

REGULAR MEETING – STURGIS PLANNING BOARD
January 16, 2024
WIESLOCH RAUM – CITY HALL

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

Commissioners Present: Mikulenas, Mahler, Liston, Alvez, Brothers, Denman

Commissioners Absent: Perez, Stage

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

Also Present: Bryan Boughton, Extreme Weather Center; Krysti Boughton, Extreme Weather Center; Jim Lively, St. John's Episcopal Church; Rick Bir, City Commissioner; Diana Wells-Wilson, St. John's Episcopal Church/Extreme Weather Center; Steve Wilson, St. John's Episcopal Church/Extreme Weather Center; Dan Cherry, Sturgis Journal

APPROVAL OF AGENDA

Motion: Approval of agenda as presented by consensus.

Action of Minutes of Previous Meetings

APPROVAL of the minutes from December 12, 2023 regular meeting, as presented.

Chairman presented the first agenda item – Special Land Use – 111 Pleasant Avenue (also known as 110 S. Clay Street) – Extreme Weather Center

Chairman Mikulenas read the Staff report and opened the Public Hearing. He asked whether there was a representative present for the property; Bryan Boughton and Krysti Boughton approached the podium. They explained the policy and procedures for the proposed extreme weather center. They explained they would be using information from the Weather Channel and a windchill calculator to determine within 3 days whether it would be necessary for the center to open. The City of Sturgis and the Department of Public Services would be notified of their intent to open. A public notice would be given to the radio station and social media outlets to generate awareness of the availability of the center.

Mr. Liston asked how fast they would be able to activate volunteers; Mr. Boughton indicated they could have volunteers within approximately an hour from the activation. To keep it less confusing, he indicated that they may leave the center open if the weather is indicated to vary in temperature within a day. Mr. Mahler inquired what the capacity would be; Jim Lively, the Pastor at St. John's Episcopal Church, indicated that the Great Hall could hold a maximum of 157 people.

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 Alvez, seconded by Brothers, to approve special land use request for an Extreme Weather Center at 111 Pleasant (Parcel ID 75-052-040-348-00) as presented.

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

Absent: Perez, Stage

Voting nay: None

MOTION CARRIED

Chairman Mikulenas presented the second agenda item – Zoning Board of Appeals Appointment

Chairman Mikulenas read the Staff report and explained that since Mr. Allen's departure, there had been a vacancy in the Planning Commission's representation on the Zoning Board of Appeals. Mr. Liston would not be eligible for reappointment to the Planning Commission once his term expired, as he would no longer be residing within the city. Discussion took place regarding options for appointments. Rick Mahler was nominated and agreed to be the

representative for the Planning Commission on the Zoning Board of Appeals; Mr. Denman was nominated and agreed to be an alternate, only in Mr. Mahler's absence.

Motion: Made by consensus.

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

Absent: Perez, Alvez, Brothers

Voting nay: None

MOTION CARRIED

Adjourned 5:58 p.m.

A handwritten signature in black ink that reads "Kara Falkenstein". The script is cursive and fluid, with the first name "Kara" and last name "Falkenstein" clearly legible.

Kara Falkenstein, Recording Secretary

REGULAR MEETING – STURGIS PLANNING BOARD
February 20, 2024
WIESLOCH RAUM – CITY HALL

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

Commissioners Present: Mikulenas, Mahler, Liston, Alvez, Brothers, Denman, Perez, Stage
Commissioners Absent: None

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

Also Present: Gisell Munoz-Duran, 1113 Tulip Drive; Jose Munoz-Bucio, 1113 Tulip Drive; Dan Dumont, 1221 Tulip Drive; Deb Layman, 1221 Tulip Drive; Mike Jaeger, Clark Logistics Group; Matt Conlee, Clark Logistics Group

APPROVAL OF AGENDA

Motion: Approval of agenda as presented by consensus.

Action of Minutes of Previous Meetings

APPROVAL of the minutes from January 16, 2024 regular meeting, as presented.

Chairman Mikulenas presented the first agenda item – Special Land Use – 1113 Tulip Drive – Home Occupation – In-Home Esthetician

Chairman Mikulenas read the Staff report and opened the Public Hearing. Mr. Mikulenas asked if there was a representative for the property; Ms. Munoz-Duran approached the podium. Mr. Mikulenas referred to the photo of the treatment room that had been provided to the members and asked whether the applicant was currently working out of the home. Ms. Munoz Duran indicated she was not currently working from the home but had to move items from her previous location; she had set up the space to be ready to treat clients.

Mr. Mikulenas indicated that after driving by the property, he had concerns regarding parking on the property. He explained that since Ms. Munoz-Duran had applied for a special land use for a home occupation, he assumed that the parking issues would have been resolved prior to the Public Hearing. Ms. Munoz-Duran explained who each of the vehicles on the property belonged to. She also indicated work schedules for those that reside in the home. She explained that some of the vehicles were going to be relocated from the property in the near future.

Discussion took place regarding the option to table the request for 30 days. During the 30 days, the applicant would be given the opportunity to address the parking concerns that the members had.

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

Motion: Made by Mikulenas, seconded by Stage, to table the special land use request for a future meeting until the parking concerns were resolved.

Voting yea: Mikulenas, Mahler, Liston, Alvez, Brothers, Denman, Perez, Stage
Absent: None

Voting nay: None
MOTION CARRIED

Chairman Mikulenas presented the second agenda item – Site Plan Review – 870 Haines Boulevard – Clark Logistics

Chairman Mikulenas read the Staff report and asked if there was a representative for the property. Mike Jaeger and Matt Conlee approached the podium. Mr. Jaeger explained that Clark Logistics had acquired the newly constructed unfinished building on the property located at 990 Haines Boulevard. The two properties had been combined to 1 and addressed as 870 Haines Boulevard.

Mr. Brothers asked whether there would be any offices within the proposed building; Mr. Jaeger indicated that there may be a shipping/receiving office, but other than that it would be used for warehousing. Will Prichard, Director of Community Development, indicated that the restrooms must be finished.

Motion: Made by Liston, seconded by Mahler, to approve the site plan at 870 Haines Boulevard, parcel number 75-052-715-001-00, as per plans presented.

Voting yea: Mikulenas, Mahler, Liston, Alvez, Stage, Denman, Perez, Stage
Absent: None

Voting nay: None
MOTION CARRIED

Chairman Mikulenas presented the third agenda item – Design Review Approval – 102 N. Maple Avenue

Mr. Prichard explained that if he is unable to administratively approve a request that falls within the Central Business (BC) zoning district, he assigns the Design Review Committee to review. Mr. Mikulenas inquired what areas of the building would be painted; Mr. Prichard explains that anything not covered with blue siding will be painted with the proposed color. He also indicated that the Design Review Committee members had noted that the property is located off the downtown, so it would not be as visible as some buildings.

Motion: Made by Denman, seconded by Perez, to approve the exterior paint color at 102 N. Maple Avenue, as presented.

Voting yea: Mikulenas, Mahler, Liston, Alvez, Stage, Denman, Perez, Stage
Absent: None

Voting nay: None
MOTION CARRIED

Chairman Mikulenas presented the fourth agenda item – Design Review Approval – 166 W. Chicago Road

Chairman Mikulenas read the Staff report. Mr. Prichard explained the request and discussion took place regarding the proposed colors. The members indicated they did not feel the proposed colors met the design guidelines for the Central Business (BC) zoning district and did not approve of the colors. They encouraged the applicant to propose alternate colors or a configuration of colors to the Design Review Committee and that they could hold a special Planning Commission meeting to expedite the process.

Motion: Made by Mikulenas, seconded by Mahler, to deny the exterior paint color at 166 W. Chicago Road.

Voting yea: Mikulenas, Mahler, Liston, Alvez, Stage, Denman, Perez, Stage
Absent: None

Voting nay: None
MOTION CARRIED

Staff Comments: Will Prichard updated the commission on proposed changes to the zoning ordinance. He will provide a copy to the members for review and discussion at the next meeting.

Adjourned 7:46 p.m.



Kara Falkenstein, Recording Secretary

REGULAR MEETING – STURGIS PLANNING BOARD
March 19, 2024
WIESLOCH RAUM – CITY HALL

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

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

Commissioners Absent: Perez, Brothers

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

Also Present: Bruce Kello, 1640 S. Centerville Road; Griffin Cole, 1640 S. Centerville Road; Calvin Pattah, 1640 S. Centerville Road; Marlowe Sattan, 1640 S. Centerville Road; David Clark, 1640 S. Centerville Road; Kaitlynn Schultz, 1640 S. Centerville Road; Noah Boyd, Meyers Moving and Storage; Kris Strawser, Meyers Moving and Storage; Samantha Worthington, 200 Michigan Avenue; Gisell Munoz-Duran, 1113 Tulip Drive; Marv Smith, City Commissioner; Dan Cherry, Sturgis Journal

APPROVAL OF AGENDA

Motion: Approval of agenda as presented by consensus.

Action of Minutes of Previous Meetings

APPROVAL of the minutes from February 20, 2024 regular meeting, as presented.

Chairman Mikulenas presented the first agenda item – Special Land Use – 903 Progress – Outdoor Storage Area

Chairman Mikulenas read the Staff report and opened the Public Hearing. Mr. Mikulenas asked if there was a representative for the property; Kris Strawser, owner of the property located at 903 Progress, and Noah Boyd, the engineer for the project, approached the podium. Mr. Strawser explained that Meyers Moving and Storage was requesting a special land use for an outside storage area. He highlighted the area on the site plan that he proposed to use for the storage of automobiles, trucks and trailers that are in running condition. No repair work would be done on site.

Will Prichard, Director of the Community Development Department, indicated that 1 person had contacted his department regarding the notice they received; it was an inquiry and nothing more. Mr. Mikulenas discussed the requirements for the special land use and the following conditions that City staff requested be put on the special land use approval:

1. Final engineering department approval
2. Site plan approval, building permit issued and final approval before any storage is placed in the area presented.

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 outdoor storage area located at 903 Progress, Parcel ID#75-052-605-007-00, as presented, with the following conditions:

1. Final engineering department approval
2. Site plan approval, building permit issued and final approval before any storage is placed in the area presented.

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

Absent: Perez, Brothers

Voting nay: None

MOTION CARRIED

Chairman Mikulas presented the second agenda item – Site Plan Review – 903 Progress Street – Meyers Moving and Storage, Inc.

Chairman Mikulas read the Staff report. Mr. Boyd indicated that asphalt millings were proposed for the parking area. Mr. Mikulas indicated he felt that the property owner had done a good job of maintaining the property.

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

Motion: Made by Liston, seconded by Denman, to approve the site plan at 903 Progress Street, Parcel number 75-052-777-056-00, as per plans presented with the condition that the plans receive final engineering approval.

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

Voting nay: None
MOTION CARRIED

Chairman Mikulas presented the third agenda item – Special Land Use – 1640 S. Centerville Road – Marihuana Retailer

Chairman Mikulas read the Staff report and opened the Public Hearing. He asked whether there were any representatives for the project; Bruce Kello, Griffin Cole, Calvin Pattah and Marlowe Sattan, representing EAC Industries, LLC., approached the podium. Mr. Mikulas highlighted the project and the requirements for the special land use. He indicated that the previous applicant that requested a special land use for the property had proposed to construct a new building on the property, however, the current applicant is proposing to make alterations to the existing building. Planning Commission had discussion.

Motion: Made by Denman, seconded by Stage, to approve the request for special land use for an adult-use retailer establishment for EAC Industries, LLC., at 1640 S. Centerville Road as presented, with the following conditions that the residential structure be demolished prior to the issuance of a building permit for the property.

Voting yea: Mikulas, Liston, Alvez, Stage, Denman
Absent: Perez, Brothers

Voting nay: Mahler
MOTION CARRIED

Chairman Mikulas presented the fourth agenda item – Old Business – Special Land Use – 1113 Tulip Drive – Home Occupation - Esthetician

Chairman Mikulas read the Staff report and opened the Public Hearing. He reminded the members that the agenda item had been tabled at the February meeting so that the property owner could resolve an issue with parking. Giselle Munoz, the special land use applicant, approached the podium. Mr. Mikulas indicated he believed the parking issue had been rectified and asked Ms. Munoz whether she was confident that she could keep the parking controlled; Ms. Munoz indicated she believed she could. Ms. Munoz discussed what vehicles had been relocated and what their plan to park vehicles on the property to accommodate her clients. She inquired whether she must allow for a parking space on the weekends, as they have family members visit their home. Mr. Prichard indicated that during business hours, parking must be provided for their clients.

Mr. Mikulas asked whether notices had been resent to the neighboring properties; Mr. Prichard indicated that the same notice with a new meeting date was provided. He indicated that only Deb Layman had contacted regarding the notice; she had concerns that once the special land use was granted, that the parking issues will come back. Mr. Prichard explained that the special land use could be revoked just as it is granted.

Chairman Mikulas 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 Mahler, seconded by Alvez, to approve the special land use request for a home occupation for an esthetician business at 1113 Tulip Drive, Parcel ID#75-052-560-016-00, as presented.

Voting yea: Mikulenas, Mahler, Liston, Alvez, Stage, Denman, Perez, Stage
Absent: None

Voting nay: None
MOTION CARRIED

Staff Comments: During the February meeting, proposed changes to the zoning ordinances were reviewed. Additional proposed changes were presented and discussed.

Adjourned 7:46 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

April 16, 2024

WIESLOCH RAUM – CITY HALL

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

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

Commissioners Absent: Denman

Staff Present: Will Prichard, Director of Community Development; Ericka Kruszka, Recording Secretary

Also Present: Dan Cherry, Aaron Budd, Wayne & Dianne Snow, Marvin Smith, Cody Newman (via teams), Alex Temple (via teams)

APPROVAL OF AGENDA

Change agenda item 6a. Corrected address to be 117 S Monroe.

Motion: Approval of agenda as presented by consensus.

Action of Minutes of Previous Meetings

APPROVAL of the minutes from March 19, 2024, regular meeting, as presented.

Chairman Mikulenas presented the first agenda item – Site Plan Review – 901 N. Centerville Road – Abbott Nutrition

Chairman Mikulenas read the Staff report. Mr. Mikulenas asked if there was a representative for the property; Alex Temple (via Teams) representative for Abbott Manufacturing, Inc. provided an overview of the project which consisted of additional parking area, several additions on the building, and improving the laydown area from a previous approval that was not completed.

Mr. Mikulenas discussed lot combination requirements. Mr. Temple stated that they are currently working on this process.

Will Prichard, Director of Community Development, provided additional details of the site plan. Staff requested the following conditions if the site plan were to be approved:

1. Final engineering approval
2. Lot combination to be completed and approved prior to the issuance of the building permit being issued.

Mr. Temple brought up the addition of cafeteria east side. Mr. Prichard shared some elevations from the construction drawings.

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

Motion: Made by Stage, seconded by Alvez to approve the site plan at 901 N. Centerville Road, parcel number 75-052-777-050-00 as presented with the two conditions:

1. Final engineering approval
2. Lot combination to be completed and approved prior to the issuance of the building permit being issued.

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

Voting nay: None
MOTION CARRIED

Chairman Mikulenas presented the second agenda item – Site Plan Review – 1640 S. Centerville Road EAC Industries, LLC.

Chairman Mikulenas read the Staff report. Mr. Mikulenas asked if there was a representative for the property; Cody Newman, architect for the project, provided an overview of the project to include exterior and interior plans, site survey, parking lot, landscaping, exterior photometrics, utilities and storm water. Mikulenas asked if they have MDOT approval, Mr Newman indicated they do not, but it has been submitted. Newman advised they understand the no odor portion of the ordinance as they are installing carbon filters in the tenant space.

Mr. Prichard asked about whether current electrical service is adequate for vehicle charging station. Newman advised yes.

Mr. Mikulenas also mentioned the addition of a fence to the east and south side of the property that was required as part of their special land use approval. Newman advised that fence on south side would terminate at the western most parking space to eliminate and corner clearance issues.

Mr. Liston asked about the back area of the building that shows on the plans as future. Newman advised that they have no plans at this time.

Chairman Mikulenas asked for comments from the public. Marvin Smith asked about interconnection to the Walmart parking lot. Mr. Prichard stated that it is not being proposed and it is not required as this property is in the Manufacturing zoning district. Additional discussion took place regarding the MDOT approval and a possible interconnection if changes are required by MDOT. Mikulenas requested that we be kept in the loop if MDOT would require that connection.

Mr. Mikulenas advised that staff had conditions if approved:

1. Prior to the issuance of building permit for 1640 S Centerville Road that the demolition of the residence located at 1674 South Centerville must be completed.
2. Approval from Michigan Department of Transportation prior to building permit being issued.

Motion: Made by Liston seconded by Brothers to approve the site plan at 1640 S. Centerville Road, parcel number 75-052-777-254-00, as per plans presented, with the conditions:

1. Prior to the issuance of building permit for 1640 S Centerville Road that the demolition of the residence located at 1674 South Centerville must be completed.
2. Approval from Michigan Department of Transportation prior to building permit being issued.

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

Voting nay: None
MOTION CARRIED

Chairman Mikulenas presented the third agenda item – Old Business - Amended Site Plan Review – 117 S. Monroe Street – Sturgis Bank and Trust Company

Chairman Mikulenas read the Staff report. Mr. Mikulenas asked if there was a representative for the property; Aaron Budd, representative for Sturgis Bank, requested an amendment to the site plan for the property located at 117 South Monroe. It would include the installation of a vinyl fence along the west side of the parking area to reduce foot traffic. The initial approval was for landscaping to be installed. Since this approval, the bank would like to eliminate the foot traffic that goes through their parking area from adjacent properties. Mr. Budd advised will try to match Maple Towers' fence.

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

Motion: Made by Mahler, seconded by Perez to approve the amended site plan at 117 S. Monroe Street, Parcel ID# 75-052-040-456-00, as per plans presented.

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

Voting nay: None
MOTION CARRIED

Chairman Mikulenas presented the fourth agenda item – Old Business – Zoning Amendments Discussion

Will Prichard, Director of Community Development provided an overview of changes that are being made and requested that if the Planning Commission has any questions or comments to bring them up so they can continue to move forward. Mr. Prichard will continue to work on and bring back items for discussion at future meetings.

Mr. Prichard stated they are working on the sign portion of the ordinance and nonconforming structures and uses.

No action was taken on this agenda item.

Staff Comments: Mr. Mikulenas asked for an update on short-term rentals. Mr. Prichard explained what this was being discussed at the State level and we should wait until a determination is made there. Included in your packet was the monthly update from Beckett & Raeder that provides an overview of this topic. Mikulenas commented it also gives us time to do research on how it has worked for other areas similar to ours.

Mr. Prichard provided additional updates on current projects in the City.

Adjourned 6:15p.m.


Ericka Kruszka, Recording Secretary

REGULAR MEETING – STURGIS PLANNING BOARD
May 21, 2024
WIESLOCH RAUM – CITY HALL

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

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

Commissioners Absent: Mahler, Liston

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

Also Present: Chuck Friese, TNT Fireworks; Paul Hanczuk, 309 N. Prospect Street; Marv Smith, City Commissioner; Wayne Snow, 308 E. Lafayette Street; Dianne Snow, 308 E. Lafayette Street; Dan Cherry, Sturgis Journal

APPROVAL OF AGENDA

Motion: Approval of agenda as presented by consensus.

Action of Minutes of Previous Meetings

APPROVAL of the minutes from April 16, 2024 regular meeting, as presented.

Chairman Mikulenas presented the first agenda item – Special Land Use – 309 N. Prospect Street – Warehousing and Storage

Chairman Mikulenas read the Staff report and opened the Public Hearing. Mr. Mikulenas asked if there was a representative for the property; the applicant, Paul Hanczuk approached the podium. Mr. Hanczuk explained that he was owner of a company called Vistacore, which does business as MadCheetah. He explained his business model an online auction house for the resale of overstock and return items from liquidations. He explained that the company had operations in Holland, MI and Byron City, MI.

Mr. Hanczuk explained that their customers would place their bids online. The winner of the bid would then come to the warehouse to collect their item. He indicated that there would be a need to expand the current parking area, however, they are aware of the environmental issues surrounding the property that must be addressed. Mr. Hanczuk indicated that there would be 1 to 2 trucks per week that would deliver items to their location. Mr. Mikulenas discussed the issues with traffic in residential neighborhoods. Will Prichard, Director of Community Development, explained the route that the trucks would need to follow, as there would be residential streets that trucks would not be permitted to travel.

Mr. Prichard explained that he and Barry Cox, City Engineer, have not reviewed any plans for parking expansion. When site plans are submitted they would review them then.

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 Brothers, to approve the special land use request for warehousing and storage with limited customer pickup/retail area at 309 N. Prospect Street, Parcel ID#75-052-650-010-00, as presented.

Voting yea: Mikulenas, Brothers, Alvez, Denman, Stage, Perez

Absent: Mahler, Liston

Voting nay: None

MOTION CARRIED

Chairman Mikulas presented the second agenda item – Special Land Use – 408 W. South Street – TNT Fireworks – Outdoor Sales Area

Chairman Mikulas read the Staff report and opened the Public Hearing. Chuck Friese, a representative for TNT Fireworks, approached the podium. He outlined their plan for temporary sales of fireworks in the Meijer parking lot. He indicated that TNT had agreements with several Meijer stores throughout Michigan.

Mr. Mikulas asked whether TNT was the same company that had been located at the bowling alley several years prior; Mr. Prichard indicated that TNT is not the same company and had not had an outdoor sales area in Sturgis for several years. Mr. Mikulas explained some of the issues that the city had with outdoor sales areas: the worst issues being proper barricades, disposal of trash and restroom facilities for their staff. Mr. Friese explained what they normally do within other cities.

Mr. Prichard indicated that the Community Development Department had received an email from the Meijer store manager that the store restrooms can be used by TNT. Mr. Friese asked the members what type of barricades they would recommend they use; he indicated he would prefer to avoid buying lumber. Mr. Prichard discussed options for barricades and asked Mr. Friese what his plans were to dispose of trash; Mr. Friese indicated that he could contact the store manager for Meijer regarding permission for TNT to dispose of trash in Meijer's dumpsters.

The following conditions were addressed in the Staff report and discussed and agreed upon by members:

- A temporary structure permit must be applied for and approved.
- An updated lease must be provided that indicates the use of the dumpster and restrooms.
- Any complaints against the applicant or outdoor sales area could be brought back to the Planning Commission for review of the special land use.
- State and local fire marshal approval, along with zoning approval, must be obtained prior to operation beginning.

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

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

Motion: Made by Denman, seconded by Perez, to approve the special land use request for an outdoor sales area at 408 W. South Street, Parcel ID #75-052-777-227-20, as presented, with the following conditions:

- A temporary structure permit must be applied for and approved.
- An updated lease must be provided that indicates the use of the dumpster and restrooms.
- Any complaints against the applicant or outdoor sales area could be brought back to the Planning Commission for review of the special land use.
- State and local fire marshal approval, along with zoning approval, must be obtained prior to operation beginning.

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

Voting nay: None
MOTION CARRIED

Chairman Mikulas presented the third agenda item – Class "A" Non-Conforming Structure Request – 516 Susan Street – Porch

Chairman Mikulas read the Staff report and asked whether there were any representatives for the property; the property owner was out of state and unable to attend the meeting. Mr. Mikulas inquired as to how the porch was built without a permit; Mr. Prichard explained that it was completed, and the homeowner did not think they would require a permit, as they were using the exact footprint as the existing porch.

Motion: Made by Stage, seconded by Denman, to approve the Class "A" Non-Conforming designation for the porch at 516 Susan Street, parcel ID #75-052-290-053-00, as presented.

Voting yea: Mikulenas, Brothers, Alvez, Stage, Denman, Perez

Absent: Mahler, Liston

Voting nay: Mahler

MOTION CARRIED

Chairman Mikulenas presented the fourth agenda item – Old Business – Zoning Ordinance Update

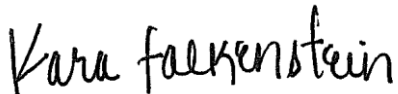
Mr. Prichard reviewed additional amendments to existing ordinances, such as: specific terms, Manufacturing 2 zoning district, ministorage, outdoor sales area, cottage courts, demolition of buildings, home occupations, temporary signs and temporary structures.

When reviewing the proposed changes to the outdoor sale of merchandise, such as a gas station selling mulch, parking requirements were discussed. Mr. Denman asked whether it would affect Meijer and Walmart; Mr. Prichard says it could.

Discussion took place regarding yard/garage sales. Mr. Prichard explained that there had been complaints within some neighborhoods regarding repetitive sales. He indicated that the language would allow for only 2 sales per year. Mr. Denman indicated he did not feel that 2 sales per year would be enough. Marv Smith asked whether 4 times per year but limited to 1 time per month might work. Mr. Mikulenas voiced concern over the timing, as it would take time to adopt language. Mr. Prichard indicated that an in-house policy could be created and put into place for current enforcement.

After further discussion, there was consensus to approve an in-house policy that would allow yard/garage sales a maximum of 4 times per calendar year, 3 days maximum each time, with a minimum of 30 days between each sale while the zoning ordinance update is completed.

Adjourned 7:01 p.m.



Kara Falkenstein, Recording Secretary