

PLANNING COMMISSION

September 5, 2013

The City of Portage Planning Commission meeting of September 5, 2013 was called to order by Chairman Welch at 7:00 p.m. in Council Chambers of Portage City Hall, 7900 South Westnedge Avenue. Six citizens were in attendance.

MEMBERS PRESENT:

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

MEMBERS ABSENT:

None.

MEMBERS EXCUSED:

None.

IN ATTENDANCE:

Christopher Forth, Deputy Director of Planning, Development and Neighborhood Services; Michael West, Assistant City Planner and Randy Brown, City Attorney.

PLEDGE OF ALLEGIANCE:

Chairman Welch led the Commission in the Pledge of Allegiance.

APPROVAL OF MINUTES:

Chairman Welch referred the Commission to the August 15, 2013 meeting minutes contained in the agenda packet. A motion was made by Commissioner Dargitz, seconded by Commissioner Reiff, to approve the minutes as submitted. The motion was unanimously approved.

PUBLIC HEARINGS:

1. Final Report: Rezoning Application #13-01, 120 and 126 East Van Hoesen Boulevard. Mr. West summarized the final staff report dated August 29, 2013 regarding the request by Sonoma Development to rezone 120 and 126 East Van Hoesen Boulevard from R-1A, one family residential to B-3, general business and P-1, vehicular parking. Mr. West indicated the rezoning would facilitate a commercial redevelopment of the southeast corner of South Westnedge Avenue and East Van Hoesen Boulevard. Mr. West reviewed the final analysis contained in the staff report including the Comprehensive Plan/Future Land Use Map designations and the suitability of the existing R-1A zone and potential impacts from the proposed B-3 and P-1 zones. Mr. West indicated staff was supportive of the proposed rezoning.

Kevin Eidson of W.L. Perry Associates (applicant's representative) was present to support the application and explain the redevelopment project. The public hearing was reconvened by Chairman Welch. No citizens spoke regarding the proposed rezoning. A motion was made by Commissioner Felicijan, seconded by Commissioner Bosch, to close the public hearing. The motion was unanimously approved. After a brief conversation, a motion was made by Commissioner Stoffer, seconded by Commissioner Bosch, to recommend to City Council that Rezoning Application #13-01 be approved and 120 East Van Hoesen Boulevard be rezoned to B-3, general business and 126 East Van Hoesen Boulevard be rezoned to P-1, vehicular parking citing 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 while affording the adjacent residential neighborhood appropriate screening, buffering and related protections. The motion was unanimously approved.

SITE/FINAL PLANS:

1. Final Plan: Oakland Hills Condominiums (Phase III), 8716 Oakland Drive. Mr. Forth summarized the staff report dated August 30, 2013 involving the final plan submitted by American Village Development II, LLC to construct Phase IV of the Oakland Hills Condominium planned development (PD). Mr. Forth stated the final plan represents the last phase of the Oakland Hills PD and proposes construction of 30 single-family attached residential units, extension of the interior private street network and associated site improvements. Mr. Forth briefly discussed the applicant's proposal to modify the 100-year floodplain boundary and realign a portion of the Portage Creek and the pending application submitted to the Michigan Department of Environmental Quality (MDEQ). Mr. Forth indicated the final plan for Phase IV has been designed in substantial conformance with the approved tentative plan and staff was supportive of the final plan.

Mr. Jack Gesmundo of American Village Development II, LLC was present to support the application and explain the development project. Mr. Gesmundo introduced Todd Hurley (applicant's engineer) and Tim Bureau (applicant's environmental consultant) and provided a historical summary of development activities at the Oakland Hills PD. Mr. Gesmundo indicated 97 of the 136 condominium units have been sold, including 14 units so far in 2013. Mr. Gesmundo discussed the proposed "Portage Creek Stream Restoration & Enhancement" project and indicated both the MDEQ and Kalamazoo County Drain Commission were supportive of the project.

Commissioner Felicijan asked what impact the development may have on the existing groundwater table and whether there will be any provisions built into the condominium units to protect against basement flooding. Ms. Gesmundo indicated the elevations across the site have been raised. Mr. Hurley also discussed extensive dewatering that were accomplished, monitoring wells that were installed across the site and the storm water design that includes hydraulically connected storm water basins with an overflow discharge to the Portage Creek. Mr. Bureau discussed the Building Code requirement for basement elevations above the floodplain and indicated the Oakland Hills development is doubling this standard. Mr. Bureau further indicated the groundwater level is below the floodplain elevation and then provided a detailed discussion of the proposed "Portage Creek Stream Restoration & Enhancement" project. Commissioner Dargitz asked the applicant why final plan approval was needed before the MDEQ permits were issued. Mr. Gesmundo responded by stating MDEQ permits are not required for the remaining infrastructure improvements and most condo unit construction, only for modifications to the floodplain and creek. Mr. Gesmundo also indicated he wanted to pave the remaining section of roadway before the asphalt plants close for the season.

After additional discussion, a motion was made by Commissioner Bosch, seconded by Commissioner Stoffer, to recommend to City Council that the Final Plan for Oakland Hills Condominiums (Phase IV), 8716 Oakland Drive, be approved subject to no construction activities occurring within the 100-year floodplain and/or realignment of the Portage Creek until all required approvals/permits have been obtained. Commissioner Dargitz asked if the Planning Commission could be advised when the MDEQ permits are issued. Mr. Forth indicated the Commission could be notified. The motion was unanimously approved.

NEW BUSINESS:

1. 2014 Comprehensive Plan Update – Information Only. Mr. Forth reviewed the August 29, 2013 staff report regarding the upcoming 2014 Comprehensive Plan Update and important dates and activities planned. Commissioner Patterson asked if the Planning Commission would be able to review the "preliminary concepts" prior to the October 2, 2013 Open House. Mr. Forth indicated staff would try to get this information to the Commission by the September 19, 2013 meeting. Otherwise, Mr. Forth stated the information would be provided to the Commission via email before the Open House. The Planning Commission next discussed Commissioner availability regarding attendance at the Open House. Commissioner Dargitz asked how the

October 2, 2013 Open House is being publicized to encourage citizen participation. Mr. Forth stated the October 2, 2013 Open House is being publicized through a variety of media sources including the September issue of the *Portager*, city web site, news releases, PMN and Planning Commission meetings.

OLD BUSINESS:

1. City of Portage 50th Anniversary Celebration – August Passbook Drawing. Commissioners Felicijan and Dargitz conducted the August Passbook drawing and Jan Hurley was selected as the winner of a \$20.00 gift card from Yo Go Delights. Commissioner Felicijan discussed how businesses and citizens could participate in the Passbook program and indicated at least four new business registrations have been received in the past few days.

STATEMENT OF CITIZENS:

None.

ADJOURNMENT:

Commissioner Stoffer indicated he recently spoke with a citizen who commented on how well the chicken ordinance is working with little, if any, impact to adjacent residents.

Commissioner Dargitz stated she recently spoke with a citizen who indicated there may be some hindrances, such as building construction requirements, to reopening the Centre Street Market and asked staff if they were aware of any issues regarding this matter. Mr. Forth indicated the property recently went through foreclosure and he was unaware of any issues involving the city that would prevent the market from reopening.

There being no further business to come before the Commission, the meeting was adjourned at 8:05 p.m.

Respectfully submitted,

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