



CITY OF MARINE CITY

Planning Commission Meeting Agenda

260 South Parker Street

Scheduled Meeting: Monday, October 9, 2023 6:00 PM

1. **CALL TO ORDER**
2. **PLEDGE OF ALLEGIANCE**
3. **ROLL CALL:** Commissioners Graham Allan, William Beutell, Andrew Pakledinaz, Madelyn McCarthy, Joseph Moran; City Commissioner William Klaassen; City Manager Scott Adkins
4. **COMMUNICATIONS**
 - A. St. Clair County Metropolitan Planning Commission 2023 Fall Workshop
5. **APPROVE AGENDA**
6. **PUBLIC COMMENT** *Anyone in attendance is welcome to address the Planning Commission. Please state name and limit comments to five (5) minutes.*
7. **APPROVE MINUTES**
 - A. September 11, 2023 Meeting Minutes
8. **UNFINISHED BUSINESS**
 - A. Master Plan
 - B. Trans UA Truck Repair Facility Site Plan Review (Parcel #74-02-002-2000-101)
9. **NEW BUSINESS**
 - A. 1300 South Parker - Discussion
10. **OPEN DISCUSSION**
11. **ADJOURNMENT**

**City of Marine City
Planning Commission Meeting Minutes
September 11, 2023**

A regular scheduled meeting of the Marine City Planning Commission was held on Monday, September 11, 2023 at 260 South Parker Street, and was called to order by Chairperson Moran at 6:00 pm.

The Pledge of Allegiance was led by Chairperson Moran.

Present: Chairperson Joseph Moran; Commissioners Graham Allan, Madelyn McCarthy, Andrew Pakledinaz, William Klaassen, William Beutell; Deputy Clerk Michele Goodrich

Absent: City Manager Adkins

Motion by Commissioner Allan, seconded by Commissioner Beutell, to excuse City Manager Adkins from the meeting. All Ayes. Motion Carried.

Communications

None.

Approve Agenda

Motion by Commissioner Moran, seconded by Commissioner Allan, to approve the agenda with the following changes: Move 9: New Business to 8, remove 9: B (1300 S. Parker Site Plan Discussion), and add Open Discussion at the end of the meeting. All Ayes. Motion Carried.

Public Comment

None.

Approve Minutes

Motion by City Commissioner Beutell, seconded by Commissioner Allan, to approve the July 10, 2023 meeting minutes. All Ayes. Motion Carried.

New Business

Trans US Truck Repair Facility Site Plan Review (Parcel #74-02-002-2000-101)

Commissioner Beutell questioned the requirement of additional “seals” on the prints. Architect for the project, Ben Tiseo, explained that the project required the seal of an Architect, Civil Engineer, and Mechanical and Plumbing Engineer.

Mr. Tiseo questioned the need of a new sidewalk across the front of the project site; Chairperson Moran informed Mr. Tiseo that all new construction in the City required sidewalks.

Mr. Tiseo questioned the need of a paved rear truck parking area as addressed in the BMJ Site Plan Review Letter, section G: Paving and Grading, Number 2. He advised that the trucks would be sitting for a couple of weeks, if not longer, and did not believe that asphalt was necessary. He confirmed that the visitor and employee parking area would be paved. Chairperson Moran stated his concern regarding dust and trucks carrying the gravel onto the road. Commissioner Allan questioned what material they were purposing to use; applicant responded that they would like to use crushed asphalt and that the crushed asphalt consisted of small pieces that would not stick in truck tires and that they could use a sealer to keep the dust down. Mr. Tiseo explained that the rear trucking area would receive limited use and that it was a major cost difference to pave that area.

Commissioner McCarthy questioned if the Commission could legally approve the site plan with the request to not pave the rear parking area. Chairperson Moran advised that they could, but it would set a precedent for future projects.

Commissioner Klaassen stated that the project was in an Industrial District and that asphalt was considered a dustless surface. Chairperson Moran reiterated that the ordinance requirement stated, “durable and dustless surface.” Commissioner Pakledinaz questioned if there was a metric for what was considered a durable and dustless surface. Mr. Tiseo responded that the engineers would be responsible for that determination. Commissioner McCarthy stated that the site plans showed gravel surfacing and questioned if BMJ was aware of the proposal to use crushed asphalt. Mr. Tiseo stated that they would like to use crushed limestone as a base and milled asphalt on top, with a sealant coating, if necessary.

Commissioner Klaassen disputed the use of BMJ as the City Engineer for the Site Plan Review process.

Motion by Commissioner Allan, seconded by Commissioner McCarthy, to approve the site plan subject to City Engineer review and approval of the rear parking area to consist of crushed limestone on base and milled asphalt on top, with a sealant coating, if necessary. All Ayes. Motion Carried.

October 9, 2023 Meeting

Chairperson Moran advised the Planning Commission meeting would still take place on Columbus Day, October 9, 2023. Commissioner McCarthy informed the Board that she would not be in attendance.

Unfinished Business**Master Plan**

Master Plan Project Status – Update dated 09/11/2023 was passed out to the Planning Commission prior to the meeting.

Chairperson Moran informed the Board that he had had a meeting with City Manager Adkins and McKenna Representative, Brigitte Smith Wolf, to review the survey results that were received. He advised that the open house for the Master Plan would be on October 10 at the City Offices from 4:00pm – 8:00pm and that he would talk with the Community & Economic Development Board to help facilitate the event. He encouraged the Board to review the Master Plan project status handout prior to the next Planning Commission meeting. Chairperson Moran requested clarification if the prepared questions would be available online for those who could not attend the open house, in person.

Open Discussion

Commissioner McCarthy stated that an apartment complex proposal was recently before the Zoning Board of Appeals and questioned the City Ordinance regarding a parking schedule for such projects. She advised that she had a copy of the Ordinance regarding the amount of parking spaces required however, the City Clerk had been unable to locate the copy she had referenced. She stated that if a parking schedule did not exist, that one needed to be created. Chairperson Moran stated that he believed one was created during the Nautical Mile discussions and he would look into it.

Commissioner McCarthy referenced the project at 1300 South Parker and stated her opinion that the current use of the facility was not approved at Planning Commission; she disputed that the original site plan reflected the storage of the number of trailers that were currently on site. She questioned if the storage of the trailers should have received Special Land Use approval.

Commissioner Allan spoke to the importance of businesses being open during the hours they advertise.

Adjournment

Motion by Commissioner Beutell, seconded by Commissioner Allan, to adjourn at 7:00 pm. All Ayes. Motion Carried.

Respectfully submitted,

Michele E. Goodrich
Deputy Clerk

Jason Bell
Interim City Clerk

DRAFT

To: City of Marine City Planning Commission
From: Zoning Administrator Kallek
Re: UA Truck Rear Lot Surface

Dear Board Members,

In reviewing the Zoning Ordinances for the question of “a durable and dustless surface”, please see attached email from BMJ the engineering firm of record for the city.

§ 160.161 SURFACE OF PARKING AREA.

(A) The parking area shall be provided with a durable and dustless surface and shall be graded and drained as to dispose of all surface water accumulated within the area.

(B) The parking area shall be surfaced within 1 year of occupancy of the use it is to serve if it is for a new use, and within 6 months of the effective date of rezoning for P-1 Vehicular Parking use if the parking area is to serve an existing use or uses.

(Prior Code, App., § 1106)

A definition can be found in §90.155 and reads, “**DURABLE AND DUSTLESS SURFACE.** A hard surface material such as concrete or asphalt which is suitable for parking lot construction and is approved by the city’s Building Department and/or Engineer.”

As Mr. Phelan eluded to in his email the rear lot is not “required parking” and is not subject to the §160.161 rule.

I believe the intent is to allow the wisdom of the board to weigh in on such issues on a case by case basis.

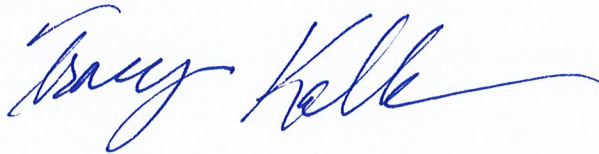
- A gravel rear lot will be separated by hundreds of feet of asphalt, allowing the tires to clear before making their way to King Rd.
- A gravel rear lot will allow for more pervious surfaces, sparing an already over burden city storm system.
- A gravel rear lot will prevent trucks awaiting repair from melting into an asphalt surface in the hot summer sun.
- A gravel rear lot will save dollars, allowing for more landscaping along King Rd.

Best Regards,

Tracy Kallek

Building Official

City of Marine City



Michele Goodrich

From: Patrick R. Phelan <...>
Sent: Tuesday, October 3, 2023 4:51 PM
To: Tracy Kallek
Cc: Michele Goodrich
Subject: 2308.18 - (74-02-002-2000-101) Trans UA Truck Repr. Site Rev.-Marine City

Caution! This message was sent from outside your organization.

[Allow sender](#) | [Block sender](#)

Tracy,

As a follow-up to our discussion regarding the site plan review of the subject project, you asked for my opinion on off-street parking areas being required to have a *"Durable and Dustless Surface"*. The following is my findings:

- Section 90.155 defines *"Durable and Dustless Surface"* as *"A hard surface material such as concrete or asphalt which is suitable for parking lot construction and is approved by the city's Building Department and/or Engineer."* This clearly requires parking lots to be constructed of asphalt or concrete pavement.
- Section 160.215 states in the opening paragraph, *"Whenever the off-street parking requirements in § 160.214 require the building of an off-street parking facility, or where P-1 Vehicular Parking Districts are provided, the off-street parking lots shall be laid out, constructed and maintained in accordance with the following standards and regulations:"* My interpretation of this is that any parking lot that is required by the ordinance must be constructed in accordance with the standards in the ordinance.
- Section 160.215 provides the geometric standards for the parking lot and subsection (H) states *"The entire parking area, including parking spaces and maneuvering lanes, required under this section, shall be provided with a durable and dustless surface and shall be graded and drained so as to dispose of all surface water in accord with the requirements and subject to the review and approval of the City Engineer."* [highlight is mine] My interpretation of this subsection is that the standards contained in this section are applicable to the parking spaces that are required by this section of the ordinance, and only those spaces.

It is my opinion that the zoning ordinance requires 11 parking spaces be constructed to serve the facility (per the calculations on the plans) and that those 11 parking spaces be constructed with a *"Durable and Dustless Surface"* which is defined as asphalt or concrete pavement. The site provides 12 spaces to meet these requirements and they are shown on the plan as being constructed with asphalt pavement, which complies with the ordinance. The required loading space is also shown as being paved with heavy duty concrete. It is my opinion that the ordinance only applies to these parking spaces because of the highlighted section above that is specific to *"The entire parking area, ..., required under this section,..."* The gravel parking lot in the rear is above and beyond the parking area that is required and, therefore, not subject to the same requirement. Additionally, this parking lot is not intended to serve the public. It has a gate and is not intended to be accessible to the public and therefore not intended to be the required parking. This is an area used in the operation of the business that is proposed and not a public parking lot. Subsection 160.214(A) Off-Street Parking Requirements says that there shall be *"adequate access to all spaces"*, which also supports that this area is not intended to be an off-street parking area, as it is gated to prohibit public use.

In short, the zoning ordinance requires 11 paved parking spaces, and this site plan proposes to provide 12 paved parking spaces.

This represents my interpretation of the ordinances. I was unable to locate any provisions in the ordinance that directly address the gravel area in the rear yard of this facility. If the Planning Commission feels that this area is not adequately addressed, then it would be advisable to adopt an amendment to the zoning ordinance to do so. However, they should

carefully consider that creating additional impervious surfaces may have some negative consequences. Impervious surfaces increase the amount of stormwater runoff generated by a site. Even with stormwater detention, as is provided here, an increased volume of water enters the downstream stormwater system. This needs to be accounted for in the capacity of the system and future maintenance. This also removes water that would have otherwise helped recharge the groundwater beneath and around the site, which can have negative consequences. Paved parking lots also contribute to a "heat island effect" where temperatures are higher locally due to the cumulative effect of paved surfaces and buildings.

Please let me know if you have any additional questions.

Regards,

Patrick R. Phelan, PE, LEED AP
Principal / Senior Project Engineer
pwhelan@bmjinc.com



BMJ Engineers & Surveyors, Inc.
519 Huron Ave.
Port Huron, MI 48060
Office: (810) 984-5596
Mobile: (586) 855-9587

Visit our website www.bmjinc.com



PRIVILEGED AND CONFIDENTIAL COMMUNICATION NOTE: This message contains information which may be privileged or confidential, or exempt from disclosure under applicable law. If the reader of this message is not the intended recipient, or the employee or agent responsible for delivering the message to the intended recipient, you are hereby notified that any dissemination, distribution, retention, archiving, or copying of this communication is strictly prohibited. If you have received this communication in error, please immediately notify BMJ Engineers & Surveyors Inc. by replying to or calling our office.

To: City of Marine City Planning Commission

From: Building Official Kallek

Re: Schneider Motor Sports 1300 S Parker

10.04.2023

Dear Board Members,

It's been asked that the building official weigh in on, the gravel lot on the North East section of Schneider's proposed construction. This lot's parcel id # is 02-875-0036-000 and has been a gravel lot for decades and is outside the scope to require it to become additional "hard surface parking".

The lot to the South of 1300 S Parker was initially brought to the planning commission on November 14th, 2022 and has since been removed from the overall construction projects scope.

The main building will have a building permit issued no later than next week if all the construction documents are found in order per the building code.

Best Regards,



Tracy Kallek

City of Marine City

Building Official