



CITY OF FENTON

301 South Leroy Street ♦ Fenton, Michigan 48430-2196 ♦ (810) 629-2261 ♦ FAX (810) 629-2004

FENTON PLANNING COMMISSION MINUTES

City Hall Council Chambers
Thursday, May 26, 2022
7:00 P.M.

Chairperson Thompson called the meeting to order at 7:00 p.m.

ROLL CALL

Present: Bancroft, Grossmeyer, Thompson, Steffey, Campbell, Siwik, Csapo,
Rossmassler, Yeotis
Absent: No one
Others Present: Jason Payne, Building/Zoning Administrator, Carmine Avantini,
CIB Planning & Consulting

MINUTES

Motion by Grossmeyer, supported by Bancroft, to approve the minutes from the April 28, 2022, with the spelling correction of Commissioner Csapo's name. Motion passed.

PUBLIC HEARINGS/BUSINESS

A. PUBLIC HEARING – To allow public comment on a special land use for Phoenix Gymnastic Training Center, located at 155 N. Alloy, zoned IND, Industrial, where recreational facilities are a permitted by special use.

Chairperson Thompson opened the public hearing at 7:05 pm. The following people spoke in favor of the special land use for Phoenix Gymnastic Training Center:

1. Carrie Sabo, 4286 Newark Circle, Grand Blanc, Michigan
2. Melissa Roberts, 5205 Green Meadows Road, Grand Blanc

There were no further speakers; the hearing closed at 7:10 pm.

B. PSLU22-002 – Special Land Use for Phoenix Gymnastic Center, located at 155 N. Alloy. The special use will allow for a gymnastic center in a 9,500 square-foot space.

At your request, we have completed our review of the above Special Land Use request for Phoenix Gymnastics to locate and occupy a 9,500 square-foot space in in the newly constructed 23,000 square-foot multi-tenant building located at 155 N. Alloy Drive. Phoenix is a privately owned gymnastics training company that has been in the local area for nearly 15 years. The facility will generally be open to the students Monday through Saturday from 5 – 9 pm and by appointment on Sunday. Parking for the multi-tenant building was granted site plan approval in August of 2019. This property is zoned IND, Industrial District where this use is permitted as a Special Land Use.

The opinions in this report are based on a review of the site plan submitted by the applicant and conformance to City plans and ordinance standards. Please note that the applicant and their design professionals shall be responsible for the accuracy and validity of information presented with the application. In reaching a decision on the application, the Planning Commission should consider our comments along with those from other staff and consultants, additional information provided by the applicant, input provided during the public hearing, and your own findings based on ordinance standards as part of your deliberation.

GENERAL SPECIAL LAND USE STANDARDS

According to *ARTICLE 14*, any special land use must adhere to all the following general and specific standards listed in the Zoning Ordinance:

- 1. Be compatible and in accordance with the goals, objectives, and policies of the City of Fenton Master Plan and promote the intent of the zoning district in which the use is proposed.*

Finding - In compliance: The subject site is located in the Fenton Business and Technology park and zoned industrial where a wide range of uses from commercial to recreational to institutional as well as manufacturing and processing are permitted either by right or special land use. The Gymnastics center will be located in a multi-tenant building that was planned for office or research and development or general commercial services and would be compatible with the goals of the Master Plan and intent of the district.

2. Be constructed, operated, and maintained so as to be compatible with the existing or intended character of the general vicinity and so as not to change the essential character of the area in which it is proposed.

Finding – In compliance: Since this use will be fully enclosed within an existing building, it will not change the essential character of the area where it is proposed.

3. Be served adequately by public facilities and services, such as highways, streets, police and fire protection, drainage structures, water and sewage facilities, and primary and secondary schools.

Finding - In compliance: The subject site will be adequately served by existing facilities and roads.

4. Not involve uses, activities, processes, materials, and equipment or conditions of operation that will be detrimental to the natural environment, public health, safety, or welfare by reason of excessive production of traffic, noise, smoke, odors, or other such nuisance.

Finding - In compliance: The special use should not have a negative impact on the above items through the excessive production of noise, traffic, etc.

SPECIFIC SPECIAL LAND USE STANDARDS

The special land use application has been reviewed utilizing the following specific standards outlined in *Section 36-14.08, Special land use specific requirements*, of the Fenton Zoning Ordinance.

AA. Recreation Facilities: Public or Private

1. All.

*a. The site shall be located on a paved street which is classified as a major traffic route in the City of Fenton Master Plan or classified as a "major street" on the city's Act 51 map. **Alloy Drive is identified on the 2021 Act 51 map as a major street.***

*b. Principal buildings shall be set back at least 50 feet from any property line. The building area includes recreation activity areas, spectator seating and any other structural appurtenances. **The existing building meets this requirement.***

c. *The parking setback shall be 20 feet in the front, side, and rear yards in residential districts and 50 feet in nonresidential districts. **The current approved parking setback for this building is 20 feet per site plan approval. Given the uniqueness of this site and its location adjacent to US-23, a 50 foot parking setback would not be possible at this location.***

2. *Indoor.*

a. *Such uses shall include, but not be limited to: bowling alleys; indoor tennis, skating, swimming pools, batting cages, driving ranges, gymnasiums; community centers with City of recreation facilities; and similar uses as determined by section 36-2.06 Determination of similar use.*

b. *Whenever any such use abuts a residential district, a transition buffer area of at least 100feet in width, in addition to the setback requirement, shall be provided. Walls, fences, or landscaping maybe required as part of this buffer area as determined by the planning commission. **This site does not abut a residential district and additional buffering will not be needed.***

c. *All uses shall be conducted completely within a fully enclosed building, unless a special land use is approved for any outdoor recreation facilities under [subsection] 3. **All activities will occur within the building.***

d. *Building design and materials shall be compatible with the existing or intended character of the surrounding area. **The existing building meets the intended character of the area.***

RECOMMENDATION

Based upon the above analysis, **we recommend approval of the special land use for 155 N Alloy for Phoenix Gymnastics with the following conditions,**

1. That all gymnastics activities occur within the building as specified above as part of the specific conditions for Special Land Use Approval.

Applicant, Ian Hurst, Kemp Building, 275 W. Girard, Madison Heights, the property owner, and Patrick Hannan, 216 S. Saginaw Street, Byron Michigan, stated Phoenix Gymnastics has been in the Fenton area for 15 years. They lost their lease at their old facility and found this location which meets all of their requirements to run a gymnastic facility. They now have about 35 families that will be utilizing the facility.

The question was asked about the parking and if there would be enough. Mr. Sprague stated there are a total of 35 parking spaces which is adequate for a multi-use space. The applicant also added they practice 4 hours in the evening and the parents drop them off and do not stay so parking should not be an issue.

The following motion was then made:

MOTION BY STEFFEY, supported by GROSSMEYER, to approve the Special Land Use for Phoenix Gymnastics Facility, as stated in the CIB letter dated 5/19/22, along with all gymnastic activities to remain indoors.

MOTION PASSED (9-0) Siwik – yes, Grossmeyer – yes, Csapo – yes, Steffey – yes, Bancroft – yes, Campbell – yes, Thompson – yes, Yeotis.

C. PSPR22-0004 – Site Plan review for the Poplar Street Office Pods, located at 1111 & 1117 Poplar Street, zoned GBD, General Business District, PUD, Planned Unit Development.

At your request, we have completed our review of the above site plan to construct a two (2) multi-tenant commercial/contractor flex-spaces (pods) in two phases. The first phase includes construction of the first building unit (11,200 square feet) with 7 individual spaces and installation of all site infrastructure. The site plan request also includes 61 parking spaces, 1 loading space, 7 overhead doors (1 per unit), 1 dumpster, and landscaping. Phase II will be the addition of a second, 9,600 square-foot flex-space building with 6 individual spaces. The property is zoned GBD-PUD, General Business PUD District where this is a permitted use.

It should be noted that this development will not be a traditional retail strip plaza. Each unit is intended to be utilized by service professionals such as engineers, plumbing contractors, electricians, interior designers, artisans, and other similar types of uses. It will be similar to a small business park catering to small businesses, startups, and independent contractors.

The opinions in this report are based on a review of the site plan submitted by the applicant and conformance to City plans and ordinance standards. Please note that the applicant and their design professionals shall be responsible for the accuracy and validity of information presented with the application. In reaching a decision on the application, the Planning Commission should consider our comments along with those from other staff and consultants, additional information provided by the applicant, and your own findings based on ordinance standards as part of your deliberation.

REVIEW COMMENTS

Section 36-16.05 of the City of Fenton Zoning Ordinance lists the submittal requirements for site plan review. Based on our review of the proposal, discussions with Mr. Jason Payne, Building Official/Zoning Administrator, a preliminary meeting with the applicant and a visit to the site, we offer the following comments for your consideration:

1. Use. The use is a flex/space business complex.

2. Area and Bulk. The proposed site was reviewed in accordance with *Article 15* as described in the following table.

	<u>Required</u>	<u>Provided</u>	<u>Comments</u>
Front Yard Building Setback	40 ft.	30 ft.	PUD waiver required
Side Yard Building Setback			
South	10/25 ft.	35 ft.	In compliance
North	10/25 ft.	28 ft.	
Rear Yard Building Setback	25 ft.	160 ft.	In Compliance
Maximum Lot Coverage (Impervious Surface)	75%	43%	In compliance

3. Building Design & Materials. *Section 36-2.20, Non-residential design requirements*, calls for buildings to “possess architectural variety” and use “durable building materials which provide an attractive, quality appearance.” This section also states that “the predominant building materials should be quality materials that are characteristic of Michigan such as earth-toned brick, decorative tilt-up panels, wood, native stone, and tinted/textured concrete masonry units and/or glass products.” The submitted site plan elevations show a mix of architectural panels (similar to the Fenton Fire Hall), brick and windows. While the materials are similar to materials previously approved by the Planning Commission, we believe that material samples should be submitted for review and approval.

4. Mechanical Units. It should be noted that any proposed mechanical units, roof-mounted or ground-mounted will need to be shown on the plan and fully screened.

5. Parking Lot Requirements. The following table lists the requirements for parking lot design:

	<u>Required</u>	<u>Provided</u>	<u>Comments</u>
a. Parking Spaces	52	61	In compliance
b. Parking Aisle Width	26 ft.	20 ft.	PUD waiver required
c. Parking Space Dimensions	9 ft. x 18 ft.	9 ft. x 18 ft.	In compliance
d. Barrier-Free Parking Spaces*	2 space	2 space	In compliance

* barrier free spaces are subject to the State of Michigan Department of Labor, Construction Code Commission, Barrier Free Design Division regulations.

6. Access and Circulation. The proposed building will be accessed from two new driveways along each property line with access to Poplar which is permitted by ordinance as long as they are one-way, which they are in this case.

7. Pedestrian Circulation. Currently, there is no sidewalk on the west side of the street. Sidewalk is improved on the east side of Poplar and would require new crosswalks across Poplar to access the sidewalks without walking to North Road for the nearest crosswalk.

8. Landscaping. A separate landscape plan has been included in the site plan submission and the following table summarizes the requirements for this project:

	<u>Required</u>	<u>Provided</u>	<u>Comments</u>
Parking Lot	1 tree per 8 parking spaces = 8 trees	5 trees	Requires 3 additional trees or a waiver
Greenbelt (Poplar)	1 canopy tree and 6 upright shrubs per 30 linear feet = 13 trees, 78 upright shrubs required	20-foot width 13 trees 78 shrubs	In compliance.

9. Lighting Plan. A photometric grid has been provided indicating that the intensity levels are acceptable.

10. Dumpster Enclosure. The proposed dumpster meets ordinance requirements.

11. Signage. Sign details will need to be submitted at the time of application for sign permits.

12. Stormwater – All storm water runoff is proposed to tie into the existing storm sewer system on site. This will need approval from the city engineer.

14. Other Approvals. The proposed site plan must be reviewed and approved by the appropriate city departments, consultants, and agencies.

RECOMMENDATION

Based upon the above comments, **we recommend approval of the site plan for 1117 Poplar Street with the following conditions;**

- 1. The Planning Commission approves a waiver of for a 30-foot front yard setback as allowed by ordinance;**
- 2. Approval of a waiver for the driveway to abut the property lines;**
- 3. Approval of a waiver for the 20-foot driveway width;**
- 4. Review and approval of building materials once samples have been submitted;**
- 5. The addition of 3 additional parking lot trees as required by ordinance; and**
- 6. Review and approval by all other approval entities, consultants, and departments**

The applicant, Clark Senter, 11348 Martin Drive, Holly, MI, stated he is D&W Development and owner of the property. As stated in Mr. Sprague’s comments, he would like to stagger the front pods due to the drain that runs on the property. He believes it would be a much nicer looking facility if they were able to do this. Regarding the other waivers, he does not have an issue with putting in the trees, but he would like to put the sidewalks in later.

Commissioner Rossmassler is not in favor of the waiver for the sidewalk especially since it is right next to a park; Chairperson Thompson and Commissioner Grossmeyer also concurred with putting the sidewalk in right away.

Commissioner Grossmeyer had concerns with the drive lane width and one way in and out because he envisions trucks having issues and skimping on the width of the drive lane will cause issues down the road. There are areas in the city now where trucks are stopping in the road to unload and he doesn't want to see it happen here. So, he wants to make sure trucks are able to move in and out easily. Mr. Senter stated the one way traffic will make it easier for the trucks to move in and out. Grossmeyer stated that may be but the city should have our traffic engineer look at this and until that happens, he is hesitant to allow the waiver of the width of the drive lane or the sidewalk. Sprague followed up with stating at the pre-development meeting, this item was discussed. The applicant did state that this area would be limited to side trucks but indicated that the majority of the trucks that would be in and out of there would be trucks like the UPS trucks or small FedEx trucks.

Commissioner Steffey thought this was a great concept and asked how large each unit would be? Mr. Senter stated they would be around 2,000 square feet. The majority of the square footage would be warehouse and then a small office designation.

The following motion was made:

MOTION by ROSSMAESSLER, SUPPORTED by GROSSMEYER, to approve the Site Plan for 1117 Poplar Street with the following conditions: waiver of the 30-foot front yard setback as allowed by the city ordinance, waiver the driveways to abut the property lines conditioned upon the approval from the City's Traffic Engineer *or* add the 6 feet for the drive isle width, review and approve the building materials by the Building Department once samples have been submitted, add three additional parking lot trees as required by ordinance, install a sidewalk the length of the property as required by city ordinance, along with the review and approval by all other approval entities, consultants and departments.

MOTION PASSED (9-0) Siwik – yes, Grossmeyer – yes, Csapo – yes, Steffey – yes, Bancroft – yes, Campbell – yes, Thompson – yes, Yeotis.

D. PSPR22-0006 – Site Plan review for 115 W. Shiawassee, Hamel Brennan Properties, requesting approval for a façade change to the building.

We have been asked to review proposed change the exterior of The Laundry Room building, located at 115 W. Shiawassee Ave., immediately east of The Laundry. There is an outdoor seating patio between the two buildings. Proposed are: 1) elimination of the roof over the front steps and replacement with a red architectural overhang and stained-glass panels on each side; 2) installation of red corrugated metal siding on the east and west wings of the building; and 3) installation of dark brown Hardy Plank (cement board) over the remainder of the building.

Since the changes shown on the building plans cannot be considered minor, Planning Commission review is needed. These changes must be reviewed in light of both zoning ordinance requirements and the Downtown Design Guidelines.

DISCUSSION

This application has been reviewed utilizing the standards in *Article 19, Site Plan Review Standards*. Based on our review of the revised building elevations, discussions with the applicant, a review of the zoning ordinance and Downtown Design Guidelines, and discussions with Mr. Jason Payne, Building and Zoning Administrator, we offer the following comments for your consideration:

1. **Building Character.** While this is an old building, there have been many changes made over the years that altered the architectural character of the building. The most prominent ones include the use of aluminum siding and modern-looking replacement windows.
2. **Entry Porch.** The existing entry porch is to be removed and replaced with a red architectural overhang and stained-glass panels on each side. The goal is to blend in with the Laundry building next door. While the existing entryway matches the architecture of the building, as previously mentioned changes have already been made to the building. The Planning Commission will have to decide whether the proposed entry feature will significantly change the character of the building or not.
3. **Red Corrugated Metal.** The Planning Commission has consistently denied the use of corrugated metal in the industrial district. Recognizing the attempt to make the building stand out more with the introduction of a red color, we question the use of corrugated metal in the historic area of Downtown Fenton. It would be possible to add the desired red color with a more sympathetic product, possibly Hardy Plank or architectural panels, without using what has typically been an industrial material.
4. **Main Building Siding.** Much of the building will be covered with dark brown Hardy Plank, as a replacement for the existing aluminum siding. We consider this to be an improvement and would match the character of the building and the surrounding area. We find this change to be acceptable.

RECOMMENDATION

The Planning Commission has traditionally given more leeway to restaurant and fast-food businesses, recognizing the need to differentiate from their competitors. We are concerned, however, about the introduction of materials in the historic area of Downtown that do not reflect the character of the buildings. As mentioned above, the building has been altered already but the Planning Commission will have to decide whether some or all of the proposed changes fit within the historic character of the area. Based upon the above discussion, we recommend the following:

1. Approval of the use of the proposed dark brown hardy plank material for the main building;
2. Approval of the red architectural overhang and stained-glass window side panels as a replacement for the current entry porch roof; and
3. That the Planning Commission **not approve** the use of corrugated metal siding, since it does not fit with the historic character of the area. An alternate material can be used that will achieve the same result, introducing the red color into the building façade.

The applicant, Mark Hamel, 717 W. Shiawassee, Fenton, stated the siding he is requesting for approval is the exact same siding that was used on the Crust renovation a few years ago which is located just as close or closer to the historic block of Fenton. In 2020, the Crust won an award from the American Institute of Architecture, under small projects and additions. This is

not the same siding one would use on a pole barn or in an industrial park. He continued with the detail of the product and feels this would add character to the building.

Chairperson Thompson stated she was fine with the façade change and did not think it would take away from the character of the downtown area. Members agreed and the following motion was made;

Commissioner Siwik stated he feels he should refrain from voting due to a family member working at The Laundry.

Grossmeyer made the motion, supported by Bancroft, for Siwik to recuse himself from voting on this item. Motion Passed

MOTION by CSAPO, SUPPORTED by CAMPBELL, to approve the Site plan Façade change for 115 W. Shiawassee as requested.

MOTION PASSED (8-0) Grossmeyer – yes, Csapo – yes, Steffey – yes, Bancroft – yes, Campbell – yes, Thompson – yes, Yeotis.

CALL TO THE AUDIENCE

No one this evening.

ADMINISTRATIVE ITEMS

Mr. Payne stated Peabody Insurance is requesting a second extension to their site plan due to the current rise in building costs. The Commission Members stated they were fine with extending it another year but this would be the last extension.

Mr. Payne stated the Cruwood Granary, 234 N. Leroy, decided to not proceed with their request for approval. He also stated that we have two site plans ready for review for next month's meeting. He also gave an update on Aldi's, Fast Eddie's, and The Vault.

CIB ITEMS

Nothing this evening.

COMMISSION MEMBER ITEMS

Chairperson Thompson asked if the Commission would be ok with changing the June meeting to the 30th since both she and the vice chair will be out of town. No one had a problem with changing the meeting to the 30th.

ADJOURNMENT

The meeting was adjourned at 8:03 pm.

Respectfully submitted by,

Linda Davis

Recording Secretary