

A Regular Meeting of the Otsego Planning Commission was held Monday, April 26, 2021.

Chairman Tom Gilmer called the meeting to order at 7:00 p.m. with the following members present: Robert Alway, Ric Saucedo, Paul Mitchell, Jayson Ennis, Brent Milhiem, Cyndi Trobeck, Jason Bohl and City Manager Mitchell. Absent: None.

On a motion by Member Alway, and seconded by Member Paul Mitchell the minutes of the March 22, 2021, meeting were approved.

At this time, Chairman Gilmer gave a brief overview of the items being brought before the Planning Commission, since there was a large audience.

I. PRESENTATIONS:

II. PUBLIC HEARINGS:

A. PUBLIC HEARING TO CONSIDER A SPECIAL LAND USE PERMIT FOR A USED VEHICLE DEALER AND USED VEHICLE PARTS DEALER AT 610 S. PLATT STREET – PRIME SOLUTIONS LLC

Chairman Gilmer opened the Public Hearing at 7:04 p.m. Chairman Gilmer asked that Joe Dendel the owner of Prime Solutions give an overview of the need for a special land use permit. At this time, Mr. Dendel gave an overview of the work that he is completing inside the building, which is converting vehicles over to electrical vehicles and constructing charging stations. He mentioned that he is also requesting, through a site plan amendment to construct an eight-foot fence, with privacy webbing to store cars behind. Various members of the audience asked why he had already started the project and had used cars on the lot, before it had been approved. At this time, Chairman Gilmer gave a brief history of spot zoning and indicated that the location is zoned Industrial. At this time, Mr. Dendel reviewed the site plan that will be considered later in the meeting. Chairman Gilmer noted that if the site plan is not approved the property will stay as is. In response to concerns, Member Aaron Mitchell commented that if Mr. Dendel does not follow the potentially approved amended site plan, that it would be a civil infraction. Mr. Dendel answered various questions from the audience regarding the Used Car/Used Parts sales license. He indicated that he would be selling cars and parts on-line only. He also stated that the cars would not be outside of the fenced area. At this time, the audience asked various questions of Mr. Dendel. Chairman Gilmer asked that audience members that wanted to speak, should approach the podium and state their name and address.

Jim Misner, 512 Dix Street – he was in opposition because of the environmental concerns, property values and an on-going blight issue.

Kelly Davis, 710 Clara – he was in opposition because he does not want a salvage yard in the community, environmental concerns, and asked if there would be repercussions if this did happen.

Craig Sisson, 740 Bayberry – he was in opposition because of the aesthetics, environmental concerns, inappropriate use in the heart of Otsego.

David Edwards, 515 S Platt – he was in opposition because of the aesthetics, using of equipment

outside (smell/noise), the screening doesn't protect from the smells, and decreasing the value of his rental property.

Lorna Sisson – 740 Bayberry – she was in opposition. She commented that she feels bad for the owner, but does not want it in the neighborhood, concerned with what has already been done on site, the noise, and ordinances not being enforced.

Ruby Rogers, 530 S Platt – she was in opposition because of safety issues, road issues, and the fact that cars have already been moved on site.

Jim Gilligan, 755 Bayberry – he was in opposition because of the environmental concerns – a creek 50 yards away, and the traffic on Dix Street.

Sally Simpson, 745 Bayberry – she was in opposition because the project had already started, her potentially having problems selling her home, the eight-foot fences, it is too close to the library and will affect a lot of people.

Ken Bleeker, 729 Bayberry – he asked for clarification as to what was being asked for. Member Aaron Mitchell explained that the application was not for a used car dealership, it was for a license to sell used cars, which Mr. Dendel stated would be all on-line, there will be no cars for sale on the lot. He explained that he is not requesting a zoning change, but rather a legal use per the City's Zoning Ordinance for an Industrial building. Mr. Bleeker commented that authority shouldn't be given to park the cars outside, they need to be in a building. He asked if the Planning Commission would limit the use to inside the building or if it is outside to put limits on it in a small area.

Pam Roth, 701 Kay – she was in opposition because of environmental issues, she doesn't want to live next that, and commented that this it is located in a nice neighborhood with the school and library.

Don Murdock, 238 Charles – he commented that he is in opposition because of environmental concerns and that the project was started before approval.

Tina Hightower, 229 Dix – she was in opposition because of safety concerns, who is going to monitor the safety concerns, and doesn't want a dump in the middle of our community.

Jackie Wisely, 738 Bayberry – she was in opposition because of the pollution, it would be a liability, is there a clean-up plan, and she wants to protect her City.

The following written comments were received in opposition:

1. Tom & Donna Dunn – 708 Howard Street
2. Judy Kiel – 718 Bayberry
3. Jill Anderson – 728 Bayberry
4. Neil & Leslie Pohl – 1006 Goodsell
5. Kim Blagg – 733 Howard
6. Nancy Boettcher – 713 Bayberry
7. Dan Bushhouse – 448 Lee Street

The Public Hearing was closed at 8:19 p.m.

**B. PUBLIC HEARING TO AMEND THE CITY OF OTSEGO ZONING ORDINANCE; TO AMEND SECTION 14.3 SITE PLAN REVIEW REQUIREMENTS – GROUND WATER PROTECTION**

Member Aaron Mitchell stated that the amendment to the site plan review process would include the Environmental Checklist. Chairman Gilmer opened the Public Hearing at 8:20 p.m., there being no comments, the Public Hearing was closed at 8:21 p.m.

**III. CONSIDERATIONS**

**A. CONSIDERATION OF A RECOMMENDATION TO THE CITY COMMISSION TO GRANT A SPECIAL USE PERMIT FOR A USED VEHICLE DEALER AND USED VEHICLE PARTS DEALER AT 610 S. PLATT STREET – PRIME SOLUTIONS LLC**

At this time Chairman Gilmer, asked for the opinion of the members.

Member Saucedo – he had environmental concerns.

Member Ennis – he had environmental concerns, asked if he had an approved wastewater drain, and was concerned about rodents in salvaged cars.

Member Bohl – he commented that he wrote down all of the concerns voiced at the public hearing. He commented that he has environmental concerns and concerns that Mr. Dendel has already started. He stated that he was against this Special Land Use Permit. He commented that he has little faith or confidence in the City or the Planning Commission, because of the continuous blight issues in the City and understands why people wouldn't have faith in the City.

Member Alway – he had various questions regarding the vehicles that would be outside. He commented that he had concerns regarding the cars being outside and not inside the facility, number of cars, drainage of fluids, noise, and being so close to the library.

Member Trobeck – she commented that Jim Misner had good environmental points. A conversation took place regarding asphalt not being a barrier for pollutants, as the barrier should be concrete with a curb and catch basin. She commented that she was disappointed that the fence was being put up and stated that she will take that into consideration when making her decision.

Member Milhiem – he thanked the audience. He concurred with Member Trobeck. He asked Member Aaron Mitchell if a permit had been pulled for the projects that he was currently working on. Member Mitchell stated that a permit had not been pulled for the projects and once the City found out about them they were put on pause. He commented that Mr. Dendel has an innovative idea and commented that he would like to see a site plan that goes hand in hand with the Special Land Use Permit. He stated that unfortunately there are environmental issues and an issue with beginning the project before approval.

Member Aaron Mitchell – he stated that the City is in a unique situation and the rules and laws need to be followed. He reiterated that the Planning Commission/City Commission can put regulations on the site plan. He further explained the legal aspects of granting and not granting

the special use permit. He reminded the Planning Commission that there has to be a specific reason for not approving a Special Land Use Permit.

Chairman Gilmer – he stated that it was impressive the number of residents that were in attendance to discuss the Special Land Use Permit. He commented that what was presented by Mr. Dendel was not clear. He stated that he had come to the meeting prepared to support the Special Land Use Permit, but without clarification he could not support it. He explained to Mr. Dendel that he needs to be more specific and be able to answer the concerns that were voiced. He complimented the audience for doing their research, for their interest and for their comments. He stated that he values this City and has been involved for almost fifty years in the community and glad that so many people are proud of our City, as it is a wonderful place.

It was the consensus of the Members that there was not enough information provided by Mr. Dendel, specifically the aesthetics of the property and the environmental concerns. They also noted that Mr. Dendel began the project before approval.

Member Trobeck moved to make a recommendation to the City Commission to grant a Special Land Use Permit for a Used Vehicle Dealer and Used Vehicle Parts Dealer at 610 South Platt Street – Prime Solutions LLC, seconded by Member Milhiem. UNANIMOUSLY NOT CARRIED. No – Members: Trobeck, Milhiem, A. Mitchell, P. Mitchell, Saucedo, Ennis, Alway, Bohl, and Gilmer.

**B. CONSIDERATION OF A SITE PLAN AMENDMENT AT 610 S. PLATT STREET  
– PRIME SOLUTIONS LLC**

Member Alway moved to remove the Site Plan Amendment at 610 S. Platt Street – Prime Solutions LLC, seconded by Member Aaron Mitchell. CARRIED

**C. CONSIDERATION OF A RECOMMENDATION TO THE CITY COMMISSION  
TO AMEND THE CITY OF OTSEGO ZONING ORDINANCE; TO AMEND  
SECTION 14.3 SITE PLAN REVIEW REQUIREMENTS – GROUND WATER  
PROTECTION**

Member Aaron Mitchell stated that the amendment had been approved by the City’s engineers and attorney. He stated that no revisions were made since the last meeting. Member Alway moved to make a recommendation to the City Commission to amend the City of Otsego Zoning Ordinance; to amend Section 14.3 Site Plan Review Requirements – Ground Water Protection, seconded by Member Paul Mitchell. CARRIED.

**D. CONSIDERATION OF A SITE PLAN AMENDMENT AT 595 E ALLEGAN  
STREET – NATHAN HUNT-SUNSET DEVELOPMENT**

Member Aaron Mitchell gave a brief overview of the placement of the building addition. Member Alway moved to recommend to the City Commission the site plan amendment for approval for 595 East Allegan Street – Nathan Hunt – Sunset Development, seconded by Member Paul Mitchell. CARRIED.

**IV. DISCUSSION ITEMS:**

**PUBLIC COMMENT:**

None.

MEMBER COMMENTS:

None.

The meeting was adjourned on motion by Member Ennis, seconded by Member Milhiem.

CARRIED –9:09 p.m.

Angela M. Cronen, MMC  
City Clerk