

CALL TO ORDER:

Chairman Bob Smith called the meeting to order at 7:00 p.m. He led the Pledge of Allegiance.

ROLL CALL

Members Present: Bob McClean, Sue Erickson, Bob Smith, Dannel Ballard, Mike Lee, Bill Sullivan and Tim Hunnicutt.

Members Excused: Brian Vicary, Deb Good

Motion by Commissioner Sullivan, seconded by Commissioner Ballard and carried by unanimous vote of the Planning Commission that Commissioners Vicary and Good be excused from this meeting.

STAFF:

Lisa Grysen, Carmine Avantini (LSL Planning), Steven Van Steenhuyse (LSL Planning), Kevin Feuka (C2AE) and Chris Olson

AUDIENCE: None

APPROVE AGENDA:

Motion by Commissioner Erickson, seconded by Commissioner Hunnicutt and carried by unanimous vote of the Planning Commission that **the Planning Commission's agenda for July 29, 2010 be approved. MOTION CARRIED.**

APPROVAL OF MINUTES:

Motion by Commissioner McClean, seconded by Commissioner Erickson and carried by unanimous vote of the Planning Commission that **the minutes of the June 24, 2010 Regular Planning Commission Meeting be approved as presented. MOTION CARRIED.**

Let the record show that Commissioners Ballard, Lee and Sullivan did not vote since they were not present at the June 24, 2010 Planning Commission Meeting.

PUBLIC COMMENTS: None

OLD BUSINESS:

1. Consideration of Zoning Ordinance Text Amendment Recommendations for Parking in the Central Business District (Tabled from June 24, 2010 Meeting):

Commissioner Erickson submitted a handout for Commissioner Review regarding "*In Lieu of Required Parking*" written by Donald C. Shoup. She would like the planning commission to consider the following points:

1. *A new option.* In-lieu fees give developers an alternative to meeting the parking requirements on sites where providing all the required parking spaces would be difficult or extremely expensive.

2. *Shared parking.* Public parking spaces allow shared use among different sites where the peak parking demands occur at different times. Shared public parking is more efficient than single-use private parking because fewer spaces are needed to meet the total peak parking demand. Shared parking also allows visitors to leave their cars parked while making multiple trips on foot, and is one of the easiest ways to make better use of scarce urban land.
3. *Better urban design.* Cities can put public parking lots and structures where they have the lowest impact on vehicle and pedestrian circulation. Less on-site parking allows continuous storefronts without “dead” gaps for adjacent surface parking lots. To improve the streetscape, some cities dedicate the first floor of the public parking structures to retail uses. Developers can undertake infill projects without assembling large sites to accommodate on-site parking, and architects have greater freedom to design better buildings.
4. *Fewer variances.* Developer often request parking variances when providing the required parking would be difficult. These variances create unearned economic windfalls, granted to some but denied to others. If developers can pay cash rather than provide the required parking, cities do not have to grant parking variances and can therefore treat all developers consistently.
5. *Historic preservation.* In-lieu fees allow adaptive reuse of historic buildings where the new use requires additional parking that is difficult to provide. The in-lieu policy therefore makes it easier to preserve historic buildings and rehabilitate historic areas.

Commissioner Lee made the following points:

Based on the prescriptive requirements for parking, which is based on the revised tables, we still remain 440 spaces short if all businesses were filled and this seems to be an inordinate number of parking spaces that we would be required to have.

If a scale of payment in lieu of parking using the highest figure (\$5000 per space) was used, we could not accumulate enough money in 10 years to pay for 20 spaces. Who would be in charge of the funds? At what point will we use that money to purchase parking spaces? You would have to go to 5 or 10 or 12 different owners to get consolidated parking. Payment in lieu of parking just didn't seem to pan out.

A comparison was done between on street spaces that we actually have and compared it to similar downtowns of similar population size and we were well within reason for that. Also compared it to parking requirement needed based on square footage of retail space at a mall during Christmas time and we were within that requirement. So looking at every perimeter and every way of measuring, everything says we have plenty of parking spaces.

You go to the payment in lieu of parking and we can not possibly generate enough funds to create a significant impact on the parking situation. Commissioner Lee will bring this information to the next meeting if the other commissioners would like to see it. Several of these types of articles were read and all of the areas say how nice it is to come up with the money but in every situation they are huge metropolitan areas with very high density development, at least the same development density of an Ann Arbor kind of situation. Nowhere in there did they say that it solves the parking problem. Payment in lieu of parking is not appropriate for a city the size of DeWitt. In DeWitt, do we have a parking problem? The answer is no. Will we have a parking

problem? We are hoping that we will but the 10 year scenario that Commissioner Lee had is now out the window because it doesn't look like anything will change in the next 10 years in terms of the economy.

If you want a solution, the next closest practical solution is that the business has to provide parking for its employees or its tenants or maybe an alternate to this is that employees to the business and residents to the structure may not use on street parking. Then the owner would need to find another way of doing it and a person like Fred Motz can buy a lot and start selling contracts for parking in that lot. Also anyone who has parking can start a lease situation for those businesses that need some sort of parking.

Commissioner Lee's conclusion is the #1 Payment in lieu of parking is not adaptable to our size city and #2 we don't have a parking problem right now.

Motion by Commissioner Sullivan, seconded by Commissioner Ballard to remove from the table parking in the Central Business District that was originally tabled at the June 24, 2010 meeting and carried by unanimous vote of the Planning Commission. MOTION CARRIED

Motion by Commissioner Sullivan, seconded by Commissioner Ballard to call the question to request to stop further discussion.

Erickson	No	Ballard	Yes	McClellan	Yes
Lee	Yes	Smith	Yes	Hunnicut	Yes
Sullivan	Yes				

MOTION PASSED 6-1

Motion by Commissioner Sullivan, seconded by Commissioner Ballard to approve the prepared text amendment to the Central Business District and forward it on to City Council.

Sec.78-372. Applicability.

- a. General Applicability. For all buildings and used established after effective date of this article, off-street parking shall be provided as required in this section prior to issuance of a development permit.
- b. Parking in Downtown DeWitt. Regardless of any other provision of this ordinance, any new, existing or expanded non-residential building, use or activity located on property zoned CB, Business District shall be exempt from all parking requirements set forth herein. However, if parking is desired by a property owner for any new or expanded non-residential building, use or activity on property zoned CB, Business District the applicable design and dimensional standards herein shall apply.

Notwithstanding the above, off-street parking spaces must be provided for residential uses and for overnight parking of any vehicles in the CB District. These parking spaces are to be located in conformity with Sec. 78-374.

- c. Change in Use or Intensity. Whenever a use of a building, structure, or lot is changed or expanded, parking facilities shall be provided as required by this article for the new use. If the intensity of use of any building, structure, or lot is increased through the addition of dwelling units, increase in floor area, increase in seating capacity, or through other means, additional off-street parking shall be provided for such increase in intensity of use.
- d. Existing Parking Facilities. Off-street parking facilities in existence on the effective date of this ordinance, in connection with the operation of any existing building or use, shall not be reduced below, or if already less than, shall not be further reduced below the requirements for the use being served as set forth in this article. Any area designated as required off-street parking shall not be changed to any other use unless and until equal facilities are provided elsewhere in accordance with the provisions of this article.

Sec. 78-374. Location

- a. Proximity to building or use being served. All off-street parking and loading areas shall be located on the same lot, or other lot in the same zoning district located not more than three hundred (300) linear feet from the building intended to be served.
- b. Setbacks. Off-street parking and loading areas shall be setback as follows.
 - 1. From street rights-of-way. Off-street parking and loading areas, including drives and maneuvering aisles but excluding driveways, must be set back a minimum of twenty (20) feet from any adjacent street right-of-way line in all zoning districts except the CB District.
 - 2. From non-residential districts. Off-street parking and loading areas, including drives and maneuvering aisles but excluding driveways, shall have a minimum setback of ten (10) feet from any nonresidential property line that is not a street right-of-way line.
 - 3. From residential districts. Off-street parking and loading areas, including drives and maneuvering aisles but excluding driveways, shall have a minimum rear and side yard setback of twenty (20) feet from any residential zoning district.
- c. Use of right-of-way. The right-of way of any city street shall not be used for off-street parking spaces that are required by this Article without written permission of the county road commission for county roads, or the City Council for city streets.

Erickson	No	Ballard	Yes	McClellan	Yes
Lee	Yes	Smith	Yes	Hunnicut	Yes
Sullivan	Yes				

MOTION PASSED 6-1

2. Downtown Design Guidelines – (a) Waiver/Deviation; (b) Ordinance Text Amendments to put Design Guidelines into effect.

A. Site

1. Screen mechanical equipment so it blends into overall landscape plan, rather than draw attention to it. Ground mounted equipment shall be located in the side or rear yards, in a location that is least visible to the public (pg 16).
2. Lighting shall be directed downward and fully shielded to eliminate an outward or upward glare. (pg 18).
3. Lighting shall consist of decorative fixtures, such as goose neck fixtures, be architecturally integrated with the building style, materials and color and contain shields to direct light downward. Pole fixtures shall be located within landscaped islands or behind the curb or sidewalk (pg. 18).
4. Parking area must be well lit for nighttime pedestrian and vehicular security (pg. 18).
5. Signs shall be architecturally integrated with their surroundings in term of size, shape, color, texture and lighting and not promote visual competition with other signs in the downtown area (pg. 19).
6. Trash receptacle enclosures near buildings shall be constructed of brick or other high-quality material as determined by Planning Commission and the walls must be high enough to completely block views of the trash receptacle from street level (pg. 20).
7. Loading doors shall not face onto streets or other public areas (pg. 20).
8. Parapet walls shall be used to screen roof mounted equipment (pg. 20).

B. Building

1. Exterior design and details (color, architectural form, type, and number of materials) shall be applied to all building facades to achieve harmony and design continuity (pg. 22).
2. Building facades that are visible from the street and portions of buildings that are visible to the public shall be finished in a manner that is consistent with the front façade (pg. 22).
3. Building shall be parallel to the street. If located at an intersection the building shall be parallel to both streets, unless conditions dictate otherwise (pg. 23).
4. Building shall be situated with a limited setback from the street right-of-way. Buildings on Bridge Street and Main Street shall be built with no setback (pg. 25).
5. Front facades shall occupy the majority of the street frontage, as this eliminates gaps, voids, along the street edge (pg. 25).
6. A primary entrance shall be provided from the street (pg. 25).
7. Infill buildings shall (pg. 27):
 - a. be designed to be compatible with surrounding buildings in term of scale, materials, and proportion.
 - b. Respect the rhythm of window and door openings of existing buildings.
 - c. Not mimic nearby buildings but sensitive to their character.
8. Buildings shall consist of durable high quality materials. The primary building material should consist of brick or similar high-quality material, with stucco, glass, or stone as accent materials (pg. 28)
9. Roof top equipment must be screened from ground level view at public streets and adjacent property lines (pg. 30).
10. Long, blank facades along sides visible to the public shall be avoided (pg. 31).

11. Windows and doors shall comprise of at least 70% of the area situated between 2 feet and 10 feet, measured from the ground, on the first floor front façade of a building (pg. 31).
12. Windows shall be installed above the first floor. The glass area of a façade above the first floor shall not exceed 35% of the total façade area of that floor (pg. 31).
13. Window frames and mullions shall be a neutral color and complement the overall color scheme for the building (pg. 31).
14. Clear or lightly tinted glass is allowed but reflective or opaque glass is not permitted (pg. 31)
15. Awings shall (pg. 32):
 - Consist of opaque fabric material. Translucent, plastic or other materials are not to be used.
 - Not be internally illuminated, although lighting may be used above or beside the awing.
 - Coordinate with the style and color of the building.

Motion by Commissioner Sullivan, seconded by Commissioner Hunnicutt to recommend to City Council a Public Hearing to approve the design deviation requirements and incorporate the text amendments into the site plan review process for structures with the Central Business District and carried by unanimous vote of the Planning Commission. **MOTION CARRIED**

3. Planning Commission Bylaws

Commissioner Sullivan reviewed the By Laws with the Planning Commissioners, noting the addition in Section 4.5 paragraph g.

Motion by Commissioner Ballard, seconded by Commissioner Erickson to approve the City of DeWitt Planning Commission By Laws and carried by unanimous vote of the Planning Commission. **MOTION CARRIED**

NEW BUSINESS

1. Construction Sign Text Amendments

At the June 24 meeting, it was reported that Wildflower Meadows installed three signs, not allowed by ordinance, to advertise available property for sale within the development. At the meeting, rather than to order the removal of the signs in light of the current housing/development market, it was discussed to re-examine the portion of the sign ordinance which requires that construction signs for new developments to be removed upon occupancy of any structure within the development.

Text amendments were written by LSL. This language would amend the sign ordinance to allow for extending the period of time that construction signs can remain in place to advertise new developments.

Motion by Commissioner Erickson, seconded by Commissioner Sullivan to recommend to City Council to authorize a Public Hearing and review process to amend the zoning ordinance and recommend the text amendments and carried by unanimous vote of the Planning Commission. **MOTION CARRIED.**

PLANNING COMMISSION MEMBER COMMENTS:

None

Motion by Sullivan, seconded by Ballard and carried by unanimous vote of the Planning Commission that **this meeting be adjourned at 8:20p.m.**

Respectfully submitted,

Lisa M. Grysen
Clerk/Treasurer