. Fourth Street; Jamie Crites, 1189 N. Nottawa

APPROVAL OF AGENDA

Motion: Approval of agenda by consensus.

Chairman Mikulenas presented the first agenda item – Class “A” Non-Conforming Structure Request – 512 N. Fourth Street

Chairman Mikulenas read the Staff report and asked if there was a representative for the property. The property owner, Joshua Schwartz, approached the podium and explained he had purchased the property to refurbish the home and garage. Mr. Mikulenas inquired whether Mr. Schwartz had purchased the property to rent out or sell in the future; Mr. Schwartz indicated that it was a long-term investment, and he did not plan to sell.

Mr. Mikulenas explained that the owner was requesting to change the roof structure and read the conditions for a Class “A” Non-Conforming structure designation. He highlighted the recommended conditions for the request:

1. Provide a maximum of 4-inch overhang on the north, west and south sides of the new roof system.
2. Provide an eavestrough and downspout system to assist with water runoff on neighboring property.

He asked Mr. Schwartz whether he understood and agreed to the conditions of the approval. Mr. Schwartz explained that he had just spoken with his contractor, and he was requesting a 12-inch overhang for aesthetics. Will Prichard, Director of Community Development, indicated that the building code does not allow for more than a 4-inch overhang for the size of the existing building and proximity to lot line.

Mr. Brothers inquired whether Mr. Schwartz had spoken with the neighbors to the south of the property; Mr. Schwartz indicated that he had had contact with the tenants of the property, however, he had not spoken to the property owner.

Mr. Schwartz asked whether the maximum overhang of 4 inches would include the gutter; Mr. Prichard indicated that the 4 inches would not include the gutter. Mr. Schwartz was agreeable to that.

Chairman Mikulenas asked for comments from the public, none were heard.

Motion: Made by Stage, seconded by Mahler, to approve the Class “A” Non-Conforming Structure designation for the principal and accessory structure at 512 N. Fourth Street, parcel number 75-052-300-025-00, with the following conditions:

1. Provide a maximum of 4-inch overhang on the north, west and south sides of the new roof system.
2. Provide an eavestrough and downspout system to assist with water runoff on neighboring property.

Voting yea: Mikulenas, Mahler, Brothers, Liston, Stage

Absent: Perez, Alvez

Voting nay: None

MOTION CARRIED

Chairman Mikulenas presented the second agenda item – Site Plan Review – 1163 N. Nottawa – Culligan

Mr. Liston requested to abstain from the agenda item due to a conflict of interest. Mr. Prichard explained that he confirmed that Mr. Alvez was going to be unable to attend the meeting, leaving only 4 voting

members if Mr. Liston would abstain from voting. Mr. Prichard asked Mr. Liston to state what his conflict was so the other members could determine whether they felt there was an issue. Mr. Liston stated he was involved with the design and construction, but nothing financial. He would only get paid for his work on the project's design and construction. Mr. Prichard indicated that all 5 members would have to approve or deny the request. The board discussed the conflict and made the determination to allow Mr. Liston to vote on the item.

Chairman Mikulenas read the Staff report and asked if there was a representative for the property. The property owner, Jamie Crites, approached the podium. He explained that the size of the building had changed and was 60' x 132'. Mr. Mikulenas read the condition for the site plan approval: the storm water management system must be approved by the City engineer. Mr. Prichard discussed the drainage on the property and indicated that the water retention had to be increased because it was discovered that there was drainage from neighboring properties to include.

Mr. Crites discussed his concern about the tree border that was required on the backside of the property. Mr. Mikulenas asked whether Grace Fellowship church was the only neighbor; Mr. Crites indicated the church and his other business were the neighboring properties. Mr. Prichard indicated that the members could place a stipulation on the approval that if the trees were not planted, a fence/screening must be installed. Mr. Crites indicated that he would not be able to plant until spring of 2024. Mr. Mikulenas asked when the trees would need to be planted; Mr. Crites indicated it would be best between March and May. Mr. Mikulenas asked if he would be agreeable to a stipulation that if the trees were not planted on or before May 31, 2024, a fence/screen must be installed; Mr. Crites agreed.

Mr. Prichard explained a condition could be added that if the trees were cut down or removed for any reason, a fence or screen must be installed. Mr. Crites indicated that he may plant 2 or 3 rows of trees, so if they would remove the trees on the church's side, the trees would remain on his side.

Chairman Mikulenas asked for comments from the public, none were heard.

Motion: Made by Mahler, seconded by Stage, to approve the site plan at 1163 N. Nottawa, parcel number 75-052-777-501-00, as per plans submitted, with the following conditions:

1. Trees must be planted on or before May 31, 2024. If the trees are not planted on or before May 31, 2024, a screening must be installed.
2. If in the future the trees were to be removed, a screening must be installed.

Voting yea: Mikulenas, Mahler, Brothers, Liston, Stage

Absent: Perez, Alvez

Voting nay: None

MOTION CARRIED

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

Accessory Structures and Setbacks

Mr. Mahler asked whether there are many garages that are located on or close to a property line; Mr. Prichard indicated that there were quite a few, some garages are even shared between adjacent properties. He explained that if they are left alone, they may remain non-conforming. However, if the structure is changed at all, a Class "A" Non-Conforming structure designation should be requested.

Current Projects

Mr. Prichard gave an update on some of the current projects throughout the city. He answered member's questions regarding the projects.

Upcoming Meetings

Mr. Prichard explained that at the November 14th meeting there could possibly be an issue meeting quorum. He indicated he was hoping to fill the 2 vacancies on the Planning Commission prior to the meeting so that quorum will be met, however, he could not guarantee it would happen. He indicated that there was a possibility that the Chairman and Vice-Chairman would both be absent and that someone may have to be selected to lead the meeting in that event.

Adjourned 11:33 a.m.

Kara falkenstein

Kara Falkenstein, Recording Secretary

REGULAR MEETING – STURGIS PLANNING BOARD
November 14, 2023
WIESLOCH RAUM – CITY HALL

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

Commissioners Present: Alvez, Brothers, Liston, Stage, Perez, Denman

Commissioners Absent: Mikulenas, Mahler

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

Also Present: Arthur Bates, 921 Broadus Street; Lee Jacobson, 921 Broadus Street; Marvin Smith, City Commissioner; Sean McMickle, 303 St. Joseph Street; Hunter Clark, 1291 Kitson Avenue; Dan Cherry, Sturgis Journal

APPROVAL OF AGENDA

Motion: Approval of agenda by consensus.

Action of Minutes of Previous Meetings

APPROVAL of the minutes from October 17, 2023 regular meeting, as presented.

APPROVAL of the minutes from October 31, 2023 special meeting, as presented.

Acting Chairman Alvez introduced the newest Planning Commission member, Buddy Denman.

Acting Chairman Alvez presented the first agenda item – Special Land Use – 303 St. Joseph Street – High Density Apartment

Acting Chairman Alvez read the Staff report and opened the Public Hearing. He asked if there was a representative present; Sean McMickle of Spire Development approached the podium. Mr. McMickle high pointed the project and explained the proposed funding to complete the project. Mr. McMickle explained that the tenants must have some source of income. Mr. Alvez indicated he liked the income requirements, as it would benefit those that are working, but may not be ready or able to purchase a home.

At Mr. Alvez's request, Mr. McMickle discussed the parking deferment request of 32 parking spaces. He explained that Spire Development had found that the required parking ratio that is required does not always apply. They prefer to not overbuild parking areas but would not necessarily ask for a variance. Instead, they build the parking area with deferred parking and then if problems arise, an addition would be constructed. Will Prichard, Director of Community Development, explained that when someone defers parking, they must prepare the ground as if it would be used for parking.

Mr. Stage asked whether Spire Development had an onsite manager; Mr. McMickle replied yes. Mr. Brothers inquired whether the building would be fire suppressed; Mr. Prichard indicated it would be required by the Michigan building code. Mr. Liston asked when construction would commence; Mr. Mickle indicated that Spire Development would apply for funding in December of 2023, and should receive notification if approved in April of 2024. They would propose to begin construction in August or September of 2024, dependent on permitting approval. The project would then be completed in the fall to early winter of 2025, if all would go to plan.

Acting Chairman Alvez asked for comments from the public, none were heard. He closed the Public Hearing.

Members reviewed conditions for a special land use designation; all conditions were met.

Motion: Made by Liston, seconded by Perez, to approve the application for special land use for high-density apartments at 303 St. Joseph Street, parcel ID 75-052-040-101-00, as presented.

Voting yea: Alvez, Brothers, Liston, Stage, Perez, Denman
Absent: Mikulenas, Mahler

Voting nay: None
MOTION CARRIED

Acting Chairman Alvez presented the second agenda item – Site Plan Review – 303 St. Joseph Street

Acting Chairman Alvez read the Staff report. Mr. McMickle indicated that Spire Development had received approval in 2020, however, they have amended some of the plans to meet the green requirements. Mr. Prichard reviewed the original site plan and the amended.

The deferred parking request was discussed further. Mr. Prichard reviewed a spreadsheet that he had created that indicated the amount of parking spaces to the number of apartments at the apartments throughout the city. He indicated that the information on the spreadsheet supported Spire Development's request for parking deferment.

The following items must be completed and meet all requirements for final staff approval of the site plan:

- Final grading, floor elevations and contours
- Lighting details including photometrics
- Stormwater management system plan: Including drainage, storm water details and all calculations
- Dumpster enclosure details
- Easement for bike path
- Utility design and requirements

Acting Chairman Alvez asked for comments from the public, none were heard.

Motion: Made by Brothers, seconded by Stage, to approve the site for 303 St. Joseph Street as presented with the conditions listed having final approval by City staff.

Voting yea: Alvez, Brothers, Liston, Stage, Perez, Denman
Absent: Mikulenas, Mahler

Voting nay: None
MOTION CARRIED

Acting Chairman Alvez presented the third agenda item – Special Land Use – 1291 Kitson Avenue – Minor Auto Repair Shop

Acting Chairman Alvez read the Staff report and opened the Public Hearing. He asked if there was a representative present for the property; Hunter Clark approached the podium. Mr. Clark gave an overview of his business and explained that he was currently running his business out of his home. He indicated the location had everything that he needed for his business.

Mr. Liston asked whether both property lines at the rear of the property abutted residential properties; it was confirmed that they do. Marvin Smith, a maintenance supervisor at Stoughton Estates Apartments, indicated that he would prefer there to not be screening between the abutting properties. Mr. Prichard explained that screening was a requirement of the city's ordinance.

Acting Chairman Alvez asked for any further comments from the public, none were heard. He closed the Public Hearing.

Members reviewed conditions for a special land use designation; all conditions were met. Mr. Alvez reviewed the requirements specific to auto repair shops.

Motion: Made by Stage, seconded by Brothers, to approve the special land use request for minor auto repair, for auto detailing at 1291 Kitson Avenue, parcel number 75-052-105-004-00, as presented.

Voting yea: Alvez, Brothers, Liston, Stage, Perez, Denman
Absent: Mikulenas, Mahler

Voting nay: None
MOTION CARRIED

Acting Chairman Alvez presented the fourth agenda item – Zoning Ordinance Amendments – Urban Chicken Language

Acting Chairman Alvez read the Staff report and opened the Public Hearing. He stated, for the record, that the Planning Commission had thought permitting urban chickens was a bad proposal. However, they did support placing the proposal on an upcoming ballot for a vote. Mr. Liston inquired whether approving the zoning ordinance amendments would nullify their previous disapproval; Mr. Prichard responded that it would not, by making this recommendation was to allow the language to be used as part of the ballot language when the City Commission finalizes the language.

Acting Chairman Alvez asked for comments from the public, none were heard.

Motion: Made by Liston, seconded by Stage, to recommend the amendments to the following zoning ordinance sections 1.1105 and 1.1401, as presented, to the Sturgis City Commission.

Voting yea: Alvez, Brothers, Liston, Stage, Perez, Denman
Absent: Mikulenas, Mahler

Voting nay: None
MOTION CARRIED

Acting Chairman Alvez presented the fifth agenda item – Site Plan Review – 921 Broadus Street – Wayne International

Acting Chairman Alvez read the Staff report and opened the Public Hearing. He asked if there was a representative present for the property. Lee Jacobsen, the applicant, and Art Bates, the architect for the project, approached the podium. Mr. Jacobsen explained the business structure for his company. He indicated that there would be minimal employed at his company, requiring little parking. Due to the parking requirements, he was requesting to defer the required parking. He indicated he understood that if the number of employees were to increase to approximately 20 to 21 employees, they would have to construct additional parking.

Mr. Denman asked whether it was shared parking between Wayne International Products and Pennzoni Display Company; Mr. Jacobsen responded that it was. Mr. Denman inquired how many employees Pennzoni Display Company employed; Mr. Jacobsen indicated there was currently 5 employees. Mr. Denman asked whether there was a contingency plan if Pennzoni were to employ additional workers; Mr. Prichard responded that the building was treated as a whole and it would be the total employee count of both tenant spaces. Mr. Jacobsen indicated that when the employee count was more than 20, the deferred parking would be constructed. This is the condition that would trigger the deferred parking to be constructed.

Motion: Made by Denman, seconded by Brothers, to approve site plan at 921 Broadus Street, parcel number 75-052-605-025-00, as per plans submitted, with the following condition:

- A representative from 921 Broadus Street to provide an updated statement to the Planning Commission in regard to employee count annually.

Voting yea: Alvez, Brothers, Liston, Stage, Perez, Denman
Absent: Mikulenas, Mahler

Voting nay: None
MOTION CARRIED

Acting Chairman Alvez presented the sixth agenda item – 2024 Planning Commission Calendar

Mr. Prichard explained that in 2023 a few of the regular meeting dates had to be moved up due to the close proximity to the holidays. However, in 2024 the regular meeting dates could remain unchanged.

Motion: Made by Liston, seconded by Stage, to approve the Planning Commission 2024 calendar, as presented.

Voting yea: Alvez, Brothers, Liston, Stage, Perez, Denman
Absent: Mikulenas, Mahler

Voting nay: None
MOTION CARRIED

Commissioner/Staff Comments

Adjourned 6:29 p.m.

Kara Falkenstein

Kara Falkenstein, Recording Secretary

REGULAR MEETING – STURGIS PLANNING BOARD
December 12, 2023
WIESLOCH RAUM – CITY HALL

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

Commissioners Present: Mikulenas, Mahler, Liston, Stage, Denman

Commissioners Absent: Perez, Alvez, Brothers

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

Also Present: Matt Mizner, 812 Canterbury; Roma Thurin, 1301 W. Dresser Drive; Barry Cox, City Engineer; Tisha Littman, Aqua Blast Car Wash; Ray Farr IV, Aqua Blast Car Wash; Jose Gamez; Dan Cherry, Sturgis Journal

APPROVAL OF AGENDA

Motion: Approval of agenda by consensus with a change to the order: move agenda item b to before agenda item a due to a scheduling conflict with an applicant.

Action of Minutes of Previous Meetings

APPROVAL of the minutes from November 14, 2023 regular meeting, as presented.

Chairman presented the first agenda item – Driveway Consideration – 812 Canterbury

Chairman Mikulenas read the Staff report and opened the Public Hearing. He asked whether there was a representative present for the property; Matt Mizner approached the podium and explained that he was requesting to widen his driveway to 33 feet in width, which exceeded the maximum 26 foot in width as indicated in the city code of ordinances. Mr. Prichard explained the conditions for a driveway consideration. Barry Cox, City Engineer, explained the right-of-way requirements; Mr. Mizner agreed to them. The plan being presented indicated the driveway opening exclusive of turning radii will be 24 feet in width. Once beyond the right of way, the driveway will angle to the south to where it will be its maximum width. There was previously concrete installed on the south side of the garage that the new driveway portion will meet up with. Refer to the included plan that was part of the packet for staff recommended approval.

Chairman Mikulenas asked for comments from the public, none were heard. He closed the Public Hearing.

Members reviewed conditions for a special land use designation; all conditions were met.

Chairman Mikulenas asked for comments from the public, none were heard.

Motion: Made by Liston, seconded by Stage, to approve the driveway width of 33' at 812 Canterbury Road (Parcel ID 75-052-700-076-00) as per the sketch plan presented.

Voting yea: Mikulenas, Mahler, Liston, Stage, Denman

Absent: Perez, Alvez, Brothers

Voting nay: None

MOTION CARRIED

Chairman Mikulenas presented the second agenda item – Special Land Use – 1301 W. Dresser Drive – Marihuana Class C Grow

Chairman Mikulenas read the Staff report and opened the Public Hearing. He asked if there was a representative present; Roma Thurin, a representative from Biosphere, approached the podium with representatives from W3 Technologies WET Environmental. Mr. Mikulenas explained that there has been debris and smell concerns with the project. Ms. Thurin indicated that W3 Technologies WET Environmental was hired to remediate smells. Mr. Mikulenas asked whether the group had experience with remediating any other marihuana grow operations; a representative indicated that they did not, as they are located in Indiana where marihuana is not legal. Their company has worked with waste water treatment plans and other businesses with odor concerns.

A representative from W3 Technologies WET Environmental explained the timeline and plan to remediate the smell concerns. He explained that a filter box would be used with a solution that will be used for odor control. The

exhaust stacks will be raised so the odor would get up away from neighboring properties. Mr. Stage indicated that he did not think that the proposed remediation method will fix the smell concerns. Mr. Mikulenas asked whether any of the solution used to remediate the smell would fall the ground; a representative indicated that the solution is safe. Mr. Mikulenas recommended that the commission place a condition on the special land use that the applicant must return after 6-months to reevaluate the smell concerns. Mr. Prichard asked what would be done if the proposed remediation did not work; it was indicated that the solution had been used on strong odors such as rendering plants and they did feel that the solution would work.

Mr. Liston asked whether the city had been receiving complaints regarding the smell; Will Prichard, Director of Community Development, indicated yes.

Mr. Liston inquired whether the grow operation was working at full capacity because if they were not, he wondered whether it would increase the smell concerns as additional plants were added; a representative indicated that they were at full capacity.

Mr. Mikulenas inquired whether there was a relationship between the new owner and the previous owner; Ms. Thurin indicated that a corporation was changed to a limited liability company (LLC) and a new member was added.

Mr. Mikulenas read the conditions for the special land use; Ms. Thurin indicated she agreed to the conditions.

Chairman Mikulenas asked for comments from the public, none were heard. He closed the Public Hearing.

Members reviewed conditions for a special land use designation; all conditions were met.

Motion: Made by Denman, seconded by Liston, to approve the application for special land use for an Adult Use Marihuana Class C Grow Establishment license for Biosphere Indoor, LLC. located at 1301 W. Dresser Drive with a condition that the odor remediation be satisfied and the special land use request be reviewed after 6-months.

Voting yea: Mikulenas, Mahler, Liston, Stage, Denman
Absent: Perez, Alvez, Brothers

Voting nay: None
MOTION CARRIED

Chairman Mikulenas presented the third agenda item – Site Plan Review – 512 S. Centerville Road – Aqua Blast Carwash and 512 Lube Center

Chairman Mikulenas read the Staff report and asked if there was a representative present for the property; Tisha Littman and Ray Farr approached the podium. Ms. Littman explained their proposed site plan. Mr. Farr explained that a percolation test had been performed and that the results indicated that 120 inches would dissipate within an hour. Ms. Littman indicated she had concerns with the requirements for the green space that was proposed on the site plan for wastewater drainage. Her concern was that if the space was dug up to accommodate for wastewater runoff, it could create a pond.

Mr. Cox explained that the requirements for wastewater retention were adopted from an approved handbook designed for the City of Sturgis. He explained he had concern that if there was not standing water on the property, it was possible that it was because it is pushing it to neighboring properties.

Mr. Cox discussed the site plan and indicated that 509 S. Orange Street was not a part of the site plan that was previously approved. Mr. Mikulenas inquired whether a lot combination of the parcels would be required. Mr. Prichard explained that a lot combination would be required.

Ms. Littman asked if the percolation test results were good, whether retention was still required. Mr. Mikulenas indicated that the commission members were only able to approve what was before them. The site plan that was proposed included storm water retention. There was discussion of what options there would be for solid surface or for grass. Mr. Liston asked whether the site plan had been approved by the City Engineer; Mr. Cox indicated they had been.

Chairman Mikulenas as Ms. Littman if she would like to have the Planning Commission not approve her site plan so she could speak with her engineer of the project regarding the storm water management system. She stated she would like to move forward with what is being presented.

Chairman Mikulenas asked for any further comments from the public, none were heard.

Motion: Made by Stage, seconded by Brothers to approve the site plan for 512 S. Centerville Road, 505 S. Orange, and 509 S. Orange, as per the plans presented. This approval is subject to the condition that all three parcels (75-052-540-011-00, 75-052-540-008-00, and 75-052-540-010-00) are approved for a lot combination prior to the issuance of any building permits.

Voting yea: Mikulenas, Mahler, Liston, Stage, Denman

Absent: Perez, Alvez, Brothers

Voting nay: None

MOTION CARRIED

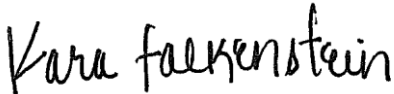
Chairman Mikulenas presented the fourth agenda item – Commissioner/Staff Comments

Mr. Prichard indicated that there was an update coming for the zoning ordinances. City staff had been working on updates for several months.

New ordinances and amendments to existing ordinances may include:

1. Donation bins
2. Corner clearance requirements
3. Use of shipping containers
4. Updates to the Manufacturing 2 zoning district
5. Updates to the ordinances regarding driveways and parking areas
6. Battery storage in the Manufacturing 1 and/or Manufacturing 2 zoning district

Adjourned 6:54 p.m.



Kara Falkenstein, Recording Secretary