

PLANNING COMMISSION

February 5, 2009

The City of Portage Planning Commission meeting of February 5, 2009 was called to order by Chairman Fox at 7:00 p.m. in Council Chambers of Portage City Hall, 7900 South Westnedge Avenue. Approximately 15 citizens were in attendance.

MEMBERS PRESENT:

James Cheesebro, James Pearson, Miko Dargitz, Paul Welch, Kerry Hettinger, Richard Yonke, Nancy Vander Roest, Cory Bailes and Chairman Thomas Fox.

MEMBERS ABSENT:

None.

MEMBERS EXCUSED:

None.

IN ATTENDANCE:

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

PLEDGE OF ALLEGIANCE:

The Planning Commission, staff and audience recited the Pledge of Allegiance.

APPROVAL OF MINUTES:

Chairman Fox referred the Commission to the January 22, 2009 meeting minutes. A motion was offered by Commissioner Cheesebro, seconded by Commissioner Vander Roest, to approve the minutes as submitted. The motion was unanimously approved.

SITE/FINAL PLANS:

1. Final Plan: Oakland Hills at Centre PD (Cole Gavlas Office Building), 2301 West Centre Avenue. Mr. Forth summarized the staff report dated January 28, 2009 regarding a request by Treystar Holdings to construct an approximate 7,000 square foot administrative office and associated site improvements at 2301 West Centre Avenue. Mr. Forth referred the Commission to a January 15, 2009 letter from Mr. Greg Dobson and summarized the results of a meeting from earlier in the day with the applicant and the owner of the adjacent property to the west, Mr. Gary Kushner. Based on the results of the meeting, Mr. Forth stated that the applicant would be making some minor changes to the final plan including widening of the Kushner Associates driveway and providing a connector drive between the Cole Gavlas parking lot and the former Blue Cross/Blue Shield driveway to the east. Mr. Forth also reviewed the issues associated with the 2006 PD rezoning and tentative plan and the request by the applicant for City Council to grant an extension, since a final plan for development was not submitted within two years.

Mr. Fritz Brown of Treystar Holdings was present to support the plan. Mr. Brown provided a brief overview of the 2006 PD rezoning and tentative plan approval process, minor changes which have been made to the tentative plan and the partnership between Treystar Holdings and American Village

Development on the overall Oakland Hills at Centre planned development. No citizens were present to speak regarding the proposed final plan. A motion was made by Commissioner Hettinger, seconded by Commissioner Welch, to recommend to City Council that the Final Plan for Cole Gavlas Office Building, 2301 West Centre Avenue, be approved subject to City Council granting a two-year extension for the Oakland Hills at Centre Planned Development project. The motion was unanimously approved.

PUBLIC HEARINGS:

1. Special Land Use Permit: Kalamazoo County Family YMCA (indoor tennis courts), 665 Mall Drive. Mr. West summarized the staff report dated January 30, 2009 regarding a request by the Kalamazoo County YMCA to continue to operate indoor tennis courts within the former Sam's Club building located at 665 Mall Drive. Mr. West stated the YMCA had been occupying a portion of the former Sam's Club building with indoor tennis courts since November 2008 without knowledge that a special land use permit was necessary.

Mr. Thomas Walker, Kalamazoo County Family YMCA, was present to support the application. The public hearing was opened by Chairman Fox. No citizens spoke in regard to the special land use permit application. A motion was made by Commissioner Welch, seconded by Commissioner Vander Roest, to close the public hearing. The motion was unanimously approved. A motion was then made by Commissioner Pearson, seconded by Commissioner Cheesebro, to approve the Special Land Use Permit for Kalamazoo County Family YMCA (indoor tennis courts), 665 Mall Drive. The motion was unanimously approved.

2. Special Land Use Permit: The Hope Ranch, 4517 and 4519 Nash Avenue. Mr. Forth summarized the preliminary staff report dated January 30, 2009 regarding a request by Ms. Vicki Rafferty-Polk to establish a non-profit, nature-oriented therapy facility for children with emotional, behavioral and at-risk substance abuse problems on a 31 acre zoning lot located at 4517 and 4519 Nash Avenue. Mr. Forth summarized the Zoning Board of Appeals (ZBA) determination from November 10, 2008 and discussed various operational aspects of the proposed use. Mr. Forth reviewed issues associated with access and parking and referred the Commission to letters of support contained in the original agenda packet and final agenda packet. The Commission and staff discussed various issues associated with the proposal including the configuration of the property, zoning restrictions regarding horses and the presence of woodlands and wetlands at the site.

Ms. Vicky Rafferty-Polk and Ms. Adrienne Sines, representing the Hope Ranch, were present to support the application and explain the use. Ms. Rafferty-Polk summarized the operational aspects of the Hope Ranch and stated the primary focus was early intervention of elementary and middle school-aged children with emotional, behavioral and at-risk substance abuse issues. Ms. Rafferty-Polk discussed the concept of equine therapy and the nature-oriented theme of the Hope Ranch. Ms. Rafferty-Polk stated existing structures on the property would be renovated, a future horse barn may be constructed (up to 9,000 square feet) and only minor changes to the property were proposed. Ms. Sines further discussed the goals and mission of the Hope Ranch and stated children receiving counseling and therapy would have adult supervision at all times.

The public hearing was opened by Chairman Fox. Two citizens spoke in regard to the special land use permit application: Mr. John Crago, 9728 East Shore Drive and Mr. Christopher Morris, 9830 East Shore Drive. Mr. Crago stated he opposes the proposed development and believes the use is not appropriate in a residential neighborhood. Mr. Crago indicated he believes the Hope Ranch will be the first step toward commercialization of the area. Mr. Morris objected to the hours of operation and stated he would prefer 8:00 a.m.-5:00 p.m. (Monday-Friday) with no weekend hours. Mr. Morris also suggested a maximum age of 14 years old for children receiving therapy/counseling at the site, no parking on East Shore Drive or Nash Avenue, reduction in the number of horses and provisions for fencing, greenbelts and buffering. Ms. Rafferty-Polk and Ms. Sines responded to concerns of the

citizens stating children interaction with the horses would be limited to the barns, stables and fenced pasture areas (no horseback riding by clients) and evening hours (6:00-9:00 p.m.) would be minimal.

After additional discussion, a motion was made by Commissioner Cheesebro, seconded by Commissioner Welch, to adjourn the public hearing for the Hope Ranch, 4517 and 4519 Nash Avenue, to the February 19, 2009 meeting. The motion was unanimously approved.

PLATS/RESIDENTIAL CONDOS:

None.

OLD BUSINESS:

None.

NEW BUSINESS:

None.

STATEMENT OF CITIZENS:

None.

ADJOURNMENT:

There being no further business, the meeting was adjourned at 8:00 p.m.

Respectfully submitted,

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