

PLANNING COMMISSION

September 7, 2017

The City of Portage Planning Commission meeting of September 7, 2017 was called to order by Chairman Stoffer at 7:00 p.m. in Council Chambers of Portage City Hall, 7900 South Westnedge Avenue. Ten citizens were in attendance.

PLEDGE OF ALLEGIANCE:

Chairman Stoffer led the Commission, staff and citizens in the Pledge of Allegiance.

IN ATTENDANCE:

Christopher Forth, Deputy Director of Planning, Development and Neighborhood Services; Michael West, Senior City Planner; and Randy Brown, City Attorney.

ROLL CALL:

Mr. Forth called the roll: Patterson (yes), Shoup (yes), Stoffer (yes), Schimmel (yes), Bosch (yes), Joshi (yes), Harrell-Page (yes), and Corradini (yes). All members were present.

APPROVAL OF MINUTES:

Chairman Stoffer referred the Commission to the August 17, 2017 meeting minutes contained in the agenda packet. A motion was made by Commissioner Patterson, seconded by Commissioner Schimmel, to approve the minutes as submitted. The motion was unanimously approved 8-0.

SITE/FINAL PLANS:

1. Final Plan: Greenspire Apartments (Phase V-B), 8615 Tozer Court. Mr. Forth summarized the staff report dated August 31, 2017 regarding a request from H & G II, Inc. to construct the second portion of Phase V of Greenspire Apartments within the Greenspire Planned Development (PD). Mr. Forth stated Phase V-B proposes construction of five, three-story apartment buildings (108 units) and associated site improvements on property addressed as 8615 Tozer Court. Mr. Forth indicated the combined total number of apartment units in Phase V (A and B) will be 184 units, which is four more than indicated in the approved tentative plan (180 units). To address this issue, Mr. Forth stated the applicant will reduce the number of apartment units in Phase VI by four units (104 units to 100 units) so as to maintain the overall residential development density of 8.45 units per acre (704 total units on 83.3 acres) for the residential portion of the Greenspire PD. Mr. Forth briefly discussed aspects of the project including access, storm water and screening and stated the plan has been designed in substantial conformance with the approved tentative plan/narrative.

Mr. Greg Dobson of American Village Builders (representing H & G II, Inc.) was present to support the application and briefly explain the development history of the Greenspire PD. Mr. Dobson stated the final plan has been designed consistent with the approved tentative plan/narrative. No citizens spoke regarding the final plan. A motion was then made by Commissioner Patterson, seconded by Commissioner Bosch, to recommend to City Council that the Final Plan for Greenspire Apartments (Phase V-B), 8615 Tozer Court, be approved. The motion was unanimously approved 8-0.

PUBLIC HEARING:

1. Preliminary Report: Rezoning Application: Rezoning Application #17/18-1, 9444 South Sprinkle Road and 4691 Branch Avenue. Mr. West summarized the August 31, 2017 staff report regarding a request from Steven and Emily Mullin to rezone the west 10-feet of 9444 South Sprinkle Road and the east 100-feet of Branch Avenue from R-1B, one family residential to B-3, general business. Mr. West stated the rezoning was being requested to facilitate construction of a 9,100 square foot retail building and associated site

improvements. Mr. West discussed a past rezoning of the subject property in 1984 and also reviewed the Comprehensive Plan and Future Land Use Plan designations for the subject property and adjacent properties, along with the suitability of the existing R-1B zone and impacts of the proposed B-3 zone.

Mr. Andrew Rossell of AR Engineering (applicant representative) was present to support the application and discuss his client's plan to construct a 9,100 square foot retail building north and west of the existing Mullins Auto Service facility. Mr. Rossell stated the rezoning request specifically excludes the west approximate 100-feet of 4691 Branch Avenue and is intended to provide an R-1B buffer to the adjacent residence to the west. Mr. Rossell presented a conceptual site plan which identified the preliminary building location, parking, loading/unloading area and storm water disposal pond. Mr. Rossell indicated that initial plans were not to extend public water and sewer to the site, but rather utilize a private well and septic system. Mr. West indicated that staff had not seen the conceptual site plan; however, extension of public water would likely be required to address Fire Code requirements. The Commission, staff and the applicant discussed various aspects of the rezoning request and proposed retail building including the surrounding zoning and land use pattern, access to the site, public water and sewer availability and the amount of rezoning area that would be necessary to accommodate the proposed development. Attorney Brown advised the Commission not to focus on the preliminary site plan details since a rezoning of the site would allow the applicant to establish any use that was allowed in that specific zoning district.

The public hearing was then opened by Chairman Stoffer. One citizen (Karla Hurt, 4669 Branch Avenue) spoke in opposition to the proposed rezoning. Ms. Hurt stated she lives immediately adjacent to the rezoning site and was opposed to the zoning change and retail development next to an established residential area. Ms. Hurt indicated she was concerned about additional commercial zoning along Branch Avenue and related impacts such as traffic, noise, safety, groundwater quality and adverse impact on property values. No additional citizens spoke regarding the proposed rezoning. There being no further discussion, a motion was made by Commissioner Bosch, seconded by Commissioner Shoup, to adjourn the public hearing for Rezoning Application #17/18-1, 9444 South Sprinkle Road and 4691 Branch Avenue, to the September 21, 2017 meeting. The motion was unanimously approved 8-0.

2. Preliminary Condominium Subdivision of Copperleaf (Phase III), 3800 West Milham Avenue and 5710 Angling Road. Mr. West summarized the staff report dated August 31, 2017 regarding the request by Westview Capital, LLC to construct Phase III of Copperleaf single-family residential subdivision. Mr. West stated Phase III of the Copperleaf Subdivision proposes 27 single family residential lots/units on approximately 8.2 acres and includes an extension of Copperleaf Trail, along with construction of a new public cul-de-sac street (Street "A"). Mr. West summarized the PD rezoning and tentative plan/narrative that received City Council approval in November 2013 along with subsequent approvals of Phase I in 2015 and Phase II in 2016. Mr. West stated that Phase III of the Copperleaf Subdivision has been designed in substantial compliance with the approved tentative plan/narrative and was recommended for approval subject to the two conditions outlined in the staff report regarding public streets/ utilities and storm water.

Mr. Pat Flanagan of Ingersoll, Watson & McMachen (applicant representative) was present to support the preliminary condominium subdivision. The public hearing was opened by Chairman Stoffer. No citizens spoke regarding Phase III of the Copperleaf Subdivision. A motion was made by Commissioner Bosch, seconded by Commissioner Schimmel, to close the public hearing. The motion was unanimously approved 8-0. After a brief discussion, a motion was made by Commissioner Bosch, seconded by Commissioner Joshi, to recommend to City Council that the Preliminary Condominium for Copperleaf Subdivision (Phase III), 3800 West Milham Avenue and 5710 Angling Road, be approved subject to the two conditions contained in the Department of Community Development report dated August 31, 2017. The motion was unanimously approved 8-0.

NEW BUSINESS:

1. Historic District Modification, 2663 Mandigo Avenue. Mr. Forth summarized the staff report dated August 11, 2017 regarding a request pending before the Historic District Commission from the Kalamazoo

County Treasurer to demolish all structures present at 2663 Mandigo Avenue, which include a 1865 two-story farmhouse, detached single-car garage, corn crib, small barn, chicken coop, outhouse and root cellar, along with a 1960 ranch house (non-historic). Mr. Forth stated the County acquired the property following a tax foreclosure and wishes to demolish all structures, which would remove the property from the historic district. Mr. Forth summarized preliminary Planning Commission review and discussion that occurred during the August 17th meeting and stated the Historic District Study Committee would be holding a public hearing on September 13th. Mr. Forth briefly discussed the preliminary report dated July 12, 2017 from the Historic District Study Committee which recommends a partial denial of the request allowing for demolition of the non-historic ranch house only. Mr. Forth also discussed an Unfit/Unsafe structure notice that was issued on May 10, 2017 for the two residential dwellings, small barn, corn crib and chicken coop. Mr. Forth stated that recent inspections by the City of Portage building officials have concluded that the structural condition of the small barn, corn crib and chicken coop are beyond reasonable repair. Mr. Forth indicated the condition of the various buildings on-site is a result of many years of neglect by the previous property owner and if the structures are not razed, will continue to remain an attractive nuisance open to casual entry and will continue to deteriorate.

Commissioner Joshi stated that she is an employee of Kalamazoo County, and after consultation with Attorney Brown, would be abstaining from discussion and recommendation regarding this matter: Commissioner Joshi then excused herself from Council Chambers for the remainder of the discussion.

The Commission, Attorney Brown and Mr. Forth discussed the role and responsibility of the Planning Commission in regard to a request to modify/eliminate a historic district. Commissioner Patterson indicated the condition of the buildings at the property was very poor given the years of neglect by the previous property owner and questioned whether the property has lost the physical characteristics necessary for historic district designation. Chairman Stoffer read from the Historic District Study Committee preliminary report the three criteria that are to be considered when deciding whether or not to remove a property from the historic register. Given the many years of neglect by the previous property owner and the deteriorated condition of the buildings, Commissioner Shoup stated that he believes criteria 1) has been met and the property has lost physical characteristics that enabled establishment of the district. Commissioner Bosch agreed. Commissioner Harrell-Page indicated that she grew up on a Centennial Farm and agrees with the recommendation of the Historic District Study Committee. Commissioner Harrell-Page stated she believes there are elements of the structures that still have historic significant and could be repaired/restored. Commissioner Corradini stated he has extended family that own historic farms and has an appreciation for historic preservation; however, believes the structures on the subject property have lost physical characteristics that originally made them historic given the decades of neglect from the previous property owner. Commissioner Corradini also indicated that he believes it would take a significant amount of money to restore these buildings to a point where the historic significance of the property could be restored. Chairman Stoffer stated that he agrees with the statements of Commissioners Shoup, Bosch and Corradini.

After additional discussion, a motion was made by Commissioner Bosch, seconded by Commissioner Shoup, to recommend that the Historic District Modification involving 2663 Mandigo Avenue be approved as requested by the Kalamazoo County Treasurer with demolition of all buildings and elimination of the historic district. The motion included a finding that the historic district has lost those physical characteristics that enabled establishment of the district. Upon a roll call vote: Patterson (yes), Shoup (yes), Stoffer (yes), Schimmel (yes), Bosch (yes), Harrell-Page (no) and Corradini (yes), the motion was approved 6-1.

NEW BUSINESS:

1. Accessory Building (Hoeksema), 443 West Osterhout Avenue. Mr. West summarized the staff report dated August 31, 2017 regarding a request from Mr. David Hoeksema to construct a 21.5-foot tall, 2,400 square foot detached accessory building along the northeast portion of 443 West Osterhout Avenue. Mr. West indicated the Zoning Board of Appeals (ZBA) granted a variance on August 14th to allow construction of the 21.5-foot tall detached accessory building, where a maximum 14-foot height is permitted. Mr. West stated the approximate 8.4 acre parcel contains a one-story residence with a total ground floor area

of 2,226 square feet and a 784 square foot attached garage, along with five small detached accessory buildings that will be removed from the site. After removal of these five small detached accessory buildings, Mr. West indicated the total ground floor area of all accessory buildings (existing attached garage and proposed detached barn) will exceed the ground floor area of the main residence by 958 square feet. As indicated in the application materials, Mr. West stated the proposed detached accessory will be utilized for storage of personal items including tractors, trailers, lawn equipment and will not be used for any business related purposes. Mr. West described the characteristics of the parcel and proposed setback distances from adjacent property lines and single family residences and indicated staff was supportive of the application.

Mr. David Hoeksema (applicant/owner) was present to support the proposed detached accessory building. No citizens spoke in regard to the proposed detached accessory building. After a brief discussion, a motion was made by Commissioner Patterson, seconded by Commissioner Bosch, to approve the proposed 2,400 square foot Accessory Building for Mr. David Hoeksema at 443 West Osterhout Avenue with a finding that the size and configuration of the parcel combined with the heavily wooded nature of the site and setback distances from adjacent residences and property lines will mitigate any impacts on adjacent properties. The motion was unanimously approved 8-0.

2. Comstock Township Future Land Use Plan Map Amendments. Mr. Forth referred the Commission to the communication received from Comstock Township regarding several proposed amendments to the Comstock Township Future Land Use Map. Mr. Forth stated that staff has reviewed the proposed amendments and does not have any specific comments. After a brief discussion, a motion was made by Commissioner Bosch, seconded by Commissioner Shoup, to accept the communication from Comstock Township with no comments regarding the proposed Future Land Use Map Amendments. The motion was unanimously approved 8-0.

3. City of Kalamazoo Master Plan. Mr. Forth summarized the August 31, 2017 staff report regarding the proposed update to the City of Kalamazoo Master Plan. Mr. Forth indicated that staff has reviewed the Master Plan and compliments the City of Kalamazoo on a well prepared and easily readable document. Mr. Forth stated that staff would appreciate the opportunity to engage the City of Kalamazoo in discussions regarding the future Kilgore Road boulevard project since this is the corporate boundary between the two communities with shared jurisdiction and control of Kilgore Road. Commissioner Shoup stated that he appreciates the vision toward a more walkable community and encourages ongoing efforts to interconnect the City of Kalamazoo and the City of Portage. After a brief discussion, a motion was made by Commissioner Bosch, seconded by Commissioner Joshi, to accept the City of Kalamazoo Master Plan with the provision that the Cities of Portage and Kalamazoo collaborate in the future on the reconstruction of Kilgore Road as a limited access boulevard. The motion was unanimously approved 8-0.

4. 2017-18 Neighborhood and Community Enhancement Program. Chairman Stoffer referred the Commission to the six applications received and schedule for review provided by staff in the final agenda materials. Chairman Stoffer then asked for an additional volunteer to join Commissioner Joshi and himself on the subcommittee to review the six applications and provide recommendation to City Council. Commissioners Corradini and Harrell-Page both volunteered to part of the subcommittee. Chairman Stoffer thanked Commissioners Corradini and Harrell-Page for volunteering and stated the subcommittee would need to schedule a date/time next week to meet and review the applications.

STATEMENT OF CITIZENS/COMMISSIONERS:

Commissioner Patterson stated that he would not be present at October 5, 2017 meeting. Commissioner Schimmel indicated that she may need to be excused from the October 5, 2017 meeting. All Commissioners indicated that they would be present at the September 21, 2017 meeting.

ADJOURNMENT:

There being no further business to come before the Commission, the meeting was adjourned at 8:55 p.m.

Respectfully submitted,

Christopher T. Forth, AICP
Deputy Director of Planning, Development and Neighborhood Services