

PLANNING COMMISSION MINUTES

**Regular Meeting
September 4, 2018**

CALL TO ORDER: The September 4, 2018, Planning Commission meeting was called to order by Chairman Brummette at 7:00 p.m.

PRESENT: Chairman Brummette, Commissioners Hoy, Harag, Snyder, Clarke, Rosier, Gonzales-Pennington, Lesser and Council member Johnston.

ABSENT: Commissioner Bly.

ALSO PRESENT: Deputy Clerk Walters and Community Development Director Myrkle.

APPROVAL OF MINUTES:

Motion by Commissioner Leaser, second by Hoy to approve the minutes of July 10, 2018 as presented. Carried. 8 Yes. 0 No.

APPROVAL OF AGENDA:

Motion by Commissioner Leaser, second by Clarke to approve the agenda as presented. Carried. 8 Yes. 0 No.

EARLY PUBLIC COMMENT:

Community Development Director Bryan Myrkle, stated Brett Roberts, owner of Dairy Queen, is still appealing the use of the speaker. He announced there will be a ZBA hearing on Monday September 24th at 7:00pm. Director Myrkle reminded that Planning Commission members are able to attend as individuals and may not deliberate on any future business of the matter outside of a Planning Commission meeting.

NEW BUSINESS:

A. DISCUSSION LANDSCAPING PLAN-619 W. HARRIS:

Community Director Myrkle stated that the landscaping arrangements are being worked out between the business and adjacent resident. This includes the resident rebuilding their deck and Dornbos installing an arbor vitae.

B. PUBLIC HEARING – CONDITIONAL USE-809 E. SHEPHERD.:

Public Hearing Opened: 7:09 P.M.

Phil Grimwood, Director of Helping Hands, gave an overview of the history of Helping Hands. He stated the business is searching for a larger facility to operate from. Grimwood stated that Helping Hands is proposing to purchase the parcel north of the Crossroads United Brethren Church to build on.

Discussion was held regarding truck traffic, building lighting and color, and the impact on the surrounding neighborhood.

Public Hearing Closed: 7:46 P.M.

**C. ACTION- CONDITIONAL USE – 809 E. SHEPHERD:
RESOLUTION NO. 2018 –PC-06**

**A RESOLUTION TO GRANT A CONDITONAL USE PERMIT TO
HELPING HANDS OF EATON COUNTY FOR THE OPERATION OF
A FAITH-BASED FOOD PANTRY
IN A R-1 SINGLE FAMILY RESIDENTIAL ZONE**

WHEREAS, the City of Charlotte Planning Commission has received a request for a Conditional Use Permit for the operation of a faith-based food pantry for a portion of the property located at 809 E. Shepherd Street; and

WHEREAS, 809 East Shepherd Street is zoned R-1 Single Family Residential; and

WHEREAS, "Churches and other facilities normally incidental thereto," are an allowed use, subject to conditions, in an R-1 Single Family Residential zone; and

WHEREAS, the City of Charlotte Planning Commission desires to both facilitate local development and minimize negative off-site impacts.

THEREFORE, BE IT RESOLVED, the City of Charlotte Planning Commission hereby grants a Conditional Use Permit for the operation of a faith-based food pantry for a portion of the property located at 809 E. Shepherd Street, subject to the following conditions:

- The site shall be so located as to provide for ingress and egress from the site directly onto a thoroughfare having an existing or planned designation as a major or secondary thoroughfare.
- The principal building on the site shall be set back from abutting properties zoned for residential use not less than 15 feet.
- The principal building on the site, should it exceed the maximum height allowed for this district, shall be set back from front, side and rear property lines by an additional 1 foot for each foot of building that exceeds the maximum height allowed.

Roll was called. Votes recorded as follows:
Commissioner Gonzales-Pennington – Yes
Commissioner Brummette – Yes
Commissioner Clarke – Yes
Commissioner Rosier – Yes
Commissioner Hoy – Yes
Commissioner Snyder – Yes
Commissioner Leaser – Yes
Motion passed

Commissioner Hoy moved, supported by Rosier to approve the conditional use per Resolution No. 2018 PC-06 as presented. Carried. 8 Yes. 0 No.

D. PUBLIC HEARING: ZONING TEXT AMENDMENT – CHAPTER 82 SEC. 82-288 CONDITIONAL USES TO REDUCE THE SIZE OF SITE FOR MULTIPLE FAMILY DWELLINGS:

Public Hearing Opened: 7:47 P.M.

Director Myrkle explained the need to adjust the Conditional Uses to reduce size of site for Multiple Family Dwellings. When the parking lot was sold to the church the lot size was reduced under the two acres outlined in the Conditional Use. He explained that this is a request for a recommendation from Planning Commission to City Council.

Discussion was held.

Public Hearing Closed: 7:52 P.M.

E. ACTION – ZONING TEXT AMENDMENT CHAPTER 82-SECTION 82-288:

Commissioner Leaser moved, supported by Snyder to recommend approval of the zoning text amendment Chapter 82 Section 82-288 as presented. Carried. 8 Yes. 0 No.

F. PUBLIC HEARING: REZONE AMENDMENT- 200 N. COCHRAN:

Public Hearing Opened: 7:53 P.M.

Director Myrkle explained the current zoning of 200 N. Cochran and the reason for the request for the rezoning.

Brad and Tammy Bush, Charlotte Plaza Floral, discussed their desire to add business vendors to the location as well as maintaining the integrity of the historic building.

Public Hearing Closed: 8:08 P.M.

G. ACTION – REZONE AMENDMENT-200 N. COCHRAN :

Roll was called. Votes recorded as follows:

Commissioner Gonzales-Pennington – Yes

Commissioner Brummette – Yes

Commissioner Clarke – Yes

Commissioner Rosier – Yes

Commissioner Hoy – Yes

Commissioner Snyder – Yes

Commissioner Leaser – Yes

Motion Passed

Commissioner Rosier moved, supported by Clarke to recommend approval of the rezone amendment for 200 N. Cochran as presented. Carried. 8 Yes. 0 No.

H. SITE PLAN REVIEW- CENTRAL DISPATCH WIRELESS TOWER:

Community Director Myrkle explained Eaton County 911 is looking to replace the current wireless tower and reviewed Resolution No. 2018 PC-07.

Trent Osterling, Project Engineer, and Mike Armitage, Eaton County 911 Director, discussed the benefits of the new tower and the structure.

I. ACTION – SITE PLAN - CENTRAL DISPATCH WIRELESS TOWER:

RESOLUTION NO. 2018 -PC-07

A RESOLUTION TO APPROVE A SITE PLAN FOR A WIRELESS COMMUNICATIONS TOWER AT 911 COURTHOUSE DRIVE, IN THE CITY OF CHARLOTTE

WHEREAS, Eaton County Central Dispatch has submitted a site plan for the installation of a wireless communication tower at 911 Courthouse Drive in the City of Charlotte; and

WHEREAS, the City of Charlotte Planning Commission has made the following findings regarding this site plan:

- The facility is not demonstrably injurious to the neighborhood, nor otherwise detrimental to the public safety and welfare.
- The facility is designed and located so as to be harmonious with the surrounding area.
- The applicant has demonstrated a justification for the proposed height of the structure and an evaluation of alternative designs.
- The height of the structure is the minimum height demonstrated to be necessary for reasonable communication by the applicant.
- No part of the structure is within 30 feet of a residential property.
- The structure is at least as far from the nearest public street as it is tall.
- Reasonable access to the site for purposes of maintenance, repair and inspection is possible.
- The proposed color of the structure will minimize distraction, reduce visibility, maximize aesthetic appearance, and ensure compatibility with neighboring properties.
- The applicant has supplied the necessary soils report from a geotechnical engineer.

- The applicant has supplied a long-term maintenance plan.
- No additional landscaping is required, as the base of the tower is adequately screened by the building in front of it.
- The structure has been designed by a state-licensed professional to modern standards of structural integrity.
- The City of Charlotte and Eaton County Central Dispatch have negotiated, and will execute, the necessary agreement ensuring the timely removal of the tower, if and when it is taken out of service.

THEREFORE, BE IT RESOLVED that the City of Charlotte Planning Commission hereby approves the site plan.

Commissioner Hoy moved, supported by Clarke to approve the site plan for Central Dispatch Wireless Tower per Resolution No. 2018 PC-07 as presneted. Carried. 8 Yes. 0 No.

LATE PUBLIC COMMENT: None.

There being no further business, Chariperson Brummette adjourned the meeting at 8:22 p.m.

Jessica Walters, Deputy City Clerk