

## **PLANNING COMMISSION**

**January 23, 2014**

The City of Portage Planning Commission meeting of January 23, 2014 was called to order by Chairman Welch at 7:00 p.m. in Council Chambers of Portage City Hall, 7900 South Westnedge Avenue. Approximately 40 citizens were in attendance.

### **PLEDGE OF ALLEGIANCE:**

Chairman Welch led the Commission in the Pledge of Allegiance.

### **IN ATTENDANCE:**

Christopher Forth, Deputy Director of Planning, Development and Neighborhood Services; Michael West, Assistant City Planner; Randy Brown, City Attorney; Christopher Barnes, Director of Transportation & Utilities; and Muhammad Arif, Traffic Engineer.

### **ROLL CALL:**

Mr. Forth called the roll and the following Commissioners were present: Patterson, Stoffer, Welch, Felicijan, Bosch, Dargitz, Schimmel and Somers. Chairman Welch indicated Commissioner Reiff requested to be excused from the January 23, 2014 meeting. A motion was made by Commissioner Schimmel, seconded by Commissioner Felicijan, to approve the roll and excuse Commissioner Reiff. The motion was approved 8-0.

### **MEMBERS PRESENT:**

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

### **MEMBERS EXCUSED:**

Allen Reiff.

### **APPROVAL OF MINUTES:**

Chairman Welch referred the Commission to the January 9, 2014 meeting minutes contained in the agenda packet. Commissioners Dargitz and Somers stated they were not present at the January 9<sup>th</sup> meeting and would not be voting on the minutes. A motion was made by Commissioner Patterson, seconded by Commissioner Felicijan, to approve the minutes as submitted. The motion was approved 6-0-2 with Commissioners Dargitz and Somers abstaining.

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

None

### **PUBLIC HEARINGS:**

1. Special Land Use Permit: Great Lakes Convenience, 710 and 732 East Centre Avenue. Mr. Forth introduced the item and summarized the staff report dated January 17, 2014 regarding the request by Great Lakes Convenience to establish a gasoline station consisting of five pump islands (10 fueling stations), a 4,000 square foot convenience store building with an attached 1,550 square foot drive-thru restaurant and associated site improvements at 710 and 732 East Centre Avenue. Mr. Forth discussed the zoning history of the properties, previous meetings and conversations with the applicant, preliminary staff review of the revised Traffic Impact Study submitted late last week and other issues involving the application materials (preliminary site plan, inconsistent hours of operation, lack of parking, noise and outdoor lighting). Due to the late submission and outstanding issues involving several important development impacts, Mr. Forth stated staff was unable to complete the review and provide a full analysis and recommendation prior to January 23, 2014

Planning Commission meeting. Mr. Forth referred the Commission to several letters received from area residents that were included in the final agenda packet.

Mr. Barnes provided a summary of the Traffic Impact Study received to date that had been submitted by the applicant and discussed access options that were available to the site, along with associated impacts on the adjacent roadway. While an access arrangement that included a driveway to/from Lakewood Drive was preferred, Mr. Barnes stated this was not currently an option due to a previous zoning decision to retain a five foot strip of land zoned for single-family residential purposes along the entire length of Lakewood Drive. Commissioner Felicijan asked whether if it was necessary for the applicant to submit outdoor lighting and noise related information with the special land use permit application. Mr. Forth stated this information would be helpful to fully assess the potential impacts of the development on the surrounding residential properties.

Mr. Don Ziemke Jr., Great Lakes Convenience (applicant/owner), was present to explain the development and support the application. Mr. Ziemke introduced his consultant team and provided a brief background of his history with the City of Portage. Mr. Ziemke stated he is not part of a big corporation and owns/operates only one gasoline station/convenience store which is located in Caledonia, Michigan. Mr. Ziemke distributed letters of support he has collected from business owners and citizens near his Caledonia location, along with Kalamazoo County and City of Portage businesses and citizens. Mr. Ziemke presented a rendering of the gasoline station/convenience store building and fueling canopy and discussed the preliminary site plan that focused the gasoline station portion of the development on the northern portion of the property, away from the adjacent neighborhood. Mr. Ziemke discussed screening that was proposed around the perimeter of the development and stated he was confident the project could comply with all ordinance requirements regarding outdoor lighting and noise. Mr. Ziemke also discussed the new technology required for gasoline stations and the safety features that are included in the equipment to minimize accidents and environmental contamination. Mr. Tim Stewart, Hurley & Stewart (applicant engineer), was also present and provided additional detail regarding screening that would be installed around the perimeter of the development and other site design measures that will help reduce impacts on the adjacent neighborhood. Mr. Stewart clarified the conclusions contained in the Traffic Impact Study and confirmed that an Enter-Only/Exit-Only access arrangement was an acceptable alternative; however, two full service driveways was still the preferred option.

The Commission, staff and the applicant discussed various aspects of the development project including site design features, type of restaurant tenant and seating capacity, other comparable uses in the city, traffic generation, parking, hours of operation, noise, outdoor lighting and screening. Mr. Ziemke stated a specific restaurant tenant has not yet been identified and clarified hours of operation for the development as 6am-11pm (Monday through Friday) and 7am-11pm (Saturday and Sunday).

The public hearing was then opened by Chairman Welch. A total of 17 citizens spoke in opposition to the proposed development: Edward Fitts, 628 Pasma; Bart Litjens, 704 Prosperity; Tom Posthumus, 8102 Lakewood; Melissa Ottesen, 8124 Kingston; Leslie Schero, 8119 Kingston; Michelle Theodore, 8140 Kingston; Patty Noel, 1002 Pasma; Betty Hall, 8108 Kingston; Jamie Krenkshaw (Otis Montessori), 810 East Centre; Lisa Krietz, 8126 Lakewood; Dominic Andwan, 3730 East Shore; Kathryn Dunckel, 719 Pasma; Ruth Hall, 8108 Kingston; Greg Hall, 8108 Kingston; Susie Meschke, 8113 Lakewood; Nancy Centers, 8038 Lakewood; and Craig Binder, 743 East Centre. Concerns voiced by these citizens included the incompatibility of the commercial use adjacent to the residential neighborhood and Otis Montessori school, traffic generation and related impacts, outdoor lighting, noise, loitering, decreased property values, environmental and safety concerns.

The Commission and staff discussed the intensity of the use, other zoning districts where gasoline stations are allowed, access and traffic generation. Mr. Barnes discussed driveway separation and driveway separation from public street standards. Mr. Arif elaborated upon an Enter-Only/Exit-Only access arrangement at the site and associated traffic related impacts and issues. Julie Kroll of RS Engineering (applicant traffic consultant) provided a brief summary of the Traffic Impact Study performed for the development project including the methodology, surrounding street characteristics, traffic/trip generation and impacts of the development on the adjacent roadway. Commissioner Stoffer asked the applicant if they could provide at the next meeting a comparison between the size, intensity and surrounding land use of the Caledonia store compared to the proposed Portage development.

After additional discussion, a motion was made by Commissioner Bosch, seconded by Commissioner Stoffer, to adjourn the public hearing involving the Special Land Use Permit for Great Lakes Convenience, 710 and 732 East Centre Avenue, to the February 6, 2014 meeting. The motion was approved 8-0.

8:55 p.m. - The Commission took a short recess. 9:00 p.m. - The Commission reconvened the meeting.
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2. Ordinance Amendment #14-A, Sign Regulations: Mr. Forth introduced the item and summarized the January 17, 2014 staff report and ordinance language regarding proposed amendments to the sign regulations. Mr. Forth discussed previous review and comment received during the Business Sign Forum, as well as input received from the Planning Commission, Zoning Board of Appeals and City Council Ad Hoc Sign Committee. Mr. Forth discussed each proposed amendment and the rationale for the change: 1) Section 42-541, Definitions (sign, sign face and electronic message display); 2) Section 42-542(H), Removal of Signs and Section 42-1284, Removal of Hazardous Signs; 3) Section 42-542(I), Electronic or Mechanical Sign Elements (sign transitions, glare and/or brightness); 4) Section 42-542(J), General Requirements; 5) Section 42-543, Signs Permitted in All Districts (public event signs, new business, change in business or going out of business, temporary signs, temporary pedestrian oriented signs, banner signs, holiday decorations, substitution clause); 6) Section 42-544, Nonconforming Signs; 7) Section 42-522, B-2, B-3 and CPD districts); 8) Section 42-132, Special Events; and 9) Section 42-138, Murals. Mr. Forth also referred the Commission to a response from staff regarding questions/comments received from Commissioner Dargitz that was included in the final agenda packet.

The public hearing was then opened by Chairman Welch. No citizens spoke regarding the proposed amendments to the sign regulations. A motion was then made by Commissioner Bosch, seconded by Commissioner Patterson, to close the public hearing. The motion was approved 8-0. Although no one was present in the audience to comment on the proposed amendments, Mr. Forth stated a public notice was published in the Kalamazoo Gazette and an e-mail was sent to previous participants of the Business Sign Forum again advising of the proposed amendments and public hearing date. However, no comments have been received to date. After a brief discussion, a motion was made by Commissioner Patterson, seconded by Commissioner Bosch, to forego the second meeting and recommend to City Council that Ordinance Amendment #14-A, Sign Regulations, be approved. The motion was approved 8-0.

**OLD BUSINESS:**

None.

**NEW BUSINESS:**

None.

**STATEMENT OF CITIZENS:**

None.

**ADJOURNMENT:**

There being no further business to come before the Commission, the meeting was adjourned at 9:25 p.m.

Respectfully submitted,

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