

PLANNING COMMISSION

May 7, 2015

The City of Portage Planning Commission meeting of May 7, 2015 was called to order by Chairman Welch at 7:00 p.m. in Council Chambers of Portage City Hall, 7900 South Westnedge Avenue. Approximately 16 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 & Neighborhood Services; Michael West, Senior City Planner; and Randy Brown, City Attorney.

ROLL CALL:

Mr. Forth called the role and the following Commissioners were present: Schimmel (yes), Somers (yes), Dargitz (yes), Felicijan (yes), Welch (yes), Stoffer (no) and Patterson (yes). A motion was made by Commissioner Felicijan, seconded by Commissioner Dargitz, to approve the role excusing Commissioners Richmond and Bosch (Commissioner Stoffer – absent). The motion was unanimously approved 6-0.

APPROVAL OF MINUTES:

Chairman Welch referred the Commission to the April 16, 2015 meeting minutes contained in the agenda packet. A motion was made by Commissioner Patterson, seconded by Commissioner Dargitz, to approve the minutes as submitted. The motion was unanimously approved 6-0.

SITE/FINAL PLANS:

None.

NEW BUSINESS:

1. Accessory Building (Davis), 10749 Andrews Street. Mr. West summarized the staff report dated May 1, 2015 regarding a request from Brian Davis to construct a 13.5 foot tall, 2,400 square foot detached accessory building along the southwest portion of 10749 Andrews Street. Mr. West stated the approximate 5.2 acre parcel contains a 2-story residence with a ground floor area of 1,698 square feet and an attached garage of 1,106 square feet. Mr. West indicated the total ground floor area of all accessory buildings (including the proposed detached building) will exceed the ground floor area of the main residence by 1,808 square feet. As indicated in the application materials, Mr. West stated the proposed detached accessory will be utilized for storage of personal items including cars, motorcycles, trailer and boat, and will not be used for any business related purposes. Mr. West described the characteristics of the parcel including elevation differences across the site and the existing mature evergreen tree line located along the northern property line. Mr. West stated the detached accessory building will be situated approximately 125-feet behind the existing residence (over 300-feet from Andrews Street), 25-feet from the southern property line and approximately 125-feet from the nearest adjacent single family residence located to the south at 10711 Andrews Street. Mr. West indicated the applicant has approached adjacent neighbors to the south (10711 Andrews Street) and north (2700 Woodhams Street) to discuss the accessory building proposal and a signed letter of support from both neighbors has been received. Mr. West stated the size and configuration of the parcel combined with elevation differences, existing wooded areas and setback distances from adjacent residences and property lines will mitigate impacts on adjacent properties. Mr. West also referred

the Commission to a May 1, 2015 communication from Dale and Ellen Wasson that was included in the final agenda packet.

Mr. Brian Davis (applicant/owner) was present to support the proposed detached accessory building. No citizens spoke in regard to the proposed detached accessory building. After a brief discussion, a motion was made by Commissioner Felicijan, seconded by Commissioner Dargitz, to approve the proposed 2,400 square foot Accessory Building for Mr. Brian Davis at 10749 Andrews Street. The motion was unanimously approved 6-0.

PUBLIC HEARINGS:

1. Final Report: Tentative Plan Amendment for The Homestead Planned Development (Story Point Senior Living Facility), 3821 West Milham Avenue. Mr. Forth summarized the staff report dated May 1, 2015 regarding an application submitted by Mr. Patrick Lynch and Triple M Investment to amend the previously approved tentative plan for The Homestead Planned Development. Mr. Forth discussed changes made to the tentative plan by the applicant based on citizen comments received during the April 16, 2015 meeting including a berm and evergreen tree plantings along the east and south sides of the property. Mr. Forth presented an aerial photograph map with the development project superimposed and discussed significant elevation differences and setback distances between the proposed senior living facility and adjacent single family residence located to the east and south. Mr. Forth indicated the applicant has made an addendum to the original tentative plan application and is now stating the remaining Van Riper historic homestead site (3.70 acres) will not be developed as a commercial restaurant, as long as the senior living facility is in operation. Mr. Forth stated the applicant does not have any immediate plans for the historic homestead site, however, indicated future uses may include a dining facility for residents of the senior living center, an office, a single family residence or a facility for special events including banquets, private parties or community events. Mr. Forth indicated staff was recommending approval of the tentative plan amendment subject to the four conditions listed in the May 1, 2015 staff report. Mr. Forth also referred the Commission to letters received from area residents that were included in the final agenda packet

The Commission and staff discussed various details of the proposed tentative plan amendment including a berm and tree plantings proposed along the east and south sides of the site, the previously approved 2006 tentative plan amendment that included residential condominiums and a themed restaurant/banquet facility, location and configuration of the storm water basin, tree removal along the western portion of the historic homestead site, and grade and setback distance between the senior living facility and single family residences located to the east and south.

Mr. Mark Murphy, Triple M Investments, was present to support the application and explain the senior living facility development project. Mr. Murphy discussed changes he made to the tentative plan amendment since receiving citizen comments and concerns during the April 16, 2015 meeting. Mr. Murphy indicated use of the historic homestead site for a themed restaurant has been planned for the site since the original 2001 PD rezoning. Mr. Murphy stated there were no immediate plans for use of this property and a deed restriction preventing establishment of a commercial restaurant would be placed on this remaining parcel for as long as the senior living facility was in operation. Mr. Murphy asked the Planning Commission to balance the issues and concerns of both the residents and the developer and consider the following factors regarding the senior living facility proposal: 1) Construction will occur in one phase, approximately 15 months; 2) The senior living facility will generate far less traffic than the previously approved cottage offices or residential condos; 3) The proposed building will be situated over 400-feet from residences to the east and approximately 800-feet from residences to the south; 4) The loading/unloading area cannot simply be flipped from the east to the west side of the building due to internal design issues. Mr. Murphy noted there are significant grade changes and landscaping will be installed along the east side of the site that will screen/buffer this area); 5) Commercial food deliveries to the loading/unloading area on the east side of the facility will be approximately two per week. Smaller truck deliveries such as UPS, FedEx, etc. will come through the front door of the facility; and 6) Residents of the facility are far more sensitive to noise, odors, outdoor lighting, etc. than residences located hundreds of feet from the facility.

Commissioner Patterson asked about the proposed grading line along the west side of the Van Riper historic homestead parcel and whether a retaining wall would be constructed. Mr. Murphy stated there will be an

approximate 14-foot grade difference between the finish floor of the senior living facility building and the historic farmhouse and the grade difference would be contoured as a natural slope with grass and landscaping. Commissioner Dargitz asked what will be done with the barn buildings on the Van Riper historic homestead parcel and also asked if the applicant would reconsider a gravel/dirt foot path to McGillicuddy Lane to facilitate pedestrian movements. Mr. Murphy indicated there were no immediate plans for the historic house and barns other than to maintain and improve the appearance of these structures. Mr. Murphy also indicated there is no desire or need for a trail connection to McGillicuddy Lane and discussed the need to ensure the safety of residents and discourage unwanted visitors. Mr. Murphy stated the average age of residents within the independent living portion of the facility would be approximately 83-84 years old and there will be an outdoor courtyard and other interior physical fitness activities available. Attorney Brown asked Mr. Murphy if it was his intent to amend the original tentative plan amendment application with the submittal of the April 30, 2015 addendum letter and conceptual landscape plan. Mr. Murphy responded affirmatively.

The public hearing was reconvened by Chairman Welch. Ten citizens spoke in regards to the proposed amendment: 1) Joe Gesmundo, representing AVB (4200 West Centre); 2) Brian Gallagher (6090 McGillicuddy Lane); 3) Louis Cherico (6130 McGillicuddy Lane); 4) Dennis Groom (6070 McGillicuddy Lane); 5) Dan Kujawaki (6070 McGillicuddy Lane); 6) Julie Bossch (6286 McGillicuddy Lane); 7) James Heintskill (4001 Tullymoore Pointe); 8) Kelly Crowell (6199 McGillicuddy Lane); 9) Richard Chase (4091 Tullymoore Pointe); and 10) Mick Lynch (applicant/property owner). Mr. Gesmundo stated that his company was the primary developer of The Homestead PD beginning in 2001 and also the developer of the Woodbridge Hills PD. Mr. Gesmundo stated a PD was a partnership between the city, developer and residents of the PD with "implied promises". Mr. Gesmundo indicated the original 2001 approval and subsequent amendments proposed either small scale cottage office buildings (3,000-10,000 square feet each) or single family attached residential condominiums (approximately 1,500 square feet each). Mr. Gesmundo stated the proposed 180,000 square foot senior living facility is significantly different in size and scale from the previously approved uses. Mr. Gesmundo indicated AVB and the residents of The Homestead generally support the senior living facility, however, significantly more berming and larger evergreen tree plantings are needed to adequately buffer the existing residences. Mr. Gesmundo requested that, between now and the City Council meeting, the applicant work with AVB and the residents to develop a more significant screening/buffering proposal. Mr. Gallagher referenced the May 6, 2015 letter from The Families of the Homestead and stated they support the staff recommendation and four conditions of approval; however, also believe that additional berming and screening was needed to adequately protect the neighboring single family residential neighborhood. Mr. Gallagher stated the berming/screening proposal for the Story Point Senior Living Facility is significantly less than was previously approved in 2006 and the residents request that a 6-foot tall berm (with a 4-foot flat top) and 8-foot tall evergreen tree (planted 7-10 feet on-center) be installed along the east and south sides of the property. Mr. Gallagher indicated the residents were also requesting that earth tones colors be utilized for the senior living care facility building, the loading/unloading area be relocated to the west side of the facility and that commercial vehicle deliveries and trash pick-up be restricted to the hours of 8:00am-5:00pm (Monday thru Friday). Mr. Cherico, Mr. Groom, Mr. Kujawaki, Ms. Bossch, Mr. Heintskill, Mr. Crowell, and Mr. Chase supported previous comments made by Mr. Gesmundo and Mr. Gallagher. Mr. Lynch indicated he is the property owner and was co-applicant with AVB for the original 2001 PD rezoning. Mr. Lynch stated there is a partial earth berm approximately 3-feet in height along the east side of the former Van Riper historic homestead site that was constructed in 2006. Mr. Lynch stated an additional 3-feet of berming with tree planting, as proposed by the applicant, will provide significant screening to the adjacent residents. No additional citizen spoke regarding the proposed tentative plan amendment. A motion was then made by Commissioner Felicijan, seconded by Commissioner Patterson, to close the public hearing. The motion was unanimously approved 6-0.

The Commission and staff next discussed various aspects of the proposed tentative plan amendment including the original 2001 PD rezoning and tentative plan approval, the 2006 tentative plan amendment and previously approved and partially constructed berm along the eastern portion of the site. The Commission also discussed the height and appearance of the berm. Mr. Forth suggested an undulating appearance and in those areas that would be less than six feet in height, additional evergreen plantings could be installed in the lower areas. After

additional discussion, a motion was made by Commissioner Felicijan, seconded by Commissioner Patterson, to recommend to City Council that the Tentative Plan Amendment for The Homestead Planned Development (Story Point Senior Living Facility), 3821 West Milham Avenue, be approved subject to the four conditions listed in the May 1, 2015 Community Development staff report; inclusion of the written narrative and tentative plan dated April 8, 2015; addendum letter from the applicant dated April 30, 2015; conceptual landscape plan dated April 29, 2015 submitted by the applicant; and subject further to construction of a berms ranging in height from 3-6 foot tall along the east and south sides of the site. The motion was unanimously approved 6-0.

2. Ordinance Amendment 14/15-B, Site Plan Review. Mr. Forth summarized the staff report dated May 1, 2015 regarding proposed changes to Zoning Code regulations pertaining to site plan review that would increase the square footage of industrial site plans that can be administratively reviewed/approved from 20,000 square feet to 50,000 square feet, eliminate the two acre maximum requirement and subject development proposals near the northeast corner of Portage Road and Romence Road to site plan review. Mr. Forth indicated the proposed changes were initiated by staff based on discussions with the City Council in January/February 2015 and were intended to enhance economic development by expediting the development review process and improving “speed to permitting”. Mr. Forth reviewed the six Zoning Code sections proposed for amendment.

Commissioner Dargitz asked why the amendment included removal of the two acre provision for administrative site plan approvals. Mr. Forth stated the size of the development project determines the intensity of the use, regardless of the acreage of the property. Mr. West provided background information regarding the 2003 Zoning Code Update and indicated the original intent was to regulate the size/square footage of the development project (20,000 square feet). Mr. West stated the 20,000 square foot building size provision was approximately 25% lot coverage on a two acre property. The public hearing was opened by Chairman Welch. No citizens spoke regarding the proposed ordinance amendment. A motion was made by Commissioner Somers, seconded by Commissioner Dargitz, to close the public hearing. The motion was unanimously approved 6-0. A motion was then made by Commissioner Patterson, seconded by Commissioner Felicijan, to recommend to City Council that Ordinance Amendment #14/15-B, Site Plan Review, be approved. The motion was unanimously approved 6-0.

OLD BUSINESS:

None.

NEW BUSINESS:

1. Schoolcraft Township Future Land Map Amendment – Section 13. Mr. West summarized the staff report dated May 1, 2015 regarding a proposed amendment to the Future Land Use Map component of the Schoolcraft Township Master Plan. Mr. West stated the amendment involves an application submitted by Greenstone Farm Credit Services that proposes to amend an approximate 64 acre tract of land located in Section 13 from the Rural Preservation classification to the Industrial classification. Mr. West stated the Future Land Use Map amendment is being requested in support of a related request to rezone the properties from RR, Rural Residential to L1, Local Industrial. Mr. West indicated the three parcels in question are situated along the north side of East W Avenue, immediately west of the Village of Vicksburg, approximately three miles south of the City of Portage corporate boundary. Pursuant to the Michigan Planning Enabling Act, Schoolcraft Township is requesting review and comment from all contiguous municipalities and other required agencies prior to the public hearing which is scheduled for the June 1, 2015 Schoolcraft Township Planning Commission meeting. Mr. West indicated staff has reviewed the proposed Future Land Use Map Amendment and does not have any specific comments.

After a brief discussion, a motion was then made by Commissioner Patterson, seconded by Commissioner Somers, to receive the proposed Schoolcraft Township Future Land Use Map Amendment – Section 13 with no specific comments offered. The motion was unanimously approved 6-0.

STATEMENT OF CITIZENS:

None.

ADJOURNMENT:

There being no further business to come before the Commission, the meeting was adjourned at 9:20 p.m.

Respectfully submitted,

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