

## Minutes – Planning Commission November 4, 2019

Present: Elliott, Lewis, Porter, Ottke, Sanford, Cottrell

Guests: Leland Scott, David McDade

Call to order by Ottke @ 7:00

Approval of the Agenda – agenda approved

Approval of the Minutes from October 7<sup>th</sup> meeting – minutes approved

New Business:

### **Expansion of Johnny V's restaurant, 3036 W. Britton Road**

A complete site plan application was received by the City of Perry and forwarded to the Planning Commission to approve proposed expansion of current restaurant. Expansion will be to the west of the current structure.

Proposal includes adding an additional 1200 sq ft. with 60 more seats and additional parking, landscaping.

Sanford expressed concerns that construction had begun on the expansion without permission from the Planning Commission. David McDade, representing Kevin Dittrich (property owner) stated that the contractor had been given verbal permission by Rob Kehoe to begin excavation. Sanford stated it was not Kehoe's prerogative to permit this without approval from the Planning Commission. McDade noted the concern, and will clarify with the contractor about the issue.

Sanford asked for clarification regarding the addition of another driveway, as the current driveway arrangement at the site has become a cut through for automobile traffic. McDade explained that a new driveway would be added to the west, but the existing driveway would be for deliveries only; the angle of the existing driveway in relationship to the new building would make it difficult to use as a cut through.

Sanford was also concerned about any lighting added to the exterior, as current lighting is problematic to neighbors to the south. McDade stated the project called for dark-sky downlighting to avoid this problem.

Porter requested modifications to the landscaping plan, McDade stated they will comply.

Planning Commission votes unanimously to approve the Johnny's Vs expansion contingent on approvals from other officials and with the following conditions: 1. Lighting must be dark sky compliant and not a nuisance to neighboring homeowners, 2. Use of *Green Giant* arborvitae instead of *Emerald Green* arborvitae, 3. Add one shade tree appropriate for Zone 5 climate.

### **Rezoning petition for parcel 024-58-014-000**

A rezoning petition application was received by the City of Perry and forwarded to the Planning Commission for review of request to rezone parcel 024-58-014-000 from R-1A to B-1. This property is located on the north side of Britton Road, across from Perry Middle School. Application from End Poverty Now, Inc via Steve Hutchison appeared complete. The L-shaped parcel encompasses an EGLE regulated wetland area for approximately ¼ of the entire property, encompassing the majority of the south frontage on Britton Road.

Planning Commission votes unanimously to move forward with a notice of Public Hearing at the December 2, 2019 to receive comment regarding the proposed re-zoning of the vacant parcel.

## Ottke presents Planning Commission meeting schedule for 2020

January 6<sup>th</sup>

February 3<sup>rd</sup>

March 2<sup>nd</sup>

April 6<sup>th</sup>

May 4<sup>th</sup>

June 1<sup>st</sup>

July 6<sup>th</sup>

August 3<sup>rd</sup>

September 14<sup>th</sup>

October 5<sup>th</sup>

November 2<sup>nd</sup>

December 7<sup>th</sup>

## Old Business

Parks and Recreation – Per Ottke, message from the City Clerk suggests preparing a new Parks and Recreation plan for 2021 instead of 2020, as several items in the old plan need to be updated. Planning Commission agrees. Ottke asks Cottrell to inquire if Dr. Nelson is still active at MSU and would consider taking on the project again for necessary updates.

## Discussion

- Chad and Michelle Diffen state that the decibel level from the Mosher Trucking site is at or above 75 decibels on their front porch while the trucks are running. They also state that the company is using truck lights to light the worksite instead of tower lights to avoid conflict with the arbitration agreement. Porter and Ottke confirm Mosher has not provided an appropriate bond for the project as required in the agreement. Sanford expressed frustration at the lack of progress from the City in holding Mosher accountable to the arbitration agreement.
- Sanford and guest Leland Scott discussed a plan to ask the Mayor to tell Rob Kehoe to not give verbal permissions for construction projects on behalf of the City.

Meeting adjourned 8:21pm