

MEETING MINUTES

City of Jackson Planning Commission
City Hall, 161 W. Michigan Avenue, 2nd Floor
Wednesday, June 7, 2017

MEMBERS PRESENT: Jeanne Kubish, Sheila Troxel, Stephen Rajzer, Patrick Burtch, Clyde Mauldin, James Stark, John Polaczyk

MEMBERS ABSENT: Bill Jors, Derek Dobies

STAFF PRESENT: Jennifer Morris, Adam East

1. Call to Order

Chairperson Troxel called the meeting to order at 6:01 pm.

2. Pledge of Allegiance

Those in attendance rose for the Pledge of Allegiance

3. Adoption of Agenda

Commissioner Polaczyk moved, with support from Commissioner Kubish, to adopt the agenda as presented.

The motion passed unanimously on a voice vote.

4. Public Comment and Correspondence

None.

5. Consideration of the May 3, 2017 Planning Commission Meeting Minutes

Commissioner Stark moved, with support from Commissioner Burtch, to approve the City Planning Commission meeting minutes as presented.

The motion passed unanimously on a voice vote.

6. Consideration of Applications

A. Alley Vacation Request- Vietnam Veterans of America- 235 W. Franklin

Staff presented the request of Vietnam Veterans of America to vacate all of the alley between Franklin St. and Mason St. The applicant owns three

of the four parcels along the alley in question. The owner of the fourth parcel utilizes the alley as a driveway to their garage; Vietnam Veterans of America has agreed to deed their portion of the vacated right of way to the owner at 232 W. Mason St. to ensure perpetual access to their garage. All parties along the alley signed off on the request. Staff in the NEO department recommended approval for the request on the condition that the applicant remove the curb cut to the alley along Franklin St and that the applicant return the gravel alley to grass.

Bob Wilkinson of VVA spoke in favor of the request and state that they were excited to expand their side yard and to make their parcels finally feel like one cohesive piece of property. They plan to install a fence and a memorial area with flags.

*Commissioner Burtch moved, with support from Commissioner Stark, to **recommend approval** of the alley vacation request to City Council with the conditions that Staff in the NEO Department had recommended. (The curb cut to the alley along Franklin St. must be removed and the gravel for the alley must be returned to grass).*

The motion passed unanimously on a roll call vote

(Stark-Y, Kubish-Y, Burtch-Y, Rajzer-Y, Polaczyk-Y, Mauldin-Y, Troxel-Y)

B. Conditional Use Permit Request- 1401 E. Morrel St.- Auto Wrecking and Salvage Yard and Storage of Petroleum Gas

Staff presented the request of the applicant, Adam Brewer, for a Conditional Use Permit to utilize the property at 1401 E. Morrell St. as an Auto Wrecking and Salvage Yard and for the storage of petroleum gas. The applicant submitted a site plan proposing improvements such as removing curb cuts and pavement along Morrel St, constructing a parking to the east of the building, and installing landscaping and fencing around the site. The site had formerly been used for storage of porta potties and recycling of metal materials. Staff recommended denial of the application until the applicant had completed a Baseline Environmental Assessment and cleaned up the site of potentially hazardous materials.

Commissioner Stark moved, with support from Commissioner Kubish, to enter the staff report and recommendation into the record as if read in whole.

The motion passed unanimously on a voice vote

Alan Patrick of Kebs Engineering spoke in favor of the request and presented the applicant's plans for the site. He stated that the applicant purchased the property in hopes of expanding his operation to the Jackson area and that the applicant would work with the City to get a BEA and to remediate any environmental hazard concerns. He stated the applicant's property in Lansing

had contamination and their remediation involved capping the site with concrete. Mr. Patrick noted that the storage of materials on site would be temporary and that the goal was to drain fluids, remove parts, and move them off site. Tires would be removed regularly as indicated on the site plan. He stated that the environmental assessment that had not yet been completed would help the applicant to understand what level of remediation was required.

Commissioner Polaczyk stated that he has bought a number of commercial properties and would never buy a property without an environmental assessment prior to the sale.

Commissioner Rajzer asked how long the applicant had owned the property- Mr. Patrick stated about one (1) month. Mr. Rajzer then asked if the applicant had ever owned property or operated a business in Jackson before. Staff Member Morris stated that Mr. Brewer had operated in Jackson before and that he did not comply with the requirements of the Ordinance and the Conditional Use Permit.

Deann Gumbert, owner of a nearby property, spoke against the applicant's request. She noted that they have had problems with Mr. Brewer in the past as he owned a property in the neighborhood. She stated that the way he conducted his business was not good for the neighborhood.

Dan McDonald, representative of Omni Source, spoke against the applicant's request. Mr. McDonald noted that Omni Source does not have opposition to competition, but that he did have opposition to the applicant's track record of operating a wrecking and salvage business. He stated Mr. Brewer has never complied with Ordinances and State Statutes.

Dave Klein, voice his opposition to the applicant's request via a letter. He noted that the applicant has previously conducted a similar operation in the neighborhood and that the applicant has been problematic for City code enforcement officers in the past.

Joe Smalley, owner of a nearby property, spoke against the applicant's request. He stated that he owns the adjacent property and is pro-business, but that the property does not meet the requirements for the proposed use. He noted that he wished to purchase the same property for truck storage. He stated that he has purchased properties smaller than the property in question and thinks the clean up cost could be near one (1) million dollars.

Commissioner Burtch moved, with support from Commissioner Polaczyk, to deny the applicant's request to operate an Auto Wrecking and Salvage Yard and to store petroleum gas at 1401 E. Morrel St.

**The motion passed unanimously on a roll call vote
(Burtch-Y, Kubish-Y, Polaczyk-Y, Rajzer-Y, Mauldin-Y, Stark-Y,
Troxel-Y)**

7. **Business –** None.

8. **Commissioner Comments-** None.

9. **Next Meeting Reminder**

Chairperson Troxel reminded the Planning Commission of the next regularly scheduled meeting to be held on July 12, 2017 at 6:00 pm.

10. **Adjournment**

Commissioner Stark moved to adjourn with support by Commissioner Burtch at 6:35 pm.

The motion passed unanimously on a voice vote.

Jennifer L. Morris, AICP

Director of Neighborhood and Economic Operations