

REGULAR MEETING OF THE WEST BRANCH PLANNING COMMISSION HELD IN THE COUNCIL CHAMBERS OF CITY HALL, 121 NORTH FOURTH STREET, ON TUESDAY, JULY 11, 2017.

Chairman Mike Jackson called the meeting to order at 6:00 p.m.

Present: Bob David, Kara Fachting, Jan Hasty, Mike Jackson, June Longstreet, Lisa Saurer, Jason Stroebel, and Dan Weiler.

Absent: Heather Grace.

Others officers in attendance: City Clerk/Treasurer John Dantzer.

All stood for the Pledge of Allegiance.

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As an addition to the agenda a drawing for the sign for Bubbles and Burritos was presented. It was noted that the sign was already approved upon the condition of it including Victorian elements and the owners were looking for approval that the design met the Victorian requirement.

Chairman Jackson noted that it did have Victorian designs in the corners.

Members Hasty and Longstreet noted they would like to see more Victorian designs.

Dora Zapczynski asked about the Victorian theme and what is considered Victorian.

Rich Heavlin, on behalf of Bubbles and Burritos, was on hand to answer questions and noted that the font (Templar) of Bubbles and Burritos is listed in the approved Victorian fonts

Member Saurer noted that it does have some Victorian design and some of the lettering is in the approved Victorian font so in her opinion it does meet the criteria.

Rich Heavlin noted that they were looking at doing more Victorian designs on window signage.

MOTION BY DAVID, SECOND BY FACHTING, TO APPROVE THE SIGN FOR BUBBLES AND BURRITOS AS PRESENTED BECAUSE IT DID INCLUDE VICTORIAN ELEMENTS.

Yes – David, Fachting, Jackson, Saurer, Stroebel, Weiler

No – Hasty, Longstreet

Motion carried

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As another addition to the agenda a temporary sign permit was submitted on behalf of Kmart. It was noted that the banner is larger than what is allowed in the Central Business District.

Member Jackson noted that he did not see any reason to cause any more issues for the business since it is going out of business and only going to be up for a short while.

MOTION BY HASTY, SECOND BY LONGSTREET, TO APPROVE THE TEMPORARY SIGN PERMIT AS PRESENTED UPON THE CONDITION THAT IT IS TAKEN DOWN BY SEPTEMBER 3, 2017.

Motion carried

Will Engemann addressed the Commission on the noise ordinance and noted there seems to be conflicting ordinances regarding time which needs to be addressed. He noted that they have used the same location for their band practice for many years and this is the first issue that he is aware of. He noted several other businesses play music to much later than what they practice. He noted that any new rules need to be specific and must be objective not subjective. He also noted that an ordinance shouldn't be enforced against a single entity. He noted an issue with the amplified noise but not all loud noise is amplified. He also noted that part of living in town is you are going to be subject to more noise than you typically would in a country setting. Mr. Engemann further noted they would like to continue to use the location they currently are but does understand that there needs to be limits and asked for them to consider a reasonable time.

Betsy Warner addressed the Commission and noted she did understand there would be more noise in the City but she did not anticipate music blaring through her house. She noted it does interfere with her children trying to sleep and asked the Commission to consider these types of issues when discussing the noise ordinance.

Christine Detroyer submitted plans to tear down and rebuild a garage. She noted the plans would allow them to eliminate several encroachment issues but would need to get a variance to build with a 6' setback on the side and 10' on the back.

It was noted that the Planning Commission is not allowed to grant variances and that they would have to have it approved by the Zoning Board of Appeals but they could submit a recommendation.

MOTION BY JACKSON, SECOND BY FACHTING, TO RECOMMEND FOR APPROVAL TO THE ZONING BOARD OF APPEALS THE SITE PLAN AS SUBMITTED FOR 212 E. HOUGHTON AVE.

Motion carried

A sign permit was submitted by Dora Zapczynski for 205 Crafts Emporium. It was noted it was larger than what was allowed in the Central Business District.

Deputy Zoning Administrator Kelli Collins recommendation was noted for approval because it did contain some designs that she would consider Victorian and that even though the font is not listed on the approved Victorian font list, it did have a Victorian appearance.

Chairman Jackson noted the existing sign ordinance does not take into account the size of the building.

Member Fachting noted it looks appropriate for the size of the building it is going on

Member David noted the old sign when it was Mill End was much bigger.

Chairman Jackson noted it is smaller than other signs that have been allowed in the same area.

Chairman Jackson noted he would like to have changes to the sign ordinance on the next agenda

MOTION BY DAVID, SECOND BY FACHTING, TO APPROVE THE SIGN PERMT AS PRESENTED BECAUSE THE SIZE OF THE SIGN IS PROPORTIONATE TO THE SIZE OF THE BUILDING.

Motion carried

A sign permit was submitted by Jude Fonguh for the Ogemaw Pharmacy to add a monument style sign off of M-30 on land owned by the Knights of Columbus. It was noted the sign was larger than what is allowed in the Office/Service district.

Member Stroebel asked about the location and if Chief Walters had looked at the permit. It was noted that he has not but that they will typically require the owner to confirm location with the Chief before it is installed

Deputy Zoning Administrator Kelli Collins recommendation was noted and that she would recommend approval because the location that they want to put it in is sufficient to have a sign that large.

Chairman Jackson noted he does not believe there are any other monuments signs that are the required size and they have all been approved.

Member Stroebel noted that documentation was submitted showing approval by the Knights of Columbus to use the land for the sign.

Chairman Jackson noted that based on the sizes of the other signs in the same area, he didn't see any reason to not allow it.

MOTION BY FACHTING, SECOND BY WEILER, TO APPROVE THE SIGN PERMT AS PRESENTED CONTINGENT UPON THE APPROVAL OF LOCATION BY CHIEF WALTERS.

Motion carried

The Commission discussed recommendation for changes to the noise ordinance.

Chairman Jackson noted that he thought 11:00 was too late for a noise limit.

Member Saurer noted consideration should be taken when the disruptive noise is being amplified and can be controlled by the user.

Chairman Jackson noted that animal noises were noted in section 153.04 but not section 95.2

Member Saurer noted they could look into different time limits at different times of year such as when school is in or out.

Chairman Jackson noted he would prefer to have separate times for days of the week and not based on time of the year. He noted his recommendation is to have the noise limits be from 10:00 pm to 7:00 am Sunday through Thursday and 11:00 pm to 7:00 am Friday and Saturday.

Member Saurer noted she would prefer 9:00 pm on weekdays.

The Commission asked Mr. Engemann what he thought would be a reasonable time and he noted his opinion would be 9:30 pm and that he would agree it makes sense to have different requirements for weekdays and weekends. He noted they are making efforts to eliminate the sounds.

Chairman Jackson noted any decision needs to be based on any issues that may come up, not just this one particular situation and to resolve two conflictive ordinances that are on the book.

Member Fachting noted they may consider holidays with the different time schedules.

Member Stroebel noted he thought 9:00 pm was too early and 10:00 or 10:30 would be better.

Member Saurer noted 11:00 would mimic the County ordinance so anything later wouldn't make sense.

Member Longstreet noted they may need to consider what the area is zoned for.

MOTION BY WEILER, SECOND BY FACHTING, TO APPROVE THE RECOMMENDATION TO CONTINUE WITH NOISE ORDINANCE SECTION 95.2 WITH THE INCLUSION OF 153.04 SECTION (B)(1) AND TO CHANGE THE TIMES IN SECTION 95.2 (2) AND 95.2 (4) TO SAY BETWEEN THE HOURS OF 11:00 PM -7:00 AM ON FRIDAY AND SATURDAY AND 10:00 PM -7:00 AM ON SUNDAY THROUGH THURSDAY AS WELL AS CHANGED THE TIME IN 95.2 (8) FROM 7:00 AM TO 8:00 PM AND DISSOLVE THE REST OF 153.04.

Yes – David, Fachting, Hasty, Jackson, Longstreet, Stroebel, Weiler

No – Saurer

Motion carried

The Commission discussed different options to connect the City's Riverwalk with the Tolfree Wellness Park.

Chairman Jackson thanked the volunteer who put in a lot of time coming up with the potential routes and offered some additional ideas.

Member Longstreet noted concerns with the railroad tracks and what they were going to allow so that would have to be considered when coming up with a plan.

Member Stroebel noted he thought option 2 was the best out of what was presented.

Chairman Jackson noted he would prefer to have the crossing of Houghton Ave at the light to make it safer for people traveling.

Member David noted his preference for the use of Progress instead of Hansen St.

Member Longstreet noted she thought option 3 was the best out of what was presented.

Chairman Jackson recommended to have everyone spend more time on this and present their ideas to Manager Grace.

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MOTION BY DAVID, SECOND BY FACHTING, TO APPROVE THE MINUTES WITH CORRECTIONS FROM THE REGULAR MEETING HELD TUESDAY, JUNE 27, 2017.

Motion carried

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Member Saurer noted concerns on the new no parking areas and that they need to get rid of the white parking spots to eliminate confusion.

Member David noted one of the new no parking signs on State St. were put up in a location that is not visible due to trees.

Member Hasty noted her concern for the 4th of July parade and for the time between the parade and the fireworks and there was nothing going on downtown to keep people there. Member Stroebel noted that the West Branch Recreation Committee could possibly look at doing something next year.

Member Stroebel thanked everyone for his appointment and is looking forward to working with everyone and has the best interest of the City.

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Mayor Lawrence addressed the Commission on the 4th of July parade and noted that it was put on by the Chamber of Commerce and she was in agreement that it needs to be done earlier in the day.

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MOTION BY HASTY, SECOND BY DAVID, TO ADJOURN THE MEETING AT 8:35 PM

Motion carried