

PLANNING COMMISSION

September 6, 2012

The City of Portage Planning Commission meeting of September 6, 2012 was called to order by Chairman Cheesebro at 7:00 p.m. in Council Chambers of Portage City Hall, 7900 South Westnedge Avenue. Seven citizens were in attendance.

MEMBERS PRESENT:

Wayne Stoffer, Paul Welch, Bill Patterson, Dave Felicijan, Rick Bosch, Allan Reiff and James Cheesebro.

MEMBERS ABSENT:

None.

MEMBERS EXCUSED:

Miko Dargitz.

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 August 16, 2012 meeting minutes contained in the agenda packet. Commissioner Reiff and Commissioner Bosch indicated they would be abstaining from voting since they were not present at this meeting. A motion was offered by Commissioner Patterson, seconded by Commissioner Stoffer, to approve the minutes as submitted. The motion was approved 5-0-2.

PUBLIC HEARINGS:

1. Special Land Use Permit: Group Child Care Home, 2528 Vanderbilt Avenue. Mr. West summarized the staff report dated August 31, 2012 regarding the request by Ms. Cristin VanderMolen and Ms. Carolyn Roseboom to establish a group child care home for up to 12 children at 2528 Vanderbilt Avenue. Mr. West stated that Ms. VanderMolen and Ms. Roseboom will be partners in the business and jointly operate the group child care home from Ms. Roseboom's residence. Mr. West discussed the presence of a pond along the north side of the residence and stated the applicants have indicated the pond will be enclosed by a four-foot tall fence for safety purposes. Mr. West indicated the primary outdoor play area would be situated in an open clearing located along the south side of the residence. Given the size and characteristics of the property and adjacent parcels, Mr. West indicated the applicants were not proposing to fence this outdoor play area. Mr. West stated the applicants have contacted adjacent residences to discuss the proposed group child care home and the plans for the outdoor play area and letters of support have been received from the owners of 2550 Vanderbilt Avenue and 2508 Vanderbilt Avenue.

Ms. Cristin VanderMolen and Ms. Carolyn Roseboom were present to support the application and discuss the proposed group child care home. Commissioner Bosch asked why the applicants were choosing not to fence the outdoor play area along the south side of the residence. Ms. VanderMolen indicated that she has reconsidered and will now be installing a short wooden fence around the outdoor play area. Commissioner Reiff asked the applicants if the pond located along the north side of the residence would be fenced before the day care opened.

Ms. VanderMolen stated that $\frac{3}{4}$ of the pond has been fenced and the remaining portion would be completed before the day care opens. Ms. VanderMolen stated the ultimate goal was to have the pond drained and filled-in. Chairman Cheesebro opened the public hearing. One citizen, Ms. Donna Debault (2527 Vanderbilt Avenue) was present and spoke in support of the application. No additional citizens spoke regarding the proposed group child care home. A motion was made by Commissioner Welch, seconded by Commissioner Bosch, 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 Ms. Cristin VanderMolen and Ms. Carolyn Roseboom (group child care home), 2528 Vanderbilt Avenue, with the inclusion of Ms. VanderMolen's statements regarding her intentions to fence the pond and outdoor play area. The motion was unanimously approved.

2. Special Land Use Permit: Portage Brewing Company, 7842 and 7908 (portion thereof) Portage Road. Chairman Cheesebro stated he would be abstaining from discussion and voting on this agenda item due to a conflict of interest. Mr. Forth summarized the staff report dated August 31, 2012 regarding a request from Mike and Ruth Stoddard for a special land use permit to establish a micro-brewery/restaurant at 7842 and 7908 (portion thereof) Portage Road. Mr. Forth indicated the applicants have a purchase agreement pending with the current owner of 7842 Portage Road and license agreement pending with Consumers Energy Company to construct parking on a portion of 7908 Portage Road. Mr. Forth stated the proposal fulfills the requirements for issuance of a special land use permit and details regarding the site plan were expected to be finalized and ready for Planning Commission review during the September 20, 2012 meeting. Mr. Forth indicated staff was recommending approval of the special land use permit subject to the two conditions cited in the staff report.

Mr. Mike Stoddard and Mrs. Ruth Stoddard were present to support of the application. Mr. Stoddard thanked the Commission and indicated he and his wife were looking forward to establishing the first micro-brewery in the City of Portage. Mr. Stoddard also indicated the license agreement from Consumers Energy Company to establish parking on a portion of the 7908 Portage Road parcel has been received. Vice-Chairman Welch opened the public hearing. No citizens spoke regarding the proposed development project. A motion was then made by Commissioner Bosch, seconded by Commissioner Stoffer, to close the public hearing. The motion was approved 6-0-1. After a brief discussion, a motion was made by Commissioner Bosch, seconded by Commissioner Reiff, to approve the Special Land Use Permit for Portage Brewing Company, 7842 and 7908 (portion thereof) Portage Road, subject to a fully executed license agreement for parking being finalized with Consumers Energy Company and Planning Commission review/approval of the site plan. The motion was approved 6-0-1.

3. Height Modification: FEMA Corporation (addition), 1716 Vanderbilt Avenue. Mr. Forth summarized the staff report dated August 31, 2012 regarding a height modification request submitted by FEMA Corporation to construct an approximate 39,000 square foot building addition along the west side of the existing manufacturing facility to a height of 26-feet. Mr. Forth summarized the previous height modification that was approved by the Planning Commission in 2008 and indicated the proposed building addition would maintain the same 26-foot building height. Mr. Forth discussed the Zoning Code criteria for height modification considerations and reviewed surrounding site characteristics including proposed setback differences from adjacent property lines, nearest single family residential structures, natural topography and proposed grading differences and previously approved conflicting land use screening that would be preserved with the building expansion project.

Mr. John Pula of FEMA Corporation was present to support the application. The public hearing was opened by Chairman Cheesebro. No citizens spoke in regard to the proposed height modification. A motion was then made by Commissioner Welch, seconded by Commissioner Reiff, to close the public hearing. The motion was unanimously approved. A motion was made by Commissioner Welch, seconded by Commissioner Patterson, to approve the Height Modification for FEMA Corporation (addition), 1716 Vanderbilt Avenue, to construct the proposed building addition to a height of 26-feet. The location, setback distances, topographic differences and conflicting land use screening for the interconnected facility will mitigate potential impacts on adjacent single

family residentially zoned properties to the west and north consistent with Section 42-350(B)(6). The motion was unanimously approved.

SITE/FINAL PLANS:

1. Site Plan: FEMA Corporation (addition), 1716 Vanderbilt Avenue. Mr. Forth summarized the staff report dated August 31, 2012 regarding a request by FEMA Corporation to construct an approximate 39,000 square foot building addition and associated site improvements along the west side of the existing manufacturing facility. Mr. Forth indicated the existing access arrangement would be maintained and previously approved conflicting land use screening would be preserved with the expansion project. Mr. Forth stated storm water from the expansion project would be directed to the existing storm water system located along the northeast portion of the zoning lot.

Mr. John Pula of FEMA Corporation was again present to support the site plan. After a brief discussion, a motion was made by Commissioner Patterson, seconded by Commissioner Felicijan, to approve the Site Plan for FEMA Corporation (addition), 1716 Vanderbilt Avenue. The motion was unanimously approved.

OLD BUSINESS:

1. City of Portage 50th Anniversary Celebration. Chairman Cheesebro asked the Commission if they had any additional ideas or suggestions for the upcoming City of Portage 50th Anniversary celebration. Commissioner Felicijan stated he would be willing to volunteer to participate in any planning committee regarding matter. Mr. West summarized the 25th Anniversary celebration that included a special edition of the Portager, along with a carnival, concert and time capsule at the City Hall site. Mr. Forth asked that any ideas or suggestions be forwarded to the Department of Community Development by next week Thursday so they could be included in a draft memo prior to Planning Commission review and finalization at the September 20th meeting.

NEW BUSINESS:

None.

STATEMENT OF CITIZENS:

None.

ADJOURNMENT:

Chairman Cheesebro stated that City Council will be conducting interviews for the vacant Planning Commission position at the Tuesday, September 11, 2012 meeting.

There being no further business to come before the Commission, the meeting was adjourned at 7:35p.m.

Respectfully submitted,

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