

PLANNING COMMISSION

July 21, 2011

The City of Portage Planning Commission meeting of July 21, 2011 was called to order by Chairman Cheesebro at 7:00 p.m. in Council Chambers of Portage City Hall, 7900 South Westnedge Avenue. Eleven citizens were in attendance.

MEMBERS PRESENT:

Bill Patterson, Jim Pearson, Miko Dargitz, Paul Welch, Wayne Stoffer, Allan Reiff and Chairman James Cheesebro.

MEMBERS ABSENT:

None.

MEMBERS EXCUSED:

Mark Siegfried and Rick Bosch.

IN ATTENDANCE:

Michael West, Assistant City Planner and Randall Brown, City Attorney.

PLEDGE OF ALLEGIANCE:

Chairman Cheesebro led the Commission in the Pledge of Allegiance.

APPROVAL OF MINUTES:

Chairman Cheesebro referred the Commission to the July 7, 2011 meeting minutes. A motion was then offered by Commissioner Patterson, seconded by Commissioner Reiff, to approve the minutes as submitted. The motion was unanimously approved.

PUBLIC HEARINGS:

1. Special Land Use Permit/Site Plan: Great Lakes Center for Autism Treatment and Research, 9616 Portage Road. Commissioner Reiff indicated he had a potential conflict of interest (personal/professional relationship with Keystone Community Bank) and excused himself from the Council Chambers. Mr. West then summarized the staff report dated July 15, 2011 regarding a request by Residential Opportunities, Inc. (ROI) to establish a clinic for the treatment and research of children with autism at 9616 Portage Road. Mr. West indicated the Great Lakes Center for Autism Treatment and Research (GLCATR) will include an inpatient residential treatment center for up to 12 children with autism, along with an outpatient clinic. Mr. West stated extensive interior renovations of the former Moose Lodge building are planned plus construction of a new outdoor activity area for the children along the north side of the existing building.

Mr. Tom Ihling representing ROI, was present to support the applications and explain the development project. Mr. Ihling thanked staff, the Commission and City Council for assistance with the rezoning, special land use permit and site plan processes. The public hearing was opened by Chairman Cheesebro. No citizens spoke regarding the proposed development project. A motion was made by Commissioner Welch, seconded by Commissioner Patterson, to close the public hearing. The motion was unanimously approved.

After a brief discussion, a motion was made by Commissioner Patterson, seconded by Commissioner Dargitz, to approve the Special Land Use Permit for Great Lakes Center for Autism Treatment and Research, 9616 Portage Road. The motion was approved 6-0-1 with Commissioner Reiff abstaining. A motion was then made to Commissioner Bosch, seconded by Commissioner Welch, to approve the Site Plan for Great Lakes Center for Autism Treatment and Research, 9616 Portage Road. The motion was approved 6-0-1 with Commissioner Reiff abstaining.

2. Special Land Use Permit/Site Plan: Crossroads Expert Auto Service, 6224 and 6230 Lovers Lane. Mr. West summarized the staff report dated July 15, 2011 regarding a request by Crossroads Expert Auto Service to establish an automobile repair station and towing business at 6224 and 6230 Lovers Lane. Mr. West stated the request will facilitate the relocation of Crossroads Expert Auto Service from its current location on South Westnedge Avenue to the Lovers Lane site. Mr. West indicated minor interior building modifications will occur to accommodate the use and limited site improvements including paving an existing gravel parking lot along the north side of the building and construction of a storm water treatment system are also planned. Mr. West indicated no storage of wrecked or impounded vehicles will occur at the site.

Mr. James Graham, owner/operator of Crossroads Expert Auto Service, was present to support the applications and discuss the development project. Mr. Graham summarized the improvements that would be made to the property including paving, storm water treatment and landscaping with the planned reuse of the site. The Commission, applicant and staff discussed the nature of the use, parking availability and the issue of no impoundment of towed vehicles at the site. The public hearing was opened by Chairman Cheesebro. No citizens spoke regarding the proposed special land use permit. A motion was made by Commissioner Reiff, seconded by Commissioner Stoffer, to close the public hearing. The motion was unanimously approved.

After a brief discussion, a motion was made by Commissioner Welch, seconded by Commissioner Patterson, to approve the Special Land Use Permit for Crossroads Expert Auto Service, 6224 and 6230 Lovers Lane, subject to the following conditions: 1) No impoundment of vehicles for any length of time and 2) No storage or parking of vehicles on unimproved surfaces. The motion was unanimously approved. A motion was then made to Commissioner Patterson, seconded by Commissioner Reiff, to approve the Site Plan for Crossroads Expert Auto Service, 6224 and 6230 Lovers Lane, subject to the same conditions. The motion was unanimously approved.

3. Rezoning Application #10-02, 4815 West Milham Avenue and 6027 South 12th Street. Mr. West referred the Commission to a June 21, 2011 e-mail communication from Mr. Terry Patterson, on behalf of Milham Crossings LLC, requesting that Rezoning Application #10-02 be withdrawn from further consideration. After a brief discussion, a motion was made by Commissioner Stoffer, seconded by Commissioner Dargitz, to accept the applicant's request to withdraw Rezoning Application #10-02 from further consideration. The motion was unanimously approved.

4 Preliminary Report: Rezoning Application #10-03, 1316 East Centre Avenue. Mr. West summarized the preliminary staff report dated July 15, 2011 regarding the request to rezone 1316 East Centre Avenue from R-1B, one family residential to B-1, local business. Mr. West discussed the Future Land Use Map designation, surrounding zoning pattern, suitability of the existing R-1B zone and the potential impacts of the proposed B-1 zone. The Commission and staff next discussed the zoning designation of adjacent parcel to the east (R-1B) and the two adjacent parcels to the west (OS-1) and whether an expanded rezoning consideration was appropriate. Mr. West indicated both staff and the applicant had discussed an expanded rezoning consideration with the adjacent property owners to the east and west and they did not express an interest at this time.

Mr. Thomas Rogers (applicant/owner of 1316 East Centre Avenue) was present to support the rezoning request. Mr. Rogers indicated he recently entered into a sales agreement with Mr. William Miller to purchase the adjacent parcel to the east, 1330 East Centre Avenue. Mr. Rogers stated he would be interested in including 1330 East Centre Avenue in an expanded rezoning consideration. The Commission, staff and the applicant next discussed the four properties located near the southeast corner East Centre Avenue/Lovers Lane and process associated with an expanded rezoning consideration.

The public hearing was opened by Chairman Cheesebro. Two citizens spoke in regards to the proposed rezoning: 1) Patricia Heystek (1404 Maynard Avenue) and 2) Geraldine York (1327 Maynard Avenue). Both Ms. Heystek and Ms. York spoke in opposition to the proposed rezoning and any expanded consideration expressing concerns about increased traffic, accidents and further commercial development adjacent to the residential neighborhood. No additional citizens spoke regarding the proposed rezoning.

The Commission and staff again discussed a possible expanded rezoning consideration and timing for a revised legal notice. After additional discussion, a motion was made by Commissioner Welch, seconded by Commissioner Patterson, to expand Rezoning Application#10-02 to consider 1302, 1306, 1316 and 1330 East Centre Avenue and adjourn the public hearing to the August 18, 2011 meeting. The motion was unanimously approved.

PLATS/RESIDENTIAL CONDOS:

None

OLD BUSINESS:

None

NEW BUSINESS:

1. Accessory Building: Doug and Jan Krueger, 8634 South Westnedge Avenue. Commissioner Dargitz indicated she would be abstaining due to a potential conflict of interest (personal relationship with applicant) and excused herself from the Council Chambers. Mr. West summarized the staff report dated July 15, 2011 regarding the request from Mr. and Mrs. Krueger to construct a 14-foot tall, 23-foot wide by 22-foot long (506 square foot) addition to an existing horse barn at their residence located at 8634 South Westnedge Avenue. Mr. West indicated the proposed accessory building addition would be used for storage of personal items and a small work area. Mr. West stated the accessory building addition would be situated approximately 88-feet from the nearest property line (north) and in excess of 300-feet from the nearest adjacent single family residence. Mr. West indicated the size and configuration of the parcel combined with the wooded nature of the site and setback distances from adjacent residences and property lines will mitigate any impacts on adjacent properties. Mr. West referred the Commission to a letter of support that was included in the final agenda packet.

One citizen, Ms. Edna Karow (8705 Newhouse Street), asked for clarification regarding the notice that she received. Chairman Cheesebro clarified the request and indicated no rezoning of the property was being considered. Ms. Karow then stated she had no objection to the request. Mr. Doug Krueger (applicant) was present to explain the accessory building addition request and support the application. Mr. Krueger reiterated that the accessory building would not be used for any business related purpose. After a brief discussion, a motion was made by Commissioner Welch, seconded by Commissioner Reiff, to approve the Accessory Building for Doug and Jan Krueger, 8634 South Westnedge Avenue. The motion was approved 6-0-1 with Commissioner Dargitz abstaining.

STATEMENT OF CITIZENS:

None

ADJOURNMENT:

Commissioner Welch stated he would not be present at the August 4, 2011 meeting. There being no further business to come before the Commission, the meeting was adjourned at 8:20 p.m.

Respectfully submitted,

Michael West, AICP
Assistant City Planner