

OSHTEMO CHARTER TOWNSHIP

PLANNING COMMISSION

MINUTES OF A REGULAR MEETING HELD SEPTEMBER 26, 2013

Agenda

PUBLIC HEARING: SPECIAL EXCEPTION USE REQUEST FROM STRENGTH FOR LIFE, LLC FOR ESTABLISHMENT OF A HEALTH CLUB IN AN EXISTING COMMERCIAL CENTER (SKY KING BUSINESS PARK) LOCATED AT 3767 SKY KING BOULEVARD IN THE I-1 INDUSTRIAL DISTRICT, MANUFACTURING / SERVICING (PARCEL #3905-34-260-001).

A meeting of the Oshtemo Charter Township Planning Commission was held on Thursday, September 26, 2013, commencing at approximately 7:00 p.m. at the Oshtemo Charter Township Hall.

MEMBERS PRESENT: Kitty Gelling, Chairperson
Fred Antosz
Wiley Boulding, Sr.
Dusty Farmer
Millard Loy
Terry Schley

MEMBERS ABSENT: Richard Skalski

Also present were Greg Milliken, Planning Director; James Porter, Attorney; and one interested person.

Call to Order and Pledge of Allegiance

The meeting was called to order by Chairperson Gelling at approximately 7:00 p.m., and the "Pledge of Allegiance" was recited.

Agenda

The Chairperson asked if there were any additions, deletions or corrections to the Agenda. Hearing no changes, she called for a motion to accept the Agenda as submitted. Mr. Schley made a motion to accept the agenda. Mr. Loy seconded the motion. The motion passed unanimously.

Public Comment on Non-Agenda Items

Chairperson Gelling called for public comment on non-agenda items. Hearing none, she proceeded to the next agenda item.

Approval of the Minutes of September 12, 2013

The Chairperson asked if there were any additions, deletions or corrections to the Minutes of September 12, 2013. No changes were noted. Mr. Loy made a motion to approve the Minutes as presented. Mr. Boulding, Sr. seconded the motion. The motion was approved unanimously.

PUBLIC HEARING: SPECIAL EXCEPTION USE REQUEST FROM STRENGTH FOR LIFE, LLC FOR ESTABLISHMENT OF A HEALTH CLUB IN AN EXISTING COMMERCIAL CENTER (SKY KING BUSINESS PARK) LOCATED AT 3767 SKY KING BOULEVARD IN THE I-1 INDUSTRIAL DISTRICT, MANUFACTURING / SERVICING (PARCEL #3905-34-260-001).

Chairperson Gelling indicated that the next item on the agenda was a public hearing to review a special exception use for establishment of a new health club facility in the Sky King Business Park at 3767 Sky King Boulevard in the I-1 Industrial District. She asked Mr. Milliken to please expand upon the application.

Mr. Milliken indicated that the applicant was seeking a special exception use to locate a fitness center in the Sky King Business Park, which is located on the south side of Stadium Drive just west of 7th Street and accessed off of Sky King Boulevard. The proposed use would be located in the first building within the office park on the east side of Sky King Boulevard. The building has space for up to five tenants, and the applicant would occupy space formerly occupied by Paul Davis Restoration.

The property is located in the I-1 Industrial district and the use is a special exception in that district. There are no exterior changes proposed.

Mr. Milliken indicated that generally the applicant would have Monday through Friday morning hours with afternoons on Mondays and Thursdays. As business expanded, additional afternoon and Saturday morning hours may be added. Mr. Milliken indicated that the fitness instruction is offered in a small group setting with individualized instruction provided in groups of one to four in hourly sessions.

Mr. Milliken reviewed the standards of approval indicating that the use is compatible with the surrounding uses based on the low intensity of the use and the commercial character of the adjacent uses. It is not anticipated to be detrimental to the surrounding uses.

Chairperson Gelling thanked Mr. Milliken for his review and asked Commission members if they had any questions for Mr. Milliken. Hearing none, she asked the applicant to please approach the podium and speak to the Commissioners.

Patrick Smith of 14797 Lockshore Road in Hickory Corners, Michigan, indicated that he currently owns and operates Strength for Life in Augusta at the Sherman Lake YMCA where he has an independent contract with them to use space in their facility. He has noted that he has clients that travel from the west side of town to exercise there, so he wanted to provide a facility on the west side of town with this unique system.

Mr. Smith indicated that he originally started in this area in 1996 at West Hills and has been training throughout the community for over 17 years. He formed Strength for Life this year, and it is a unique and different approach within the industry. It works with people in groups of one to four per hour, so there is not a high traffic volume. All sessions are instructor coached and guided; they are never unsupervised.

Chairperson Gelling asked the Commissioners if they had questions for Mr. Smith.

Chairperson Gelling asked what the Saturday morning hours would be if they were added.

Mr. Smith stated it would probably be 8am to noon, similar to the Augusta facility. He confirmed for Chairperson Gelling that there would be no Sunday hours.

Mr. Boulding, Sr. noticed that there was a limited number of people at a time. He wondered how large of a space it was.

Mr. Smith indicated that the training space was 27 feet by 45 feet, so the space is not like a typical gym space but is more like a private training space. He stated that the system does not work beyond four people because of the challenges of providing personalized instruction.

Chairperson Gelling asked about the putting green on the site plan, not relevant to the applicant's special exception use she noted, but out of curiosity.

Mr. Smith stated it was part of the building plan and owned by the building owner.

Ms. Farmer asked how the groups were limited to four. Mr. Smith said that clients sign up for openings and then come at the appropriate times.

There were no further questions from the Commissioners. Chairperson Gelling asked if there were questions from the public. Hearing none, she moved the meeting to Board deliberations and asked Commissioners for their comments.

There were no objections or concerns identified.

Ms. Farmer asked if the applicant would have to return if he wished to change his hours.

Mr. Milliken and the Chair both indicated that he would not have to return. The Commission could set specific time limits on a special exception use if it wanted and could tie it to a specific impact it was addressing. However, this was not likely to be the case here. Chairperson Gelling added that she hoped business was so successful that there would be an increase in hours.

Mr. Loy made a motion to approve the special exception use requested by Strength for Life, LLC to establish a health club in an existing commercial center at 3767 Sky King Boulevard in the I-1 district. Mr. Schley supported the motion. The motion passed unanimously.

Any Other Business

Chairperson Gelling informed Board members that there would be another public hearing at the October 10 meeting regarding an expansion to Camp Fido. Mr. Milliken indicated he did not believe anything else was on the agenda for that meeting.

Planning Commissioner Comments

Mr. Loy stated that the Zoning Board of Appeals had a very quick meeting. Kohl's requested a sign deviation to allow a substantial number of temporary signs. A number of variances were included. It was quickly denied.

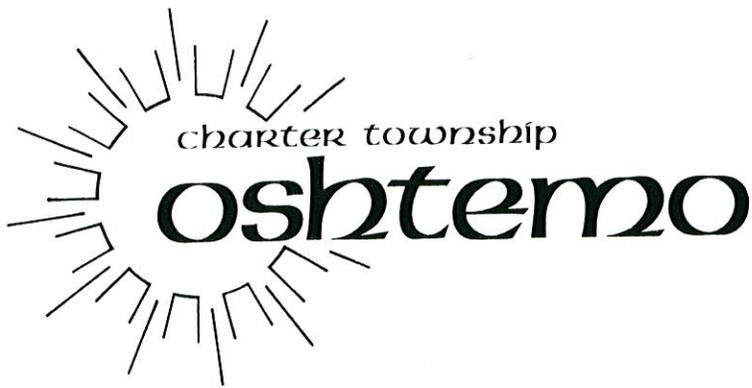
Chairperson Gelling stated that in the Township Focus magazine, she saw an article regarding a recent law change that now allows wine makers to sell wine, offer tastings, and artisan crafts at farm markets.

Adjournment

Having exhausted the agenda, and with there being no further business to discuss, Chairperson Gelling adjourned the Planning Commission meeting at approximately 7:20 p.m.

Minutes prepared:
September 30, 2013

Minutes approved:
October 10, 2013



7275 W. MAIN STREET, KALAMAZOO, MI 49009-9334
269-375-4260 FAX 375-7180 TDD 375-7198
www.oshtemo.org

**NOTICE
OSHTEMO CHARTER TOWNSHIP
PLANNING COMMISSION**

**Thursday,
September 26, 2013
7:00 p.m.**

AGENDA

1. Call to Order
2. Pledge of Allegiance
3. Approve Agenda
4. Public Comment on Non-Agenda Items
5. Approve Minutes September 12, 2013
6. **PUBLIC HEARING: Special Exception Use (Strength for Life)**
Planning Commission to consider special exception use request of the application from Strength for Life, LLC for establishment of a health club in an existing commercial center (Sky King Business Park) located at 3767 Sky King Boulevard in the I-1 Industrial District, Manufacturing / Servicing. (Parcel #3905-34-260-001).
7. Any Other Business
8. Planning Commissioner Comments
9. Adjournment

September 19, 2013



Mtg Date: September 26, 2013

To: Planning Commission

From: Gregory Milliken, AICP

Applicant: Patrick W. Smith / Strength for Life, LLC

Owner: Sky King Development, LLC

Property: Parcel #3905-34-260-001 (3767 Sky King Blvd.)

Zoning: I-1 Industrial

Request: Special Exception Use to establish a Health Club in an existing Commercial Center

Section(s): Section 41.000 – I-1 Industrial District
Section 60.200 – Special Exception procedures

Project Name: Strength for Life

OVERVIEW

The applicant is seeking Township approval to locate his fitness center in the existing Sky King Business Park. The business park is located on the south side of Stadium Drive just east of 7th Street and is accessed via Sky King Boulevard. The proposed fitness center would be located on Unit 1, which is the first building on the east side of Sky King Boulevard. The building provides for a maximum of five tenants, and the applicant desires to occupy one of these spaces. The unit, the second from the left, was formerly occupied by Paul Davis Restoration & Remodeling. The applicant has provided a proposed floor plan and description of his operation.

The site is located in the I-1 – Industrial district. An indoor recreation use or health club is a special exception use in the I-1 district. There are no exterior changes proposed, so no site plan review is required. However, due to the fact that the new use is a special exception within the district, a public hearing and Planning Commission approval is required.

PROPOSED USE

In a letter to the Planning Commission (attached), the applicant has provided a description of the proposed use. The fitness center would provide individualized training plans to clients and personal training instruction in small group settings. The applicant has been in the business for 17 years and has a similar facility in Augusta, Michigan. There are a total of three trainers, including the applicant, that would work at the two locations. Clients would exercise at the facility in groups no larger than four for hour-long periods. Proposed hours of operation would be 7am – 12pm Monday to Friday with afternoon hours (4pm to 7pm) offered Monday and Thursday. As the business grows, additional afternoons or Saturday morning hours would likely be added.

The applicant has indicated that there are no classes or retail sales as are sometimes typical of a traditional health club.

SPECIAL USE / ZONING DISTRICT

Indoor recreation uses and health clubs are special uses in Industrial zoning districts. Most likely, this is due to the high levels of customer traffic and the timing of that traffic that can sometimes be generated by these uses. This type of traffic pattern can be problematic in traditional industrial areas that experience heavy truck traffic or other impacts associated with manufacturing type uses.

The Sky King Business Park, although located in the I-1 Industrial District, houses a mini-storage facility, Lake Michigan Mailers, and the commercial building on Unit 1. This building currently houses a pool supply store, an office supply contractor, and a window cleaning operation. It is not anticipated that there will be a significant level of traffic generated from the proposed use, and the use would be consistent with the development existing within the park.

STANDARDS FOR APPROVAL

Section 60.100 of the Zoning Ordinance provides the review criteria for consideration when reviewing a special exception use.

A. Is the proposed use compatible with the other uses expressly permitted within the I-1 Industrial District?

The proposed use would be compatible with other uses permitted within the I-1 district and particularly compatible with other uses within the Sky King Business Park and the building within which it would be located. With its approach based on small group interaction, the facility would have very limited impact on the surrounding area.

B. Will the proposed use be detrimental or injurious to the use or development of adjacent properties or to the general public?

It is not believed that the proposed use will be detrimental or injurious to the use or development of adjacent properties or the general public. There is ample parking, and the limited operating hours will limit any parking impacts that there might be. The use does not result in significant noise, odors, or other problems for adjacent neighbors.

C. Will the proposed use promote the public health, safety, and welfare of the community?

The use of the property is consistent with uses already within the existing development. Filling the vacant space with a local business will promote the public welfare. Providing alternatives for fitness and exercise is certainly also beneficial to public health.

D. Will the proposed use encourage the use of the land in accordance with its character and adaptability?

The proposed use will be located within an existing office building with three existing uses, all of which are consistent with the proposed use. The use will fill one of two vacancies within the existing building and will not impact the character or adaptability of the land.

Due to the fact that this is simply a tenant change and no site work is occurring, a site plan was not required. As for parking, fewer parking spaces are actually required for an indoor recreation center / health club than for the previous office tenant. Therefore, there is no need to provide additional parking as a result of the tenant switch.

RECOMMENDATION

The proposed use fits with the other uses within the business park and the commercial building in which it is proposed. It is a low impact use that is not anticipated to significantly affect adjacent properties. We recommend approval of the proposed use with the following condition:

1. A sign permit is required before any new signs are installed on site.

Respectfully Submitted,



Gregory E. Milliken, AICP
Planning Director

Attachments: Application
Aerial
Letter & Attachments from Applicant



7275 W. Main Street, Kalamazoo, Michigan 49009-9334
Phone: 269-216-5223 Fax: 269-375-7180

PLANNING & ZONING APPLICATION

APPLICANT:

Name Patrick W. Smith
Please print
Company Strength For Life LLC
Address 14797 Lockshore Rd.
Hickory Cornus, MI 49060
E-mail patricksmithtea@yahoo.com
Telephone 269-491-9972 Fax _____
Interest in Property Business Lease

**THIS
SPACE
FOR
TOWNSHIP
USE
ONLY**

Fee Amount Waived per Utc.
Escrow Amount 0

OWNER*:

SKY King Development LLC
Name Mike Sedye
Please print
Address 3820 Stadium Dr
Kalamazoo, MI 49008
E-mail msedye@aol.com
Telephone 269-207-6564 Fax N/A

NATURE OF THE REQUEST: (Please check the appropriate item(s))

<input type="checkbox"/> Site Plan Review	<input type="checkbox"/> Subdivision Plat Review
<input type="checkbox"/> Administrative Site Plan Review	<input type="checkbox"/> Rezoning
<input checked="" type="checkbox"/> Special Exception Use	<input type="checkbox"/> Interpretation
<input type="checkbox"/> Zoning Variance	<input type="checkbox"/> Text Amendment
<input type="checkbox"/> Site Condominium	<input type="checkbox"/> Sign Deviation
<input type="checkbox"/> Accessory Building Review	<input type="checkbox"/> Other: _____

Strength For Life LLC

BRIEFLY DESCRIBE YOUR REQUEST (Use Attachments if Necessary): Requests to Conduct
business at 3767 Sky King Blvd. including instructor supervised
small group strength training services.

LEGAL DESCRIPTION OF PROPERTY (Use Attachments if Necessary):

See attached.

PARCEL NUMBER: 3905- 34-260-001

ADDRESS OF PROPERTY: 3767 Sky King Blvd.

PRESENT USE OF THE PROPERTY: Industrial

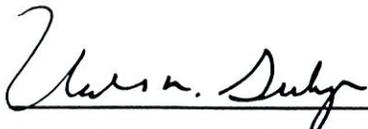
PRESENT ZONING I-1 **SIZE OF PROPERTY** _____

**NAME(S) & ADDRESS(ES) OF ALL OTHER PERSONS, CORPORATIONS, OR FIRMS
HAVING A LEGAL OR EQUITABLE INTEREST IN THE PROPERTY:**

Name(s)	Address(es)
<u>Michael N. Seelye</u>	<u>2632 S. 11th St., Kalama 200, MI 49009</u>
_____	_____

SIGNATURES

I (we) the undersigned certify that the information contained on this application form and the required documents attached hereto are to the best of my (our) knowledge true and accurate. I (we) acknowledge that we have received the Township's Disclaimer Regarding Sewer and Water Infrastructure. By submitting this Planning & Zoning Application, I (we) grant permission for Oshtemo Township officials and agents to enter the subject property of the application as part of completing the reviews necessary to process the application.


Owner's Signature(* If different from Applicant)

8-29-13
Date


Applicant's Signature

8-29-13
Date

Copies to:
Applicant -1
Clark -1
Dep. Clerk 1
Assessor -1
Planning Secretary - 3

PLEASE ATTACH ALL REQUIRED DOCUMENTS

\$300⁰⁰

Patrick W. Smith owner of *Strength for Life, LLC* requests to conduct business at 3767 Sky King Blvd. Kalamazoo, MI 49009. *Strength for Life, LLC* is an instructor supervised small group strength training services business. We currently operate a facility in Augusta, MI and would like to develop an additional clientele on the west side of Kalamazoo. *Strength for Life, LLC* currently has two employees in addition to the owner and our hours of operation in Augusta are M-F 7am-12pm, M-Th 4pm-7pm and Saturdays 8am-12pm. The Kalamazoo west facility would begin with a limited schedule of M-F 7am-12pm and M & Th 3pm-7pm until the clientele builds and the demand for additional hours increase, at that point we will progressively open to a full schedule similar to the Augusta location. Training is conducted on an hourly schedule and we see one to four clients per hour.

The *Strength for Life* Foundation Training System is a multi-disciplinary, complex, goal based system of levels and phases developed from over 17 years of study and application from the sciences of exercise physiology and kinesiology (the study of human movement, including anatomical and biomechanical) in the fields of physical therapy/rehabilitation, health and fitness, strength and conditioning and human performance training. The training system is designed to expose and then eliminate imbalances and weakness throughout the body, creating a three-dimensionally sound structural foundation that will exceed any physical demand the clients' life presents. The three-dimensionally sound structural foundation is also used to enhance metabolic health and improve body composition. Each and every client is coached through their own individualized training manual in an instructor supervised, properly equipped training environment with a social support network of clientele.

Thank You,



Patrick W. Smith
269-491-9972
patricksmithtca@yahoo.com
www.sflfts.com

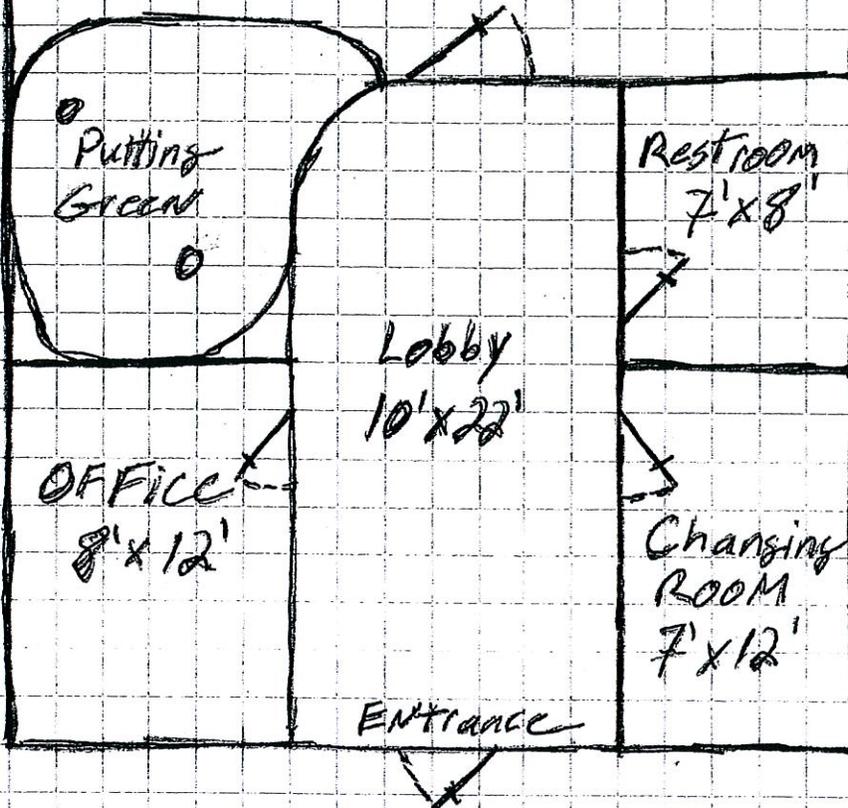


Overhead Door

Utility

Training Room
27' x 45'

3767 Sky King
Approx. 2,000 sq ft



Putting Green

Restroom
7' x 8'

Lobby
10' x 22'

Office
8' x 12'

Changing Room
7' x 12'

Entrance



401.75

342.01

619.19

DRIVE

BLVD

SKY KING

2/6/52

20845