

CITY OF  
**PORTAGE**

*A Place for Opportunities to Grow*

# **PLANNING COMMISSION**

**February 16, 2012**

**CITY OF PORTAGE PLANNING COMMISSION**

**A G E N D A**

**February 16, 2012  
(7:00 p.m.)**

**Portage City Hall Council Chambers**

**CALL TO ORDER**

**PLEDGE OF ALLEGIANCE**

**APPROVAL OF MINUTES:**

- \* February 2, 2012

**SITE/FINAL PLANS:**

**PUBLIC HEARINGS:**

- \* 1. Preliminary Report: Rezoning Application #11-02, 1106 West Centre Avenue

**OLD BUSINESS:**

**NEW BUSINESS:**

**STATEMENT OF CITIZENS:**

**ADJOURNMENT:**

**MATERIALS TRANSMITTED**

Star (\*) indicates printed material within the agenda packet.

**DRAFT**

**PLANNING COMMISSION**

**February 2, 2012**

The City of Portage Planning Commission meeting of February 2, 2012 was called to order by Chairman Cheesebro at 7:00 p.m. in Council Chambers of Portage City Hall, 7900 South Westnedge Avenue. One citizen was in attendance.

**MEMBERS PRESENT:**

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

**MEMBERS ABSENT:**

None.

**MEMBERS EXCUSED:**

Dave Felicijan and Rick Bosch.

**IN ATTENDANCE:**

Christopher Forth, Deputy Director of Planning, Development and Neighborhood Services; 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 January 19, 2012 meeting minutes. Commissioner Dargitz and Commissioner Stoffer stated they would not be voting on the minutes since they were not present during the meeting. A motion was offered by Commissioner Welch, seconded by Commissioner Patterson, to approve the minutes as submitted. The motion was approved 5-0-2.

**SITE/FINAL PLANS:**

1. Final Plan: Oakland Hills Condominiums (Phase III), 8716 Oakland Drive. Mr. Forth summarized the staff report dated January 27, 2012 involving the final plan submitted by American Village Development to construct Phase III of the Oakland Hills Condominium planned development. Mr. Forth stated the final plan for Phase III proposes construction of 22 attached single-family residential units, extension of the interior private street network and associated site improvements. Mr. Forth indicated the final plan for Phase III has been designed in substantial conformance with the 2006 approved tentative plan amendment. Mr. Forth discussed the applicant's modification to the phasing schedule for development and also discussed floodplain and wetland related issues along the southern portion of the property.

Mr. Jack Gesmundo of American Village Development was present to support the application and explain the development project. Mr. Gesmundo provided a historical summary of development activities and discussed the economy and market conditions and the impact it has had on the original construction schedule. No citizens spoke regarding the development project. A motion was then made by Commissioner Welch, seconded by Commissioner Reiff, to recommend to City Council that the Final Plan for Oakland Hills Condominiums (Phase III), 8716 Oakland Drive, be approved subject to the applicant reconfirming the wetland boundary, with concurrence from the MDEQ, before issuance of building permits for those units located adjacent to the wetland area. The motion was unanimously approved.

DRAFT

**PUBLIC HEARINGS:**

None.

**OLD BUSINESS:**

None

**STATEMENT OF CITIZENS:**

None

7:12 p.m. – The Commission took a short recess.	7:17 p.m. – The Commission reconvened the meeting.
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**NEW BUSINESS:**

1. Home Occupation Ordinance. Mr. Forth summarized the staff report dated January 27, 2012 involving the recently adopted active home occupation ordinance. Following the January 5, 2012 Planning Commission action regarding the Arrow Car Service application, Mr. Forth indicated the Commission expressed interest in reviewing the ordinance language and recommend possible changes for City Council to consider. Mr. Forth provided a summary involving development of the ordinance, differences between the Planning Commission version that was recommended to City Council in January 2010 and the final version that was modified and subsequently adopted by City Council in March 2011. Mr. Forth stated that since adoption of the ordinance, only one active home occupation permit application (Arrow Car Service) has been received. Mr. Forth discussed the current ordinance provisions and the flexibility the Planning Commission has when considering certain operational aspects of a proposed active home occupation. Mr. Forth stated that staff believes it is premature to consider ordinance changes at this time since only one active home occupation application has been considered by the Commission and there were unusual circumstances associated with that application.

Commissioner Dargitz stated she still has mixed feelings regarding the ordinance and does not understand why City Council chose to remove certain provisions of the ordinance such as the major thoroughfare requirement, maximum number of vehicles and hours of operation that would limit where active home occupations could be located in the city and help protect neighborhoods. Commissioner Welch indicated the adopted ordinance provides the Planning Commission with the discretion and flexibility to address these issues and others if adverse impacts would result. Attorney Brown stated the action of City Council to adopt a different version of the ordinance, than was originally recommended by the Planning Commission, was a policy decision. Attorney Brown stated the role and responsibility of the Planning Commission is to administer the ordinance as adopted by City Council.

The Commission and staff discussed various provisions of the ordinance, how the ordinance is implemented and enforcement. Commissioner Patterson and Chairman Cheesebro indicated they also believe it is premature to suggest ordinance changes at this time. Mr. Forth summarized conversations that have occurred with other citizens who were considering active home occupation permits including a photography business, small engine repair shop and landscape contractor. Mr. West stated the ordinance provision that prohibits any part of the active home occupation from being conducted in an attached or detached accessory building further limits the type of uses allowed, such as automobile repair or small engine repair. Similar to the approval of the Arrow Car Service application, Commissioner Dargitz suggested follow-up reviews by the Commission (e.g. 4-6 months after an approval) for any future active home occupation permit approval. At the conclusion of the discussion, it was the consensus of the Commission not to move forward with ordinance changes for City Council consideration at this time.

**DRAFT**

2. Romence Road Parkway Corridor Study. Mr. Forth summarized the staff report dated January 27, 2012. Following the October 20, 2011 Planning Commission meeting involving Rezoning Application #11-02 (1901 Romence Road Parkway), the Commission determined that further study of the Romence Road Parkway corridor from Lovers Lane to Portage Road was appropriate. Mr. Forth summarized the Romence Road Parkway extension, Research & Development/Technology future land use map designation, OTR, office technology and research zoning district, differences between the OTR and I-2 zoning districts and existing land use/zoning patterns. Mr. Forth also summarized the options identified by staff for Planning Commission consideration.

The Commission discussed the information, maps and the options contained in the staff report. Commissioner Welch stated that he was in favor of moving forward with either Option 2 or Option 4. Commissioner Patterson stated his preference was to wait until rezoning requests were received from individual property owners. However, any Planning Commission initiated rezoning consideration should include a courtesy notice to the affected property owner(s) to determine their interest. Mr. Forth and Mr. West discussed other zoning changes that have been initiated by the Planning Commission and the purpose of the public hearing process, which is to receive property owner and citizen comments. Mr. Forth stated the property owner has the option to request a different designation than proposed or be excluded from rezoning consideration. Commissioner Reiff stated Planning Commission initiation of a rezoning application consistent with the Comprehensive Plan is a proactive measure and concurred that a parcel(s) of land can always be removed from final action. Chairman Cheesebro stated Option 4 was a more comprehensive rezoning approach involving this section of the Romence Road Parkway.

After additional discussion, a motion was made by Commissioner Welch, seconded by Commissioner Reiff, to initiate the public hearing process involving a zoning change to OTR consistent with Option 4 of the staff report that includes the six properties with frontage along Romence Road Parkway, 6941 Lovers Lane, five vacant Pfizer lots located at the southwest corner of Portage Road and Lansing Avenue and 6646 Portage Road. The motion was unanimously approved. Mr. Forth stated notices would be prepared for a public hearing tentatively scheduled for the March 15, 2012 meeting.

**ADJOURNMENT:**

There being no further business to come before the Commission, the meeting was adjourned at 9:30 p.m.

Respectfully submitted,

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

**TO:** Planning Commission **DATE:** February 10, 2012  
**FROM:** Vicki Georgeau, <sup>W</sup>Director of Community Development  
**SUBJECT:** Preliminary Report: Rezoning Application #11-02, 1106 West Centre Avenue

**I. INTRODUCTION:**

An application has been received from Mr. Nathan Cronenwett requesting that 1106 West Centre Avenue be rezoned from RM-2, multiple family residential and R-1B, one family residential to OS-1, office service. The rezoning site is a long, flag-shaped parcel with 90-feet of frontage on West Centre Avenue and 1,282 feet of depth. The approximate north half of the property is 165 feet in width. According to the applicant, the rezoning is being requested to facilitate redevelopment of the property for a hair salon/spa.

Applicant	Property Address	Description	Zoning	
			Existing	Proposed
Nathan Cronenwett	1106 West Centre Avenue	Parcel 00016-510-O	RM-2 and R-1B (north 75-feet)	OS-1
<b>One parcel - 3.92 acres</b>				

**II. EXISTING CONDITIONS:**

Land Use/Zoning	<p><u>Rezoning Site:</u> Vacant single-family dwelling (1,160 square feet) and attached garage (528 square feet) that were previously in foreclosure. The dwelling and garage are located at the south end of the property adjacent to West Centre. The remaining portion of this larger parcel is wooded and undeveloped.</p> <p><u>West:</u> Portage Printing (1116 West Centre) zoned I-1, light industry and St. Catherine of Sienna Catholic Church (1150 West Centre) zoned R-1B, one family residential.</p> <p><u>East:</u> Portage Pines/Spruce Creek Apartments/Fountainview Retirement Village zoned RM-2, multiple family residential.</p> <p><u>North:</u> Single family residences zoned R-1B, one family residential.</p> <p><u>South:</u> Across West Centre Avenue, various industrial and office land uses zoned I-1, light industry and OS-1, office service.</p>
Zoning/Development History	<p>No rezoning of properties in the surrounding area since adoption of the 2008 Comprehensive Plan.</p> <p>In 1994, 1106 West Centre Avenue was rezoned from I-1, light industry to RM-2, multiple family residential with the exception of the north 75-feet, which was rezoned to R-1B, one family residential to serve as a buffer to the adjacent single family residential subdivision to the north. In 1987, the adjacent parcels to the east were rezoned from I-1, light industry to RM-2, multiple family residential.</p>
Historic District/Structures	The subject site is not located within a historic district and does not contain any historic structures.
Public Streets	West Centre Avenue is designated as a five-lane major arterial with 22,788 vehicles per day (2010); capacity of 34,200 vehicles per day (level of service "D").
Public Utilities	Municipal water and sewer are available.
Environmental	The City of Portage Sensitive Land Use Inventory Map does not identify any wetlands and/or floodplains near the rezoning site.

### III. PRELIMINARY ANALYSIS:

The following analysis has been prepared based on general land use considerations, the Comprehensive Plan, traffic conditions and surrounding development patterns. Issues to be considered are consistency with the Future Land Use Plan Map and Development Guidelines, suitability of the existing zoning classification and the impacts of the proposed zoning classification.

Comprehensive Plan/Future Land Use Map Consistency. The Future Land Use Plan Map component of the Comprehensive Plan identifies the rezoning site as appropriate for medium density residential but in an area of transition between office uses and low density residential. Properties to the west of the rezoning site are designated for office land use, with a depth extending approximately 400-feet north of West Centre Avenue. The remaining interior properties to the north are designated for low density residential land use. Adjacent properties to the east are designated for medium density residential land use, while properties located along the south side of West Centre Avenue are identified as appropriate for office land use.

The Comprehensive Plan also identifies Centre Avenue as one of two primary office corridors, with Milham Avenue designated as the other office corridor. Furthermore, the Comprehensive Plan indicates that offices are an important “transitional” use between higher intensity uses and major streets and interior residential neighborhoods.

Development Guidelines. The Development Guidelines are intended to be used by the Commission and staff when reviewing private development proposals, infrastructure improvement programs (i.e. public expenditures on streets, sewers and water mains that influence the location, intensity and timing of development) and public programs that affect the physical environment. The guidelines also provide direction and underpinning for regulations that affect land use (e.g. zoning, subdivision, parking, landscaping and others), may suggest incentives to influence community development and preservation and may suggest adjustments to other policies that influence the use of land for consistency with community development objectives. An evaluation of the Development Guidelines will be provided with the staff recommendation.

Suitability of Existing RM-2 and R-1B Zones/Impacts of Proposed OS-1 Zone. The existing RM-2 zoning designation is consistent with the Future Land Use Map and the adjacent multiple family residential land use to the east. If developed as currently zoned, the property could accommodate approximately 28 one-bedroom multiple-family dwelling units, 19 two-bedroom units or 23 one/two-bedroom units (the actual number of dwelling units may be less due the configuration and size of the property). While personal service establishments, such as a hair salon/spa, are allowed in the RM-2 district when accessory to other permitted uses, a hair salon/spa as proposed by the applicant is not permitted in the RM-2 zone.

An office zoning district could also be considered generally consistent with the plan designation given the office designation to the south and west, identification of West Centre Avenue as an office corridor and adjacent nonresidential uses (printing business and church). Additionally, office uses typically have less impact on adjacent residential uses due to limited hours of operation, less traffic volumes and a building style and mass similar to residential structures. Uses permitted in the OS-1 district, and not in the RM-1/RM-2 districts, include executive, administrative and professional offices, medical offices and clinics, banks and credit unions, art and photographic studios as well as personal service establishments. If the property were developed with OS-1 zoning, approximately 40,000 square feet of office building area could be constructed (the actual area may be less due to the configuration and size of the property).

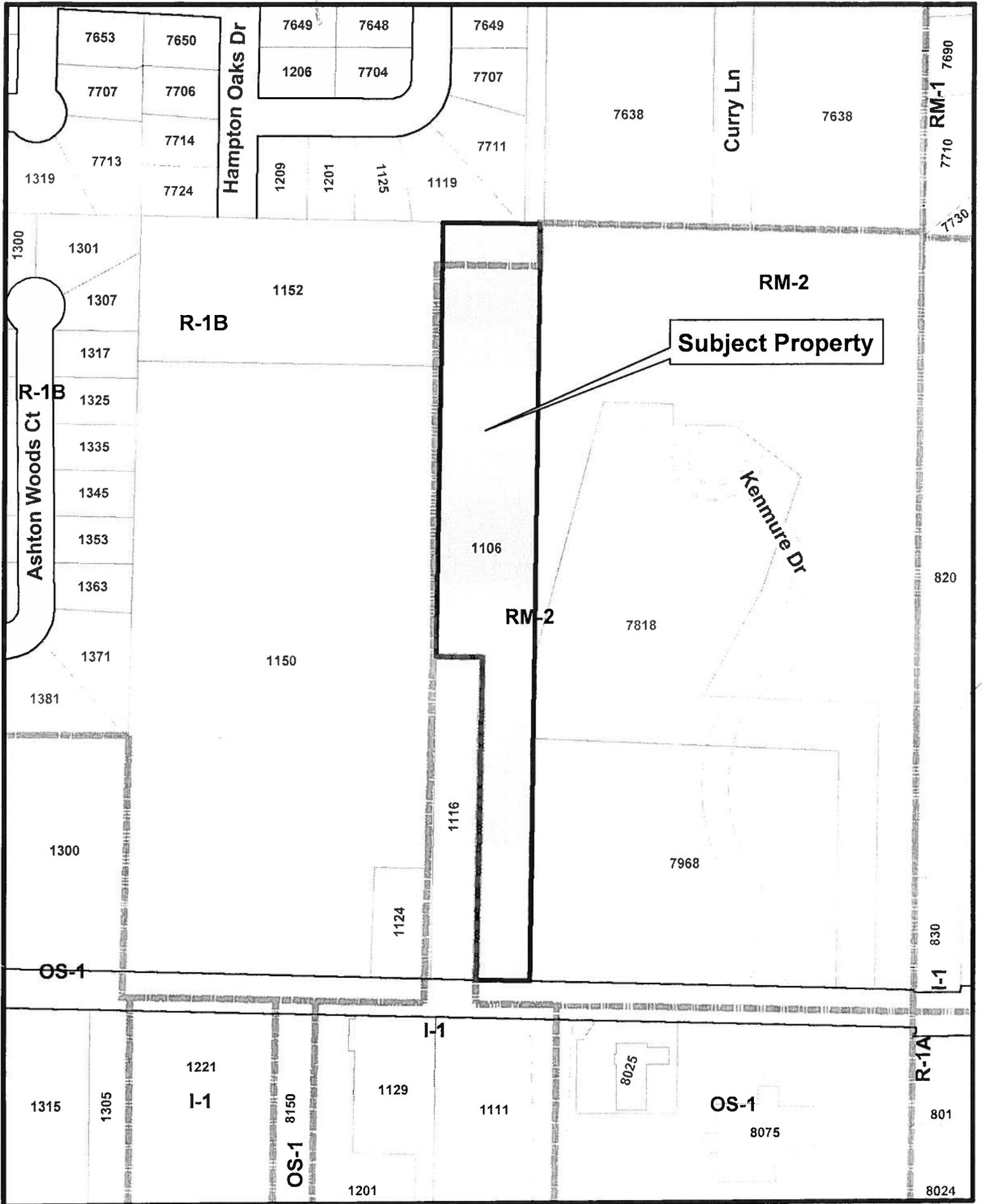
With regard to the 75 feet of R-1B, one-family residential zoning located at the north end, this area was rezoned from I-1, light industrial to R-1B in 1994 to buffer the existing residential neighborhood to the north from future development activities.

Traffic Considerations. As noted above, if the entire property was rezoned to OS-1 and redeveloped, the 3.92 acre site could accommodate approximately 40,000 square feet of office building area based on 25% lot coverage. The ITE Trip Generation Manual, Sixth Edition, indicates that an administrative office of this size would generate approximately 657 vehicle trip ends (329 vehicles) on an average weekday. A medical office building of the same size would generate approximately 1,421 vehicle trips (711) vehicles on an average weekday. If the property were developed as currently zoned and 28 one-bedroom, 19 two-bedroom or 23 one/two-bedroom dwelling units were constructed on the site, approximately 224 (112 vehicles), 144 (72 vehicles), or 184 (92 vehicles), vehicle trip ends, respectively, would be generated on an average weekday. The traffic generated by either office or multi-family type would not adversely impact the surrounding roadway network. Specific access management related issues including proposed access location, shared and/or cross access will be reviewed during the site plan stage of redevelopment.

#### **IV. RECOMMENDATION:**

Consistent with the Planning Commission policy of accepting public comment at the initial meeting and continuing the rezoning at a subsequent meeting, the Commission is advised to receive public comment during the February 16, 2012 meeting and adjourn the public hearing to the March 1, 2012 meeting.

Attachments:   Zoning/Vicinity Map  
                  Future Land Use Map  
                  Aerial Photograph Map  
                  Rezoning Application and Attachments



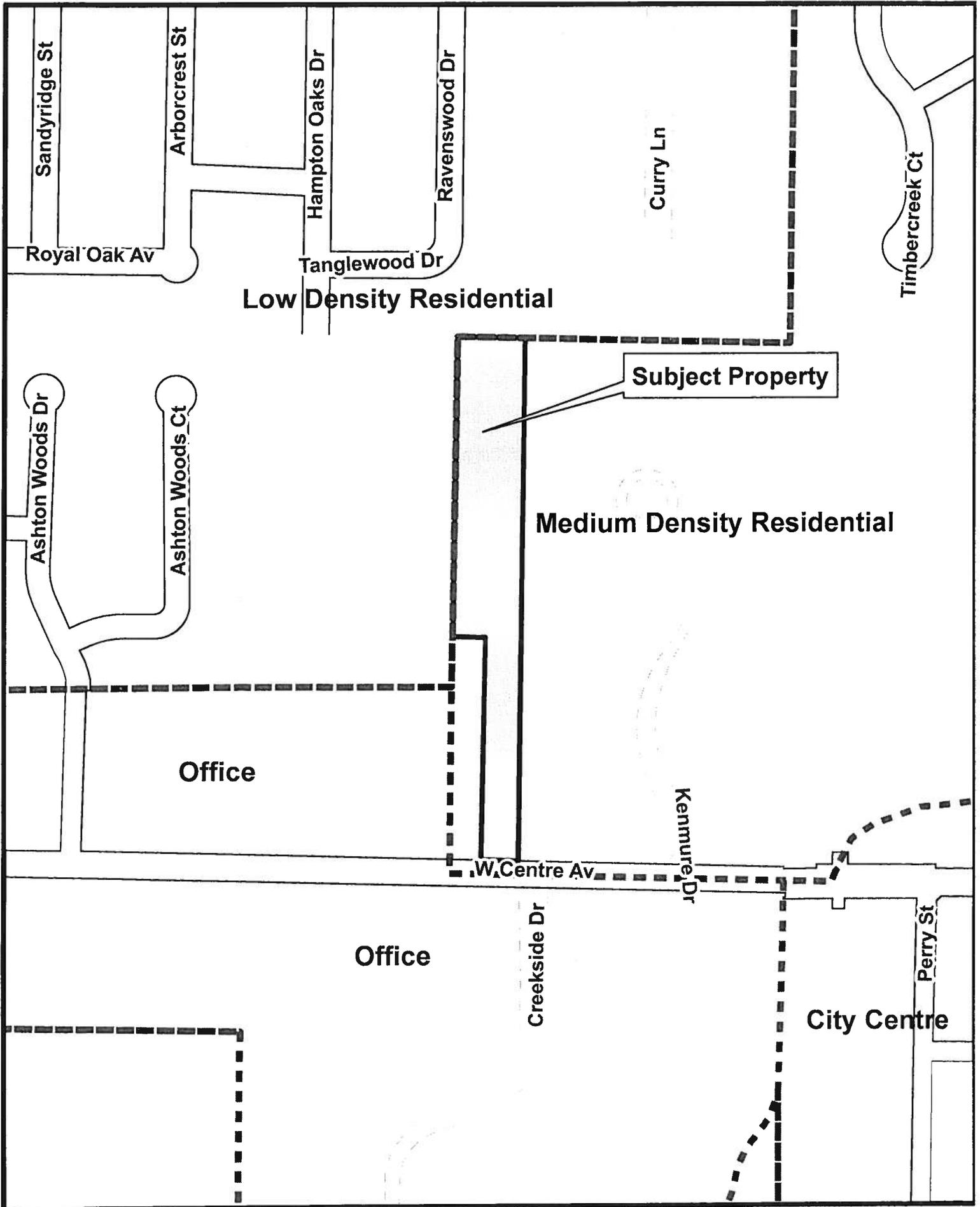
 Zoning Boundary  
 Subject Property

# Rezoning #11-02

## 1106 West Centre Avenue



1 inch = 207 feet



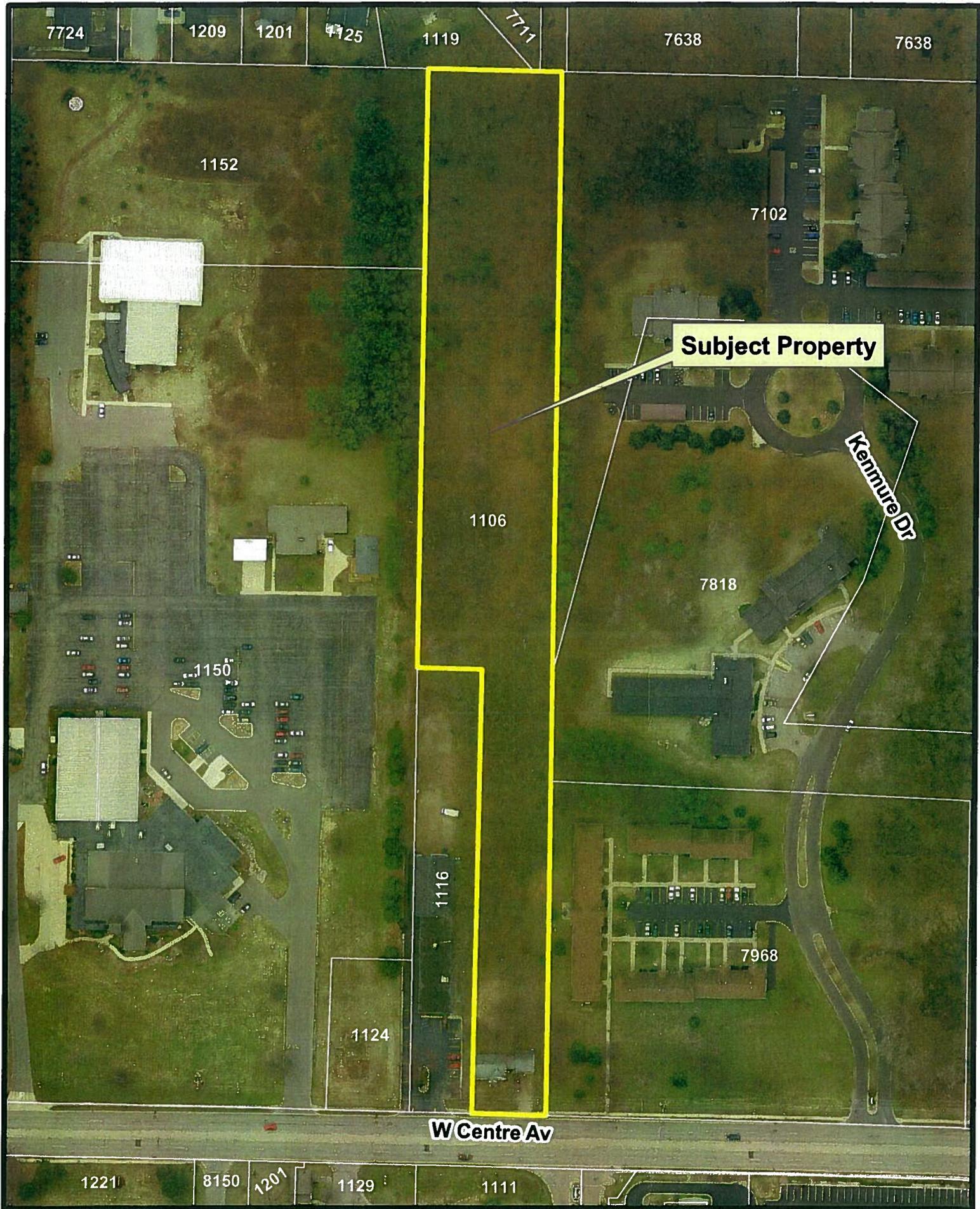
 Future Land Use  
 Subject Property

## Future Land Use Map

### 1106 West Centre Avenue



1 inch = 300 feet



**Aerial Photography**  
**1106 West Centre Avenue**

 Subject Property



1 inch = 150 feet

**APPLICATION FOR ZONING AMENDMENT**

Application number # 11-2

Date 1-16-12

APPLICATION INFORMATION:

Meetings of the Portage Planning Commission are held on the first and third Thursday of each month at 7:00 p.m. in the Council Chambers of Portage City Hall, 7900 South Westnedge Avenue, Portage, Michigan. All zoning amendment applications must be properly filled out and submitted to the Department of Community Development and the zoning amendment fee paid at least 15 working days prior to the meeting at which the public hearing is held. The applicant will be notified in writing of all such public hearing/meetings.

For more detailed information about the zoning amendment process, please refer to Portage Land Development Regulations, Article 4, Division 2, Subdivision 2.

TO THE PLANNING COMMISSION:

I (WE), the undersigned, do hereby respectfully make application and petition the Portage Planning Commission to amend the Zoning Ordinance and/or change the Zoning Map as hereinafter requested. In support of this application, the following is submitted:

**RECEIVED**  
**JAN 16 2012**  
**COMMUNITY DEVELOPMENT**

**ZONING MAP AMENDMENT**

1. a. **Platted Land:**

The property is part of the recorded plat: The property sought to be rezoned is located at \_\_\_\_\_ between \_\_\_\_\_ Street and \_\_\_\_\_ Street on the \_\_\_\_\_ side of the street, and is known as Lot Number(s) \_\_\_\_\_ of \_\_\_\_\_ Plat (Subdivision). It has a frontage of \_\_\_\_\_ feet and a depth of \_\_\_\_\_ feet.

b. **Unplatted Land:**

The property is in acreage, and is not therefore a part of a recorded plat. The property sought to be rezoned is located and described as follows: (Indicate total acreage and parcel number).

The property sought to be rezoned is located at 1106 W Centre Ave. Between Oakland Dr. and Shaver Rd.  
The property parcel number is: 00016-510-0. The property has 3.75 acres with a road frontage of 90ft and an overall depth of 1282ft.

2. a. Do you own the property to be rezoned? Yes  No \_\_\_\_\_

b. Name of the owner of the property to be rezoned: Nathan Cronenwett

Address 9111 Austin Dr. Portage, MI 49002

3. My (our) interest in the property and purpose for submitting the proposed Zoning

Amendment: I purchased this property with the intrest of building a salon and spa at this location. The property is currently zoned multi-family residential but it is located between many different zonings, light industrial, office, and multi-family residential. The future land use for this property is on the border between office service zoning and multi-family residential.

4. CURRENT ZONING: RM-2 Multi-Family Residential PROPOSED ZONING: OS-1 Office Service

ZONING TEXT AMENDMENT

1. The proposed language to be considered is (attach additional sheets as necessary):

2. The Zoning Code Chapter and Section wherein the proposed text would be modified/inserted.

3. My (our) interest in and purpose for submitting the proposed Zoning Ordinance Amendment.

We attach a statement hereto indicating why, in our opinion, the change requested is necessary for the preservation and enjoyment of substantial property rights, and why such amendment will advance the public health, safety and welfare. An assessment of the impact of the proposal on the community and property of other persons in the vicinity of the amendment or affected by the amendment is also attached.

[Handwritten Signature]

(Signature of Applicant)

(Signature of Applicant)

9111 Austin Dr. Portage MI 49002

(Address)

(Address)

(269) 217-7789

(Phone)

(Phone)

A copy of all actions taken regarding this application shall be attached and shall be considered a part of this application.

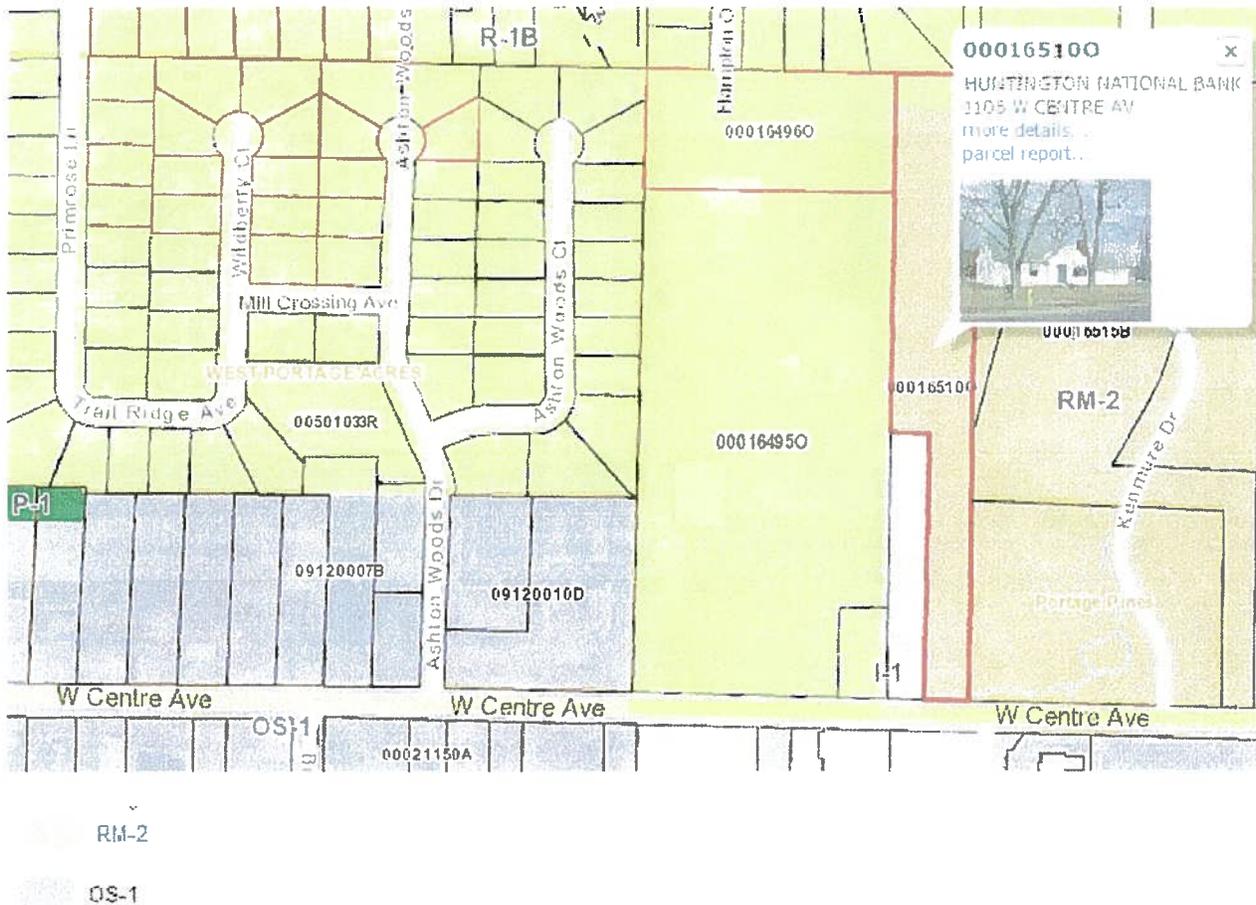
# 1106 W Centre Ave Zoning Change Request

Dear Portage Planning Commission,

I purchased the property at 1106 W Centre Ave. late last year. My business partner and I are hoping and eager to start building a new salon and spa on the property. Our vision for the business is to provide the high-end service that we see a need for in Portage. In order for us to accomplish our plan we will need to change the zoning out my property from Multi-Family Residential to Office Service.

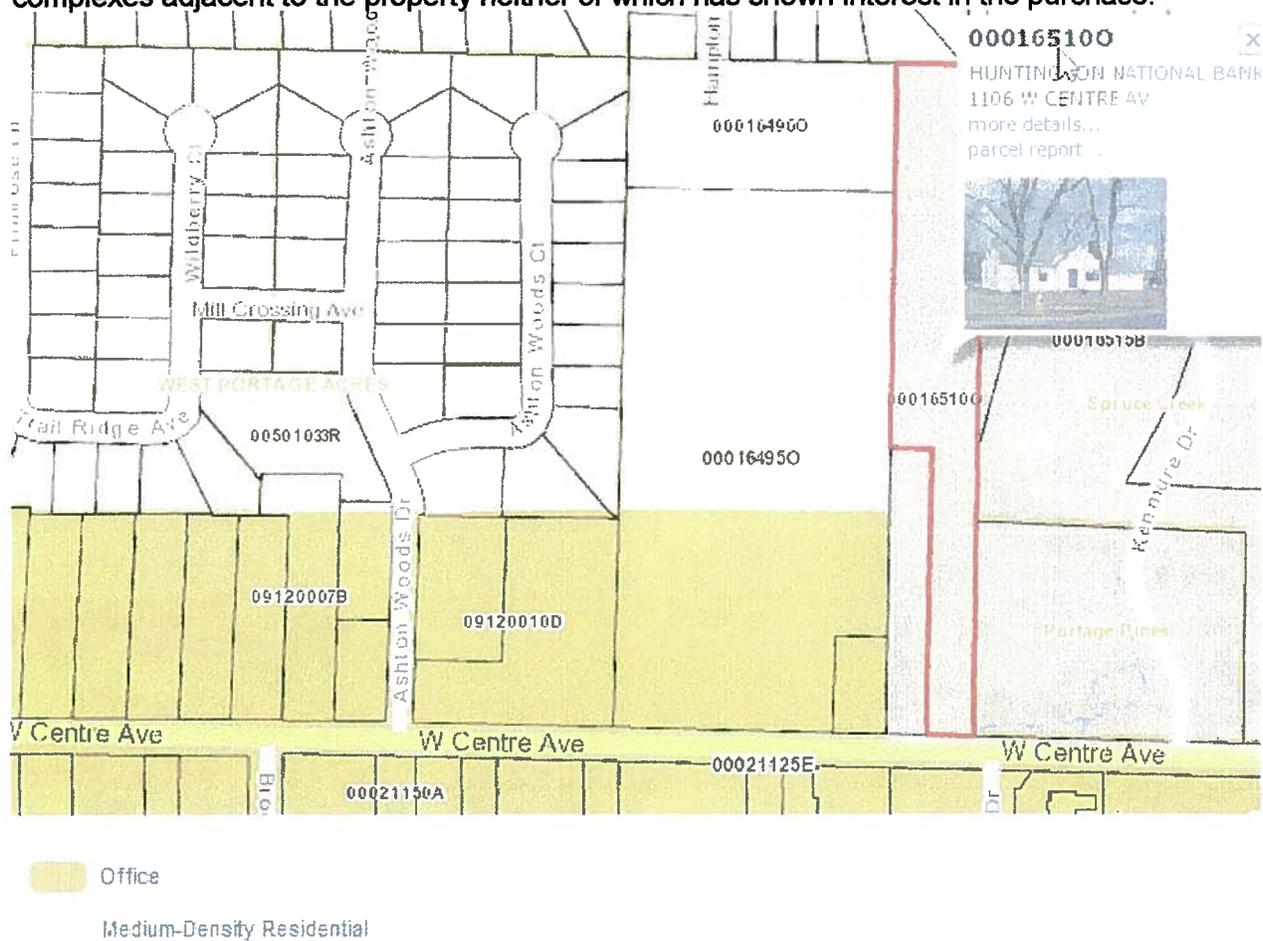
## Current Zoning

The property is currently zoned RM-2 Multi-Family Residential. We would like to have this zoning changed to OS-1 for Office and Service. The Property resides next to Portage Printing which is zoned I-1 light industrial and Portage Pines and Spruce Creek Apartments which are also zoned RM-2. It also resides next to many other OS-1 zoned service businesses.



## Future Land Use

The future land use for this property is on the line between OS-1 and RM-2. This property really does not lend itself to future RM-2 development due to the long skinny nature. Future development in RM-2 zoning would require a purchase from either of the two existing apartment complexes adjacent to the property neither of which has shown interest in the purchase.



I respectfully request the Portage Planning Commissions consideration towards changing the zoning of my property from RM-2 to OS-1. This will allow us to continue our business and create more jobs in the area.

Thank You,

Nate Cronenwett P.E.  
9111 Austin Dr.  
Portage MI, 49002  
(269) 217-7789