

OSHTEMO CHARTER TOWNSHIP  
PLANNING COMMISSION

MINUTES OF A MEETING HELD MARCH 13, 2008

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**Agenda**

**HISTORICAL OVERLAY ZONE - PUBLIC HEARING**

**SPCA OF SOUTHWEST MICHIGAN - CONCEPTUAL REVIEW - PROPOSED  
KENNEL AT SE CORNER OF 8<sup>TH</sup> STREET AND WEST KL AVENUE**

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A meeting of the Oshtemo Charter Township Planning Commission was held on Thursday, March 13, 2008, commencing at approximately 7:00 p.m. at the Oshtemo Charter Township Hall.

MEMBERS PRESENT: Lee Larson, Acting Chairman  
Deborah Everett  
Fred Gould  
Bob Anderson  
Carl Benson  
Kitty Gelling

MEMBER ABSENT: Terry Schley

Also present were Mary Lynn Bugge, Senior Planner; Brian VanDenBrand, Associate Planner; James Porter, Township Attorney, and approximately seven other interested persons.

**Call to Order**

At approximately 7:00 p.m., the meeting was called to order. The Planning Commission recited "The Pledge of Allegiance."

**Agenda**

The Acting Chairman said the next item was to approve the agenda. Ms. Gelling made a motion to approve the Agenda as submitted, and the motion was seconded by Mr. Benson. The Acting Chairman called for a vote on the motion, and the motion passed unanimously.

## **Minutes**

The Acting Chairman stated that the next item on the Agenda to consider was approval of the minutes of February 28, 2008. He asked if there were any recommended changes. Hearing none, he said he would entertain a motion. Mr. Anderson made a motion to approve the Minutes as submitted. The motion was seconded by Ms. Everett. The Acting Chairman called for a vote on the motion, and the motion passed unanimously.

## **HISTORICAL OVERLAY ZONING DISTRICT - PUBLIC HEARING**

The Acting Chairman said that the next item was the public hearing on a proposed Historical Overlay Zone. The Acting Chairman asked to hear from the Planning Department. Mr. VanDenBrand submitted his report to the Planning Commission dated March 13, 2008, and the same is incorporated herein by reference.

Mr. VanDenBrand explained some of the minor changes made to the text since the last time the Commission considered this matter at its work session. With those changes so noted, Mr. VanDenBrand asked if there were any questions. Hearing no questions, the Acting Chairman opened the meeting for public comment on the proposed text.

Ms. Michelle Richards introduced herself to the Planning Commission. She said that she lived at 2611 North Drake Road and would like to be one of the properties requesting inclusion in the Historical Overlay Zone. She said she thought it was a great idea and hoped that the Planning Commission would recommend approval of the Historical Overlay Zone to the Township Board.

The Acting Chairman asked if there was any further comments. Hearing none, he closed the public portion of the meeting and called for Planning Commission deliberations. Mr. Benson said that the text was consistent with what they had worked on during their work session. Ms. Gelling said she thought it was a great idea and would assist the Township in the preservation of historic structures throughout the Township. Mr. Anderson then made a motion to recommend adoption of the proposed text amendment to the Township Board. Mr. Benson seconded the motion. The Acting Chairman called for further discussion, and hearing none, called for a vote on the motion. The motion passed unanimously.

## **SPCA OF SOUTHWEST MICHIGAN - CONCEPTUAL REVIEW - PROPOSED KENNEL AT SE CORNER OF 8<sup>TH</sup> STREET AND WEST KL AVENUE**

The Acting Chairman said that the next item up for consideration was a conceptual review of a proposed kennel for property located in the southeast corner of 8<sup>th</sup> Street and West KL Avenue. The Acting Chairman asked to hear from the Planning Department. Ms. Bugge submitted her report to the Planning Commission dated March 13, 2008, and the same is incorporated herein by reference.

Ms. Bugge took the Planning Commission through a review of the area as well as the preliminary site plan layout. Ms. Bugge suggested to the Planning Commission members that they discuss parking needs and pet adoption events. She also indicated the proposed driveway should be moved to line up with the drive across the street.

The Acting Chairman asked if there were any questions of Ms. Bugge. Hearing none, he asked to hear from the applicant. Ms. Vicki VanDenBerg introduced herself to the Planning Commission. She explained that she was on the SPCA Board, and it was looking to build a new kennel. Ms. VanDenBerg reviewed her position statement which had been attached to the Planning Department's report. She emphasized the fact that the SPCA did over 1,500 adoptions in 2007 and that its primary goal was to assist in finding homes for rescued animals.

Ms. Gelling asked if this was a no-kill facility. Ms. VanDenBerg indicated that it was.

For clarification, Mr. Anderson asked about the property being included. It was noted that it would be approximately a four-acre site, one-half of the vacant property now located at the southeast corner of 8<sup>th</sup> Street and West KL Avenue.

Mr. VanDenBrand asked if the building would be sprinkled. Ms. Bugge pointed out that was a code issue, not necessarily a matter to be addressed by the Planning Commission. Ms. VanDenBerg indicated that it probably would be sprinkled since it was over 12,000 square feet. She said they were also placing concrete on the west side of the building for the dog runs for disease control. She said on the east side of the building it would likely be cement and/or pea gravel.

Ms. Bugge asked how many people would normally come to the facility when they had one of their pet adoption events. Ms. VanDenBerg said approximately 200 people over a five-hour period. She said they typically advertise their events in pet stores.

Ms. Everett asked if they would still continue to hold their events at pet stores as well as at the proposed facility. Ms. VanDenBerg said that they would.

Ms. Gelling asked if the facility would be open daily. Ms. VanDenBerg said the facility would usually be open on Mondays and Wednesdays, but that the events are normally on the weekend. The Chairman asked if they would mainly be on Saturdays.

Ms. VanDenBerg said that sometimes they did schedule a two-day event, which would involve both Saturday and Sunday.

Mr. Gould asked what the hours of operation would be. Ms. VanDenBerg said generally their events run 11 a.m. to 4 p.m. Mr. Gould asked how they were going to control the noise of barking dogs. Ms. VanDenBerg said that she thought the building was well insulated and set back far enough from the road and from their neighbors to provide for a natural attenuation of any noise. She said if there was noise, they would address it. Mr. Gould asked, when the dogs were outside, if they were always supervised. Ms. VanDenBerg said yes.

Ms. Bugge asked what they would do to affect the line of sight so as to mitigate barking. Ms. VanDenBerg said that they would put a solid visual block in front of the six-foot chainlink fence on the north side of the dog recreation area to reduce the tendency of the dogs to bark at vehicles or people passing by or walking their dogs.

Mr. VanDenBrand suggested that they might need a privacy fence to the east since that property would have large trucks accessing the site, which might stimulate the dogs to bark. Ms. Bugge clarified for the Planning Commission that the building would be at least 70 feet back from the road right-of-way, which was 66 feet wide. Therefore, she concluded the homes to the north would be a minimum of 140 feet away from the building itself.

Mr. Gould pointed out to the applicant that one of his main concerns would be the negative impact of dogs barking on the neighbors. Ms. VanDenBerg said they were very conscious of that impact, and where they were currently, they did everything they could to be a good neighbor and would do the same here. She said the building would be very well insulated to avoid any noise emanating from the building while the dogs were inside. Ms. Everett indicated that they had not received many complaints regarding the doggie day care center located in the Township. Ms. Bugge said that one neighbor had complained at the time of the hearing, but she was not aware of other complaints.

Ms. Gelling asked about traffic bringing the dogs in from other areas. Ms. VanDenBerg said that they transported all of their pets themselves; they did not have any other facilities using trucks which would be accessing the site to drop off dogs. The Acting Chairman asked if there were any problems with dogs just being dropped off. Ms. VanDenBerg said it is not something that they allow, but it does happen on rare occasions.

The Acting Chairman asked if they had a waste management plan. At that point, Ms. VanDenBerg asked Mr. Jeff Brink to address that issue. Mr. Brink with Williams & Works introduced himself as the engineer for the SPCA. He said they were currently working with the Health Department to not only develop a septic system for the regular septic waste, but to also handle the waste from the animals. He said that they would have to design and develop a facility which would meet DEQ requirements. He noted

that the DEQ did require notification since they would be required to obtain a groundwater discharge permit which would be kept on file by the DEQ.

Mr. Brink said that they would be happy to relocate the drive. He added that the parking shown was preliminary and that they did want to explore having certain areas with pervious services in lieu of paving all of the parking area. He said he thought that would not only decrease stormwater run-off, but make it more cost effective for the non-profit agency. He said they had not designed their stormwater facilities, but would be prepared to present those plans at the time of site plan review.

Ms. Gelling asked if there would be any outdoor lighting. Mr. Brink said that they had not fully developed that yet, but they would be totally in compliance with the Township requirements.

Mr. Gould asked if there would be security for the building to protect the animals. Ms. VanDenBerg said they were a fairly open organization because they had lots of volunteers, but that they would look at the security issue.

The Acting Chairman asked if the adoption events would be inside. Ms. VanDenBerg stated generally they would be inside, but on occasion, they would like to take the pets outside under a tent.

Ms. Bugge suggested that the Planning Commission discuss the parking issue so that the applicant knew how to proceed regarding the same. Ms. Everett said that she was in favor of not paving areas which would not be needed on a regular basis. The Acting Chairman said he would like to see all options available for reducing the amount of pavement.

Ms. Gelling told the applicant that she liked the layout and that she applauded what the organization was doing. Ms. Benson said that he appreciated the organization as well, however, he said that there were some significant questions in his mind which the applicant would need to address at the time of final site plan review. He said he thought security was a significant issue. He also said that waste disposal and water run-off were a real concern to him because he did not want to see any groundwater problems. Ms. Bugge pointed out that the applicant would have to meet both the Health Department and DEQ requirements in those areas. Mr. Benson said that he understood, but that there would still be quite a bit of animal waste, and he did not want it running off.

Ms. Bugge asked if the facility would have drainage in the dog runs. Ms. VanDenBerg said they would have floor drains inside, and outside they thought the cement areas would slope toward a trench drain. She said they were also concerned about the health of their animals and would be very careful on how they dealt with animal waste.

The Acting Chairman said that he was also concerned about waste disposal and stormwater run-off. He went on to tell the applicants that he did have some reservations because their proposal was not like a typical kennel. He thought that the adoption events which they sponsored needed some control and oversight so that they would not create undue intrusion on the surrounding property owners. He said he thought sound control was a large issue, both inside and outside, and he said when the applicants returned, they should be prepared to address those issues.

Ms. VanDenBerg asked how concerned the Commission was and whether they wanted to actually see this project developed for SPCA. The Acting Chairman said it is not a matter of wanting or not wanting SPCA to proceed; he said it was simply a matter of highlighting some of the areas which the Commission would be focusing on at the time they considered the special exception use and site plan of the SPCA.

Ms. VanDenBerg and Mr. Brink thanked the Planning Commission for their input. The Planning Commission thanked the SPCA for their submittal, and that they looked forward to working with them in the future.

### **Work Item: Various Zoning Ordinance Text Amendments**

The Acting Chairman stated that the next item for consideration was various Zoning Ordinance text amendments. The Acting Chairman asked to hear from the Planning Department. Ms. Bugge submitted her memo to the Planning Commission dated March 13, 2008, and the same is incorporated herein by reference.

Ms. Bugge took the Commission through a review of the proposed changes, including "C" and "C-1" zoning. She indicated that the purpose was to consolidate all of the "C-1" uses into the "C" District and eliminate the "C-1" Local Business District. After a thorough discussion of the proposed changes, the Acting Chairman asked how the Planning Commission wished to proceed. Ms. Everett made a motion to schedule a public hearing on April 10, 2008, on the text amendments for the various Zoning Ordinance text changes, including the changes to the Commercial District. The motion was seconded by Ms. Gelling. The Acting Chairman called for a vote on the motion, and the motion passed unanimously.

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

Mr. Chad Hughson introduced himself to the Planning Commission. He said that he had prepared a written statement to the Planning Commission, which complimented the Planning Commission on looking at a Historical Overlay Zone. However, he thought that it ignored the preservation of the natural environment. He encouraged the Planning Commission members, as well as those in the community, to try to preserve and maintain as many native plant species as possible, protect mature trees and to preserve the natural heritage, as well as the physical structures within the Township.

**Any Other Business**

None.

**Planning Commissioner Comments**

None.

**Adjournment**

There being no other Commissioner comments, Mr. Larson adjourned the meeting at approximately 8:45 p.m.

Minutes Prepared:  
March 18, 2008

Minutes Approved: