

Planning Commission Minutes
Regular Meeting – August 13th, 2014
Peculiar City Hall, Council Chambers @ 7:00pm

Present: Chairman Mr. Roger Dougherty, Mr. Jim Antonides, Mr. Tim Conway, Mr. Neill Cox, Mrs. Kimberly Mallinson, Mayor Holly Stark and City Planner Clifford McDonald

1. Chairman Dougherty called the meeting to order at 7:00 p.m.
2. Chairman Dougherty asked all to stand for the “Pledge of Allegiance”

3. Roll Call of Members:

Commissioner Antonides	Aye
Commissioner Conway	Aye
Commissioner Cox	Aye
Commissioner Dougherty	Aye
Commissioner Hammack	Excused
Commissioner Mallinson	Aye
Mayor Stark	Aye

4. Consideration of the Minutes July 10th, 2014. Mr. Dougherty asked if there were any corrections or additions to the minutes; none were presented. Chairman Dougherty asked for a Motion to accept the minutes as presented. Motion Made, Seconded & Passed (MMSP) (Mr. Conway, 2nd by Mr. Cox) to accept the Minutes as presented.
5. Consideration of the Agenda: Agenda was reviewed; Mr. McDonald stated there were no changes or amendments to the Agenda. Motion Made, Seconded & Passed (MMSP) to accept the Agenda as presented. (Mr. Conway, 2nd by Mr. Cox).
6. New Business:

A. PUBLIC HEARING: AMENDMENTS TO “HEIGHT AND AREA REGULATIONS” OF ZONING DISTRICTS C-1, GENERAL BUSINESS AND C-2, CENTRAL BUSINESS.

Mr. McDonald presented the changes to Height and Area Regulations for the C-1 and C-2 Zoning Districts approved by the Planning Commission on July 10th 2014. The amendments change the “Height” restriction to Three (3) Stories and increase setbacks for Commercial property side yards when they abut a Single Family Dwelling District. Chairman Dougherty asked if there was any Public Comment either for or against the proposed amendments; none were presented. Chairman Dougherty then closed the Public Hearing.

B. ROLL CALL VOTE TO APPROVE THE PROPOSED AMENDMENTS TO “HEIGHT AND AREA REGULATIONS” OF ZONING DISTRICTS C-1, GENERAL BUSINESS AND C-2, CENTRAL BUSINESS. MMSP to approve the Amendments to Districts C-1, General Business and C-2 Central Business as presented; Motion by Mr. Antonides, Seconded by Mr. Cox.

Roll Call Vote: Antonides Aye; Conway Aye; Cox Aye; Dougherty Aye; Mallinson Aye;
Mayor Stark Aye.

Proposed Amendments Passed by a vote of 6:0

C. DISCUSSION OF AMENDING LAND-DISTURBANCE PERMIT REQUIREMENTS (CURRENTLY CHAPTER 500).

Mr. McDonald presented a list of proposed changes to Chapter 500: General Provisions which provides the requirements for a Land Disturbance Permit in ARTICLE IV. In reviewing the existing Ordinance, Mr. McDonald identified numerous items which need updating, which include: references to BMP’s (Best Management Practices), SWPPP (Storm Water Pollution Prevention Plan), adjusting the security/bond amount to reflect the size of the land disturbance (presently it is \$1,000.00 regardless of the disturbance being 500 square feet or 5 acres in size), ensure the permit requirements identify disturbances with a “Cumulative” land

disturbance of 1 acre or more in size and require the applicant to submit a copy of MDNR's Land Disturbance Permit for the City's permit issuance.

Mayor Stark asked if the intent was to delete Chapter 500 altogether, and if that was necessary; and voiced concern about waiving the LDP for smaller areas as the City had experienced significant problems during the height of subdivision construction. Mr. McDonald stated that moving Chapter 500 into Chapter 400 was more of an "Organizational" issue; this would place all the Storm Water, Illicit Discharge, and Erosion Control information into one area of the Municipal Code. Also, smaller areas of land disturbance should still require a permit and a deposit – perhaps an "Erosion Control Permit" with a \$1,000.00 Mud Bond being required.

There was additional discussion of Single Family Residential construction being "Exempt" from requiring an LDP, and also if the new Ordinance would reference EPA and MDNR requirements. Both of these concerns will be addressed as the re-write of the Ordinance progresses and of course the Planning Commission's recommendations will be submitted to the Board of Aldermen for consideration.

7. Old Business: - NONE -

8. Commissioner's Comments: Chairman Dougherty asked if the Commissioners had any comments; none were presented.

9. Next Meeting Date: Scheduled for Thursday, September 11th, 2014.

10. There was no further business; Chairman Dougherty called for a motion to adjourn. Commissioner Cox motioned to adjourn, seconded by Commissioner Conway, MMSP; Meeting adjourned at 7:35 pm. Minutes were taken and prepared by Mr. Clifford McDonald, City Planner.