

**WORK SESSION MINUTES  
MARSHALL CITY PLANNING COMMISSION  
MONDAY, January 30, 2012**

In a work session, Monday, January 30<sup>th</sup>, 2012 at 6:00 p.m. in the Public Services Building training room, 900 S. Marshall St., Marshall, MI 49068 the Marshall Planning Commission was called to order by Chair Collins

**ROLL CALL**

Members Present: Chair Collins, Commissioners Davis, Revore, Burke Smith, Oates, Banfield, and Council Liaison Mankerian

Members Absent: Commissioner Fleming

Staff Present: Natalie Huestis, Director of Community Services  
Dave Owens, Planning & Zoning Assistant

**AGENDA**

**AUDIENCE PARTICIPATION**

None

**BUSINESS**

**Discussion and review of Hospital Campus Overlay District (HCOD) text.**

Commissioners asked Liaison Mankerian to ask for further time to review the Hospital Campus Overlay District (HCOD). Mankerian stated that she could pose the question to the City Council and the Mayor about extending the Planning Commission's deadline for submission of their recommendation.

Staff presented the HCOD in a word document, as it would appear inserted into the city's current Code of Ordinances. Changes, comments, and concerns were recommended by Commissioners.

Commissioners commented on the Overlay definitions and expressed concern over their placement. Commissioners asked staff if the new definitions were previously in the Code of Ordinances. It was stated that the current Code of Ordinances does not refer to properties as "Residential Use" or "Non-residential Use". This was a new term suggested by Birchler Arroyo to be used in conjunction with the Overlay.

The following changes were recommended by Commissioners:

**SECTION 156.184 PURPOSE;** paragraph 1 should read:

*The Hospital Campus Overlay (HCO) District is designed to establish and define an overlay district. in the vicinity of the block bounded by Madison, Mansion, High, and Prospect Streets. As shown on the official Zoning Map. The HCO is established for the purpose of accommodating a concentration of health care **associated/related** retail, and commercial office uses, combined with residential*

dwelling within a campus-like setting. ~~It is anticipated~~ **The goal is** that expansion of health care services and related structures will take place within the boundary of the HCO to encourage growth and viability of the hospital...

**SECTION 156.184 PURPOSE;** paragraph 2 should read:

*The HCO is ~~created~~**intended** to provide a harmonious relationship...*

**SECTION 156.184 PURPOSE;** paragraph 3 should read:

*Expansion of health care and supporting uses within the HCO is anticipated as health care services and related uses continue to expand. ~~It is recognized that s~~ Street closures may also be a component of the District, subject to City Council approval. ~~in order to provide the necessary area for expansion of medical facilities, while reducing the neighborhood impact and promoting pedestrian safety.~~ The HCO provides the regulatory framework to permit expansion of health care and supporting uses.*

Commissioners commented that closing a street would certainly have an impact on the neighborhood, and they would like to see the research data behind the recommendations to better understand the context of this paragraph. Commissioners asked the hospital representative if they could expand upon the intent of the street closure clause. The hospital representative responded that the hospital's intent was to relieve neighborhood encroachment while expanding by closing a street and using the road for expansion.

**SECTION 156.184 PURPOSE;** paragraph 3 should read:

**SECTION 156.185 PRINCIPLE PERMITTED USES IN THE HCO DISTRICT (1)(2)&(3);** should read:

1. *...home medical equipment facilities, sleep centers, therapy, diagnostic or treatment centers, ambulance facilities, **hospital related services**, and other health care providers. ~~as well as those other uses typically associated with a hospital.~~*
2. *Nursing homes, retirement homes and other residential uses dependent upon or directly related to medical care such as convalescent care, skilled nursing, group homes for the disabled and overnight accommodations, and licensed daycare facilities. **(No direct change, but Commissioners wanted to identify the types of daycare in the definitions of zoning to ensure day care centers are what this is intending to call out.)***
3. *Professional offices and services, including but not limited to **include the following:** insurance, legal, patient, accounting, financial, **and** governmental, ~~and similar or allied professions.~~*

After some debate Commissioners agreed that **SECTION 156.186 PERMITTED ACCESSORY USES** should be struck from the HCOD, and become **SECTION 156.186 RESERVED**. Commissioners clarified that Section 156.186 is redundant and not needed in the HCOD due to accessory structures being covered in other sections of the Code of Ordinances; instead Commissioners recommended adding the following to **SECTION 156.185**.

**SECTION 156.185 PRINCIPLE PERMITTED USES IN THE HCO DISTRICT (5):**

5. ***Accessory structures and uses that are customarily incidental to any principle use permitted by this section.***

(official)

Commissioners discussed the importance of informing City Council that **SECTION 156.187 DIMENSIONAL REQUIREMENTS** is worded in a manner that may require staff to define whether or not a home is being “used” as residential.

Commissioners asked the hospital representatives if they could clarify **SECTION 156.187’s** intent. Hospital representatives stated that this section was not intended to define a space, but to try and look ahead to accommodate all variables of the hospitals future growth pointing out that without it the hospital could potentially be held to a 10 foot setback on all property lines throughout the overlay.

Commissioners then asked staff to contact Arroyo to find out why the terms “**Residential Use**” and “**Non-residential Use**” was used in this overlay.

Commissioners discussed moving the HCOD definitions from the Code of Ordinance definitions, and making them subject to the HCOD only. Commissioners stated doing this would remove issues from coming up in the future where differently zoned areas may try to use HCOD definitions to alter their use.

Commissioners agreed the wording in **SECTION 156.187 DIMENSIONAL REQUIREMENTS 2 (A), 2 (B) & 3 paragraph one** should read:

**2 (A):** *If a zoning zoned lot is separated from a residential district by a street, there shall be a ten (10)-foot minimum setback on the side of the zoning zoned lot facing the residential district.*

**2 (B):** *For a non-residentially used lot abutting or located within an HCHSD (Health Care and Human Service District), POSD (Professional Office Service), B-2 (Local Business) or B-3 (Neighborhood Commercial), the following setbacks shall apply...*

**3 paragraph 1:** *...the goal of completely obscuring the view of the rooftop equipment ~~by~~ from a 5'10" tall person standing at grade level within 100' of the building...*

Commissioners asked staff to find out if the alleys within the HCOD are dedicated streets, and if vacated, what would happen to the garages currently accessible from the alley.

Commissioners also discussed the need to set the public hearing at the next regular Planning Commission meeting.

Commissioners discussed not giving a recommendation to City Council and instead, giving them comments on what they have reviewed would be acceptable.

Commissioners agreed to add a work session for February 22<sup>nd</sup>, 6:00pm, at the Public Services Building 900 S. Marshall Street.

**ADJOURN** The Planning Commission adjourned work session at 9:00 p.m.

Submitted by,  
*Dave Owens*