

OSHTEMO CHARTER TOWNSHIP  
PLANNING COMMISSION

MINUTES OF A MEETING HELD FEBRUARY 10, 2011

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**Agenda**

**METRO TOYOTA – SPECIAL EXCEPTION USE AND SITE PLAN APPROVAL  
EXTENSION – 5850 STADIUM DRIVE. (PARCEL NUMBER 3905-25-305-047)**

**MAD SCIENCE – SPECIAL EXCEPTION USE REVIEW – 6811 KL AVENUE.  
(PARCEL NUMBER 3905-23-305-026)**

**REVIEW OF DRAFT TWO OF THE IMPLEMENTATION CHAPTER OF THE MASTER  
LAND USE PLAN**

**RESOLUTION REQUESTING TOWNSHIP BOARD APPROVAL TO DISTRIBUTE  
MASTER LAND USE PLAN FOR PUBLIC COMMENT**

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A meeting of the Oshtemo Charter Township Planning Commission was held on Thursday, February 10, 2011, commencing at approximately 7:00 p.m. at the Oshtemo Charter Township Hall.

MEMBERS PRESENT: Bob Anderson, Chairman  
Carl Benson  
Dave Bushouse  
Kitty Gelling  
Fred Gould  
Millard Loy  
Richard Skalski

MEMBERS ABSENT: None

Also present were Jodi Stefforia, Planning Director, James Porter, Township Attorney, and Chris West, Associate Planner, and about 10 members of the public.

**Call to Order and Pledge of Allegiance**

The meeting was called to order at approximately 7:00 p.m. The “Pledge of Allegiance” was recited by the Commissioners.

**Agenda**

Ms. Gelling made a motion to accept the Agenda. Mr. Skalski seconded the motion. Upon vote, the motion carried unanimously.

## **Public Comment on Non-Agenda Items**

The Chairman asked if there was any public comment on non-agenda items.

Margaret Masuzawa, 331 West Ridge Circle, stated that the Master Land Use Plan should not speak in absolute terms when addressing the issue of connectivity and that connectivity should be accomplished on a case-by-case basis. She added that there is still time to add flexibility to the document before adoption.

Dan Thompson, 105 Echo Hills Drive, noted that Lodge Lane is not a collector street and that 10<sup>th</sup> Street is a collector. He added that the comparison of Country Club Village to Whitegate Farms is wrong stating that Whitegate did not have increased traffic with connectivity. He went on to say that he has presented his personal accounts as to the danger of connecting new neighborhoods to Country Club Village and the Planning Commission has not changed the Master Plan to reflect his concerns. He noted that connectivity should not be applied without thought given to consequences in all cases. He concluded that he was troubled he cannot talk with the Planning Commissioners individually.

Shoji Masuzawa, 331 West Ridge Circle, presented (with Dan Thompson and Margaret Masuzawa) an example of how wide CCV roads are compared to newer subdivisions. They said that, in their opinion, connecting a wider street to their narrow streets would create a choke point and would be a safety issue.

Seeing no more public comment on non-agenda items, the Chairman closed the public comment section.

## **Presentation of Certificates of Appreciation**

The Chairman presented certificates of appreciation to Terry Schley and Deb Everett for their service to the Township as members of the Planning Commission.

## **Minutes**

The Chairman said the next item was the review and approval of the January 27, 2011 minutes. Ms. Gelling wanted it to be put in the record that she is opposed to having swine permitted in the Township and that a size limit should be put on swine if permitted. The Chairman stated that currently they are only discussing the January 27 meeting minutes but that her comment can be recorded in the current meeting minutes.

Mr. Skalski made a motion to approve the minutes. Mr. Gould seconded the motion. The Chairman called for a vote on the motion, and the motion passed unanimously.

## **Metro Toyota – Special Exception Use and Site Plan Approval Extension**

The Chairman said the next item was the special exception use and site plan approval extension for an addition to Metro Toyota, 5850 Stadium Drive. He then asked for a report from staff.

Mr. West presented his report dated February 10, 2010, incorporated herein by reference. He noted that Metro Toyota received special exception use and site plan approval on January 28, 2010 but has yet to commence construction on-site. As such, it is necessary for the applicant to receive an extension of the approval. Mr. West noted that the site plan has changed slightly from the originally approved plan. The footprint of the building expansion has increased by 1,873 square feet, new parking spaces will be painted, and the loading dock along the west property line will be removed. He added, that there will not be any changes to the amount of impervious surface or the stormwater management system. Jim Wiley from the Township Fire Department has seen the new plans and does not see any Fire Department issues.

The Chairman then asked for the applicant to address the Planning Commission. Jeff DeNooyer noted that Toyota has been asking its dealerships to renovate and update their facilities. The previous approval was not acted upon due to the downturn in the economy and he stated that Metro Toyota will move ahead with construction if granted approval.

The Chairman asked for public comment on the agenda item. Hearing none, he closed the floor to public comment.

Mr. Skalski stated that the plan submitted for approval has minimal changes from what was approved a year ago. He noted that there is not an increase in impervious surfaces and that the removal of the loading dock would be beneficial to neighbors. He voiced his support for the proposal.

Ms. Gelling made a motion to approve the request for special exception use and site plan approval upon the condition that all conditions of the approval on January 28, 2010 are adhered to. Mr. Skalski seconded the motion. The Chairman called for a vote and the motion passed unanimously.

## **Mad Science – Special Exception Use Review**

The Chairman said the next item on the Agenda was the request by Mad Science of Greater Kalamazoo for special exception use approval for the operation of an indoor recreational facility in the I-1, Industrial District.

Mr. West presented his report dated February 10, 2010, incorporated herein by reference. He noted that indoor recreational facilities are special exception uses in the I-1, Industrial District and that other indoor recreational facilities have been approved in the past. He went through the criteria for review that the Planning Commission should consider when reviewing the request.

The Chairman then asked for the applicant to address the Planning Commission. Krista Burkeen of Mad Science stated that she was presented with the opportunity to invest in the subject property and is using it to expand her business. She noted that Mad Science is a franchise she operates and she provides hands-on science activities to children. She added that it is exciting to be able to move from a warehouse space into an office space.

Mr. Skalski asked the applicant if she had considered expanding Mad Science beyond the 1,300 square foot office as shown on the site plan. Ms. Burkeen said she did not have plans to do so at this time.

Ms. Gelling asked the applicant to explain some of the activities that would occur at Mad Science. Ms. Burkeen said that, as a franchise, the corporate attorneys and researchers have come up with a safe curriculum for her to follow.

Mr. Anderson asked the applicant if there would be other instructors on-site other than herself. Ms. Burkeen answered that she does employ other instructors who are trained. A typical instructor to child ratio would be 1-to-15. Mr. Anderson asked the applicant how long a typical party would last. Ms. Burkeen said about one to two hours is typical and would not include any overnight camps. Mr. Anderson asked the applicant if all the activities would occur within the building. Ms. Burkeen said that they would be inside.

Ms. Gelling asked the applicant to explain the typical hours of operation. Ms. Burkeen stated that, typically, she would be open from 10 to 4 on weekdays and no later than 7 P.M. on weekends.

Mr. Gould asked if there would be any cooking occurring with Mad Science. Ms. Burkeen indicated that children attending camps would bring sack lunches but that no cooking would occur on-site. Mr. Gould asked if there would be any retail sales occurring on-site. Ms. Burkeen stated that only incidental sales of t-shirts would occur on-site.

Ms. Burkeen added that she would be improving the aesthetics of the building to make it more pleasing to the surroundings.

The Chairman then asked for any public comment on the agenda item.

Jeff Phillip, 6930 KL Avenue, asked that the building department be notified that the proposed renovation seemed to be a major construction project from his perspective. He also wanted to inform the Planning Commission that the SPCA has been using the subject property's parking lot from time-to-time for their events. He also expressed concern for increased traffic along KL, noting that the addition of the SPCA has increased traffic in this area.

The Chairman asked for any further public comment on the agenda item. Hearing none, he closed the floor to public comment.

Ms. Gelling stated that this use would be an asset to the community and the general vicinity and would provide an educational opportunity for children in the area.

Mr. Skalski noted that this would be a less intrusive use for the subject property than a typical industrial use.

Ms. Gelling made a motion to approve the special exception use approval request. Mr. Skalski seconded the motion. The Chairman called for a vote and the motion passed unanimously.

### **Master Plan Implementation Chapter – Draft Two**

The Chairman noted the next item on the agenda was the review of the second draft of the Implementation Chapter of the Master Land Use Plan. He asked for staff to present the chapter.

Ms. Stefforia explained the changes that have been made to the Implementation Chapter. The zoning plan at the end of the chapter has been changed to include a map showing the differences between the proposed future land use map and the current zoning map; there are also descriptions of these differences in the text. Also, the key to the implementation table was moved to the front of the table for clarification. She added that this chapter, as well as the rest of the plan, may look different when the final version is presented to the Planning Commission as the consultants format the document; however the content will be the same.

Ms. Gelling asked about the appropriateness of using the title 'Other Financing Tools' on page 7 instead of simply using the title 'Tax Increment Financing'. Ms. Stefforia answered that the tools listed under 'Other Financing Tools' are not TIF tools and therefore warrant a different title.

Mr. Gould asked about whether staff had created a map that shows the zoning of the surrounding communities. Mr. West answered that staff has created this map but it no longer fits with the content in this chapter; it may be more appropriate for this to be included in the Existing Land Use Chapter.

Ms. Gelling asked staff if the non-motorized projects under Quality of Life Improvement and Circulation Improvements are repetitive and if one should be eliminated. Ms. Stefforia stated that non-motorized projects contribute to quality of life and circulation in the Township and as such it is appropriate for them to be included in both categories. The Chairman agreed, saying that non-motorized projects can be done with different purposes. Ms. Gelling stated that she didn't see these as two separate issues.

The Chairman asked if the draft in front of them is the final for this chapter. Ms. Stefforia said that it is, except for the zoning plan map at the end of the chapter. She added that staff is still playing with the format of the map and how to best display the intent of the zoning plan.

Mr. Skalski asked when a full plan will be presented to the Planning Commission. Ms. Stefforia said that staff will be receiving the final document next week. The Chairman asked if the consultant would be presenting the plan to the Township. Ms. Stefforia said that he would present all the newer chapters of the plan to the Joint Board Meeting on Tuesday, February 15 2011.

### **Resolution Requesting Township Board Approval to Distribute Master Land Use Plan for Public Comment**

Ms. Stefforia explained that the Planning Commission must adopt a resolution to present the Master Land Use Plan to the Township Board for their approval to distribute the Plan for the required public review period.

Ms. Gelling made a motion to resolve to submit the Master Land Use Plan to the Township Board and request authorization to distribute the Plan for public comment. Mr. Skalski seconded the motion. The Chairman called for a roll call vote and the motion passed unanimously.

### **Other Business**

Mr. Porter told the Planning Commission that he would give the Planning Commission a presentation at the February 24<sup>th</sup> meeting regarding his recommendation as to the method in which Planning Commissioners' may act outside of public meetings. Mr. Anderson asked if these recommendations would be based on laws. Mr. Porter noted that there is not a clear guideline as to what is appropriate however his recommendations would err on the side of caution.

Ms. Gelling noted that she had done research at the John Ball Park Zoo regarding peacocks since the last meeting. She found that they are a fowl and are dirty and possibly transmit disease. She reiterated her stance from the previous meeting that peacocks should not be permitted under the zoning ordinance. She also wanted guinea hens to be removed from the ordinance. Ms. Stefforia noted that this conversation should wait until the public hearing; Mr. Porter agreed.

Ms. Gelling asked for a revised Township board list to be distributed to the Planning Commission. Ms. Stefforia said that the Planning Commission would be provided this list when a new Trustee is selected.

Mr. Bushouse noted that he was very thankful for Mr. Porter's work in keeping the Township safe from possible litigation.

Mr. Bushouse added that the Oshtemo Rotary is having its charity breakfast on March 6<sup>th</sup> at Ted and Maries from 8 A.M. to 2 P.M.

### **Planning Commissioner Comments**

Mr. Gould stated that he felt there are some in the public that don't think that they are given appropriate time to engage the Planning Commission and he senses that the public's intentions are not being conveyed as they would like to the Planning Commission. He advised the public to contact the Chairman or staff in order to get further information delivered to the Planning Commission. He added that the Township boards have the opportunity to discuss issues but the public is not allowed the same level of discussion opportunities. He wondered if there was a way to change Planning Commission protocol to increase public input opportunities.

Margaret Masuzawa agreed with Mr. Gould and said that the Planning Commission never discusses the issues that the public brings up in the public comment section of the meetings.

Mr. Porter said he didn't disagree with the aforementioned statements and the Planning Commission can change their rules for conducting business. However, he added that we live in a representative form of government and all members of the public cannot debate every single issue. He added that this is not to stifle discussion but to preserve good order in meetings. Mr. Gould agreed but added that every opportunity must be given to include all public input.

Mr. Skalski asked Mr. Porter how Planning Commissioners could bring information they have gathered to the Commission. Mr. Porter said that Planning Commissioners can do their own research but should bring that information to the Commission in public meetings for everyone to know. He added that he will be presenting a memo to the Planning Commission regarding this issue.

Mr. Gould asked if more than one Planning Commissioner may visit a site that is on the agenda for a meeting. Mr. Porter said that they could but there should not be any contact with the applicant or other parties when in the field. He added that, in general, the Planning Commission is a corporate body that acts as one and deliberates in public meetings.

Mr. Bushouse added that he has seen instance from 30 or more years ago in which public comment has been stifled but that culture has gone away over the past 20 years. He continued that Oshtemo Township has worked on being responsive to the public.

### **Adjournment**

The Chairman asked if there were any further comments, and hearing none, he called for adjournment.

Minutes Prepared:  
February 14, 2011

Minutes Approved:

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