

## **PLANNING COMMISSION**

**November 15, 2012**

The City of Portage Planning Commission meeting of November 15, 2012 was called to order by Chairman Cheesebro at 7:00 p.m. in Council Chambers of Portage City Hall, 7900 South Westnedge Avenue. Nine citizens were in attendance.

### **MEMBERS PRESENT:**

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

### **MEMBERS ABSENT:**

None.

### **MEMBERS EXCUSED:**

David Artley.

### **IN ATTENDANCE:**

Christopher Forth, Deputy Director of Planning, Development and Neighborhood Services; Michael West, Assistant City Planner; and Charlie Bear, Assistant 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 November 1, 2012 meeting minutes contained in the agenda packet. A motion was offered by Commissioner Reiff, seconded by Commissioner Stoffer, to approve the minutes as submitted. The motion was unanimously approved.

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

1. Specific Plan: Repertoire Restaurant, 412 West Centre Avenue. Mr. Forth summarized the staff report dated November 9, 2012 regarding a request by Hurley & Stewart, LLC, on behalf of Repertoire Entertainment Partners, to construct a 6,710 square foot restaurant/blues-jazz club building and associated site improvements at 412 West Centre Avenue. Mr. Forth stated the Repertoire Restaurant represents the third project within the Portage Creek Landings – City Centre commercial planned development and provided a short summary of past Planning Commission/City Council reviews and approvals. In conjunction with the specific plan review, Mr. Forth indicated the applicant is also requesting approval to exceed the maximum parking provision of the Zoning Code: A total of 111 parking spaces are proposed where a maximum of 78 parking spaces are allowed. Mr. Forth stated the applicant has submitted written documentation in support of these additional parking spaces. Mr. Forth also summarized the plans to enclose an open ditch that will convey storm water to a treatment basin located within the northwest portion of the overall property, adjacent Portage Creek. Mr. Forth stated the plans to enclose the open ditch and construct the treatment basin has been reviewed, approved and permitted by the Michigan Department of Environmental Quality (MDEQ). Mr. Forth indicated that staff was recommending the specific plan be approved including the request to exceed the maximum parking requirement.

The Commission discussed various aspects of the specific plan and previous conceptual plan approval. Commissioner Dargitz asked why the conceptual plan that was recently amended/approved by City Council was not first reviewed by the Planning Commission. Mr. Forth stated the property owner chose to request from City Council a waiver from the conceptual plan resubmission requirement and a two-year extension to the conceptual

plan approval in an effort to save time and move the project forward. In September 2012, Mr. Forth indicated City Council granted both the waiver and extension which included two minor changes to the conceptual plan: 1) Building 3 (a 19,500 square foot retail building) was replaced with the Repertoire Restaurant and a future second building, and, 2) The second floors within Buildings 4 and 5 were eliminated. Commissioners Welch and Bosch asked about the applicant's request to exceed the maximum parking requirement. Mr. Forth reviewed the Zoning Code parking standard for sit-down style restaurants and discussed the uniqueness of the proposed restaurant/jazz-blues club and referred the Commission to the information provided by the applicant regarding the anticipated parking need. Commissioner Dargitz asked for an explanation regarding the elimination of residential land use from the conceptual plan. Mr. Forth stated that residential land use component was not part of the approved conceptual plan but a reference was made by the developer in the 2006 written narrative for possible future residential units on the second floor of some of the commercial buildings.

Mr. Todd Hurley (applicant's engineer) and Mr. Mike Marshburn (original developer, PCL Curtis LLC) were present to support the development project. Mr. Hurley summarized the applicant's need for the additional parking spaces and discussed the collaborative efforts with the MDEQ to enclose the open ditch and improve storm water management. Mr. Hurley stated the entire development includes shared/cross access and shared parking. Mr. Marshburn discussed the original 2006 conceptual plan and the "vision" for possible future residential land use within the project. However, Mr. Marshburn indicated recent changes to the conceptual plan were the result of the changing economy and were necessary to meet market demands and individual user needs. Mr. Marshburn stated the continuation of boulevard accesses, internal sidewalks and connectivity between sites have resulted in a very pedestrian friendly development project. Commissioner Felicijan expressed concern that there may not be enough parking for the proposed use. Commissioner Reiff expressed similar concern, but noted there was area to the west to expand parking, if necessary. Mr. Hurley stated the applicant felt comfortable that the 111 requested parking spaces would be adequate for the use.

The Commission, applicant representatives and staff further discussed parking, access, traffic and changes to the original conceptual plan. After additional discussion, a motion was made by Commissioner Bosch, seconded by Commissioner Stoffer, to approve the Specific Plan for the Repertoire Restaurant, 412 West Centre Avenue, including the request to exceed the maximum parking requirement and construct a total of 111 spaces for the use based on documented evidence provided by the applicant that the additional parking is necessary and will not adversely impact the subject property, surrounding properties or related natural features. The motion was unanimously approved.

### **PUBLIC HEARINGS:**

1. Final Report: Rezoning Application #12-01, 9136 Shaver Road. Mr. West summarized the final staff report dated November 9, 2012 regarding a request received from Mr. Robert Wiitanen to rezone 9136 Shaver Road from I-1, light industry to B-3, general business. Mr. West stated the rezoning was being requested to facilitate redevelopment of the site for a new Mulligans Grill and Sports Bar. Mr. West indicated the rezoning request was consistent with the Future Land Use Map/Comprehensive Plan designations, as well as the surrounding zoning/land use pattern, and was recommended for approval by staff.

Mr. Robert Wiitanen was present to support the rezoning request and explain his plans to redevelop the Mulligans Grill and Sports Bar. Mr. Wiitanen stated his plans were to begin construction in late winter/early spring and have the new restaurant/bar ready in the summer of 2013. The public hearing was reconvened by Chairman Cheesebro. No citizens spoke in regards to the proposed rezoning. 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 Stoffer, seconded by Commissioner Patterson, to recommend to City Council that Rezoning Application #12-01 be approved and 9136 Shaver Road be rezoned to B-3, general business. The proposed zoning change is consistent with the Comprehensive Plan, Future Land Use Map and surrounding land use/zoning pattern and will provide the applicant redevelopment flexibility in areas of site design, building and parking setbacks, signage and visibility. The motion was unanimously approved.

**NEW BUSINESS:**

None.

**OLD BUSINESS:**

1. City of Portage 50<sup>th</sup> Anniversary Celebration – Recognition of Portage Businesses. Chairman Cheesebro asked if the Commission had any additional ideas or suggestions for ways in which the Portage business community can be recognized as part of the 50<sup>th</sup> Anniversary Celebration. Commissioner Dargitz suggested asking the business community directly for ways in which they would like to be recognized. Commissioner Reiff expanded upon this idea and suggested that feedback be solicited from businesses that have been in Portage for a long time such as Pfizer/Upjohn, Stryker, etc. Mr. Forth stated a draft memo that compiles ideas and suggestions provided by the Commission would be prepared for the December 6<sup>th</sup> meeting. Mr. Forth indicated that after review and approval by the Commission, the memo will be forwarded to City Council, as requested.

**STATEMENT OF CITIZENS:**

None.

**ADJOURNMENT:**

Chairman Cheesebro stated he would not be present at the December 6, 2012 meeting. Commissioner Patterson indicated he would not be present at the December 6<sup>th</sup> and 20<sup>th</sup>, 2012 meetings.

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

Respectfully submitted,

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