

## **PLANNING COMMISSION**

**August 6, 2009**

The City of Portage Planning Commission meeting of August 6, 2009 was called to order by Chairman Fox at 7:00 p.m. in Council Chambers of Portage City Hall, 7900 South Westnedge Avenue. Four citizens were in attendance.

### **MEMBERS PRESENT:**

Miko Dargitz, James Pearson, Cory Bailes, Bill Patterson, Wayne Stoffer, Rick Bosch, Paul Welch and Chairman Thomas Fox.

### **MEMBERS ABSENT:**

None.

### **MEMBERS EXCUSED:**

James Cheesebro.

### **IN ATTENDANCE:**

Michael West, Assistant City Planner; and Randall 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 July 2, 2009 meeting minutes. A motion was made by Commissioner Welch, seconded by Commissioner Bailes, to approve the minutes as submitted. The motion was unanimously approved.

### **SITE/FINAL PLANS:**

1. Tulgetske Dental Laboratory, 6242 Lovers Lane. Mr. West summarized the staff report dated August 1, 2009 regarding the request from Mr. Paul Tulgetske to establish a dental laboratory for the fabrication and manufacturing of dental prosthetics at 6242 Lovers Lane. Mr. West indicated that Mr. Tulgetske purchased the property in 2004 and converted the former single family residential dwelling to a dental laboratory without formal review and approval by the City of Portage. In conjunction with the site plan, Mr. West stated that Mr. Tulgetske was also requesting a sidewalk waiver along the Lovers Lane frontage citing the presence of an existing multi-use path along the east side of Lovers Lane, the absence of sidewalk along the west side of Lovers Lane and the industrial nature of the area with minimal pedestrian traffic.

Mr. Paul Tulgetske (Tulgetske Dental Laboratory) was present to support the plan and sidewalk waiver. Mr. Tulgetske stated that he recently came to an agreement with the adjacent property owner to the north to share the established driveway and would be closing the driveway on his property. Mr. West indicated that the details associated with the site plan modification could be handled administratively between the applicant and staff. After a brief discussion, a motion was made by Commissioner Pearson, seconded by Commissioner Patterson, to approve the site plan for Tulgetske Dental Laboratory, 6242 Lovers Lane, with the site plan modification involving closure of the on-site

driveway and construction of a shared/cross access arrangement with the adjacent property to the north to be reviewed and approved administratively by the Department of Community Development. The motion was unanimously approved.

The Commission next discussed the requested sidewalk waiver along the Lovers Lane frontage. The Commission reviewed and discussed the surrounding land use pattern, redevelopment potential of these properties, the lack of sidewalk along the west side of Lovers Lane and the timing for potential sidewalk installation. After a lengthy discussion, a motion was made by Commissioner Pearson, seconded by Commissioner Welch, to grant a Temporary Sidewalk Waiver until such time that any parcel located to the north, between 6020 Lovers Lane and 6242 Lovers Lane, installs sidewalk. Upon a roll call vote: Stoffer (no), Bosch (no), Bailes (no), Dargitz (yes), Patterson (yes), Fox (yes), Pearson (yes) and Welch (yes), the motion was approved 5-3.

2. Main Street Pub and Retail Building, 7509 and 7545 South Westnedge Avenue (driveway closure extension). Mr. West summarized the staff report dated August 1, 2009 regarding the request from Mr. Chris Housler, on behalf of Main Street Properties IV, for up to a five year time extension to close the southern driveway at the Main Street Pub and Retail Building development located at 7509 and 7545 South Westnedge Avenue. Mr. West stated the site plan for the development project was approved on February 15, 2007 with an agreement that the southern driveway would be closed and sidewalk and a 10-foot greenstrip installed “...within 24 months of site plan approval or upon a change in occupancy or redevelopment of the Furniture Now building, whichever comes first.” Mr. West indicated that the two-year time period was intended to assist Main Street Properties in the transition of the development project and generally coincided with the end of the Furniture Now lease of the south building. Mr. West stated that staff could not support the applicant’s request for a lengthy time extension, however, did support an additional two-year time extension for closure of the southern driveway and installation of sidewalk and greenstrip.

Mr. Chris Housler and Mr. Dave Lambright of Main Street Properties IV were both present to support the request for a time extension. Mr. Lambright and Mr. Housler stated that economic conditions have prevented development activities as originally planned and the property was currently operating with a negative cash flow. Mr. Lambright and Mr. Housler indicated that the request for additional time to close the southern driveway would allow for economic conditions to improve and development activities to proceed as originally planned. After additional discussion, a motion was made by Commissioner Welch, seconded by Commissioner Bosch, to grant a two-year extension until September 15, 2011 or until redevelopment of the south building, whichever occurs first, for closure of the southern driveway and installation of sidewalk and the 10-foot greenstrip at the Main Street Pub and Retail Building development located at 7509 and 7545 South Westnedge Avenue. The motion amended the original note which was included on the February 15, 2007 approved site plan. Upon a roll call vote: Stoffer (yes), Bosch (yes), Bailes (yes), Dargitz (yes), Patterson (yes), Fox (yes), Pearson (yes) and Welch (yes), the motion was unanimously approved 8-0.

**PUBLIC HEARINGS:**

None.

**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 8:20 p.m.

Respectfully submitted,

Michael West, AICP  
Assistant City Planner