

OSHTEMO CHARTER TOWNSHIP
PLANNING COMMISSION

MINUTES OF A MEETING HELD JANUARY 28, 2010

Agenda

METRO TOYOTA AND DE NOOYER CHEVROLET - SPECIAL EXCEPTION USE AND SITE PLAN REVIEW - BUILDING EXPANSION AND REMODEL– 5800 STADIUM DRIVE (PARCEL NO. 3905-25-180-017) AND 5850 STADIUM DRIVE (PARCEL NO. 3905-25-180-015)

GOLF RIDGE, LLC – SPECIAL EXCEPTION USE AND SITE PLAN REVIEW – PROPOSED BANK WITH DRIVE-THROUGH SERVICE – 5313 WEST MAIN STREET WITHIN GOLF RIDGE DEVELOPMENT – (PARCEL NOS. 3905-13-405-029 AND 3905-13-405-030)

A meeting of the Oshtemo Charter Township Planning Commission was held on Thursday, January 28, 2010, commencing at approximately 7:00 p.m. at the Oshtemo Charter Township Hall.

MEMBERS PRESENT: Terry Schley, Chairman
Bob Anderson
Kitty Gelling
Carl Benson
Fred Gould
Richard Skalski

MEMBER ABSENT: Deborah Everett

Also present were Jodi Stefforia, Planning Director; Chris West, Associate Planner; James Porter, Township Attorney, and two other interested persons.

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

The Acting Chairman asked if there were any changes to the Agenda. It was noted that the election of officers needed to be added as Section 3A to the Agenda. Ms. Gelling made a motion to approve the Agenda, as amended. Mr. Skalski seconded the motion. The Acting Chairman called for a vote on the motion, and the motion carried unanimously to approve the Agenda as modified.

Election of Officers

The Acting Chairman asked for nomination for Chairman, Vice Chairman, Secretary and Zoning Board of Appeals' liaison. Mr. Gould made a motion to nominate Terry Schley as Chairman, Bob Anderson as Vice Chair, Kitty Gelling as Secretary and Bob Anderson as the ZBA representative. The Acting Chairman asked for any other nominations. Hearing none, he asked if there was a second to the motion. Mr. Skalski seconded Mr. Gould's nominating motion for officers. The Acting Chairman then called for a vote on the motion, and the motion passed unanimously.

Public Comment on Non-Agenda Items

The Chairman asked if there was any public comment on non-agenda items. Attorney Porter informed the Planning Commission members of the success of Jodi Stefforia and Chris West in securing a sidewalk grant in the amount of \$97,000 on behalf of the Township. Planning Commission members applauded the efforts of the Planning Department in securing the grant.

Minutes

The Chairman said the next item on the Agenda was approval of the minutes of December 17, 2009. Ms. Gelling said that Mr. West was at that meeting, and the omission should be corrected. With that correction, Ms. Gelling made a motion to approve the minutes, as amended, and Mr. Anderson seconded the motion. The Chairman called for a vote on the motion, and the motion passed unanimously.

METRO TOYOTA AND DE NOOYER CHEVROLET - SPECIAL EXCEPTION USE AND SITE PLAN REVIEW - BUILDING EXPANSION AND REMODEL- 5800 STADIUM DRIVE (PARCEL NO. 3905-25-180-017) AND 5850 STADIUM DRIVE (PARCEL NO. 3905-25-180-015)

The Chairman said the next item up for consideration was consideration of a special exception use and site plan review for Metro Toyota and DeNooyer Chevrolet. He said the subject property consisted of two properties located at 5800 Stadium Drive and 5850 Stadium Drive, being Parcel Nos. 3905-25-180-017 and 3905-25-180-015, respectively. The Chairman called for a report from the Planning Department. Mr. West submitted his report to the Planning Commission dated January 28, 2010, and the same is incorporated herein by reference.

Mr. West took the Commission through the proposed revisions to the Metro Toyota and DeNooyer Chevrolet sites. He specifically reviewed Section 60.100, being the special exception use criteria, as well as Section 82.800 which is the criteria for site plan review, in detail, as more fully set forth in his report.

The Chairman opened the meeting to questions from the Commission. The Chairman began by asking about the retaining wall to the north and its distance to the property line. Mr. West said it was approximately five feet from the property line. The applicant's engineer said it has been changed to eight feet as finally designed.

The Chairman asked if the proposed wall was safe, to which the applicant indicated that the property was fenced along the north line.

The Chairman then asked what the zoning of the property was to the north of the subject property. Ms. Stefforia indicated the property to the north was all commercial commonly known as Venture Park.

The Chairman asked if the lighting reduction at 9:30 p.m. was being adhered to. Mr. West said that, to his knowledge, the Township has received no complaints. Mr. DeNooyer said that they were abiding by the light reduction provisions of a previously granted lighting variance.

Mr. Skalski asked if the circulation on the west side of the property was going to be reduced with the new addition. Mr. West said that it would and that cars would not be accessing the building on the west side anymore for service, and the west side would be used for parking primarily.

There being no other questions for Staff, the Chairman asked to hear from the applicant. Mr. Jeff DeNooyer introduced himself to the Planning Commission. He said that the need for the changes was based upon the requirements to maintain and upgrade being requested by Toyota. He said that this business expansion would likely serve them for the next 10-15 years. He thought the expansion would allow them to better utilize their property, and at the same time, reduce the impact on the condominium development along Quail Run.

Mr. Todd Hurley told the Planning Commission that Mr. West had covered most of the important things. He noted that there was some limited ponding on the site because of the size of the drainage pipes and that these pipes would be enlarged along with the reconfiguration of the drainage ponds.

The Chairman asked the applicant if the retaining wall was safe. Mr. Hurley said the wall was nine feet in height, but it was fenced to the rear, and it would be at least eight feet from the property line.

The Chairman inquired as to whether there would be any additional outdoor display toward the front of the property, and if so, whether that would change any of the lighting restrictions. Mr. DeNooyer said he would not be changing lighting on site and that there would not be any new display along the front of the subject property. The Chairman again asked if the lighting was being reduced at 9:30 p.m. Mr. DeNooyer assured the Commission that the lighting restrictions were being complied with.

Mr. Skalski asked if there was any onsite storm water treatment. Mr. Hurley said there would be an onsite oil separator. He said there would be a 5,300 gallon septic tank with baffles to provide onsite storm water treatment.

Mr. Anderson inquired about the current flooding on the property. Mr. Hurley said there was ponding near the southeast corner of the existing Metro Toyota building because of the small size of the drainage pipes, and by enlarging those pipes; he thought they would alleviate any ponding whatsoever.

Mr. Skalski asked if these were two separate properties. Mr. DeNooyer indicated that they were. He said, while the ownership was still in the family, they were owned by different entities.

The Chairman asked if there was any public comment. Mr. West said that he had received an inquiry from Boyd Heckert of the Quail Run Condominium Association. He specifically inquired as to whether there would be changes in the lighting or the loading and unloading area. Mr. West said he explained to Mr. Heckert that the changes in the site would move most activity to the east side of the building. Mr. Heckert seemed satisfied with the proposal.

The Chairman said he thought that the request was very straightforward. He said he thought moving the service entrance from the west to the east side of the property would actually improve the site and lessen the impact on the community.

Ms. Gelling said she was very comfortable with the proposal, given the relocation of the service entrance at the subject facility.

Mr. Skalski said he thought the design was better than the previous layout and that he would support the proposal.

Mr. Benson asked a question regarding the mezzanine access to which the Chairman said that matter would be addressed by the Building Department.

After a brief discussion, the Chairman asked if there was a motion regarding the special use. Ms. Gelling made a motion to approve the special exception use for the reasons set forth in the Staff report. Mr. Anderson seconded the motion. The Chairman called for further discussion. Hearing none, he called for a vote on the motion. The motion passed unanimously.

The Chairman said the next item was the proposed site plan. Ms. Gelling then made a motion to approve the site plan subject to the following conditions:

1. Site plan approval is subject to ~~the documentation and Staff approval of~~ Township approval of and the recording of easements for shared access, cross access, and a shared storm water basin.
2. Lighting must comply with the provisions of Section 78.700 and the conditions imposed by the Zoning Board of Appeals on January 28, 2003; a lighting plan with fixture details and schedule shall be provided to Staff for review and approval.
3. Site plan approval is subject to the Staff approval of the lighting plan.
4. Signs, flags and flag poles must comply with Section 76 and the conditions imposed by the Zoning Board of Appeals on May 24, 2005, and December 14, 2004.
5. A deviation is granted to allow shrubs and ornamental grasses to be planted within the north greenspace.
6. A revised landscaping plan in compliance with Zoning Ordinance requirements shall be submitted to Staff for review and approval.
7. Site plan approval shall be subject to Township Fire Department approval.
8. Site plan approval shall be subject to review and approval by the Township Engineer.
9. Site plan approval shall be subject to the applicant obtaining an Earth Change Permit from the Kalamazoo County Drain Commission.
10. Approval is subject to all previous conditions of approval unless modified by this review.
11. Approval is subject to the submission and approval of the updated Environmental Permits Checklist and Hazardous Substance Reporting form.

The Chairman called for further discussion, and hearing none, asked if there was a second to the motion. Mr. Gould seconded the motion. The Chairman called for a vote on the motion, and the motion passed unanimously.

GOLF RIDGE, LLC – SPECIAL EXCEPTION USE AND SITE PLAN REVIEW – PROPOSED BANK WITH DRIVE-THROUGH SERVICE – 5313 WEST MAIN STREET WITHIN GOLF RIDGE DEVELOPMENT – (PARCEL NOS. 3905-13-405-029 AND 3905-13-405-030)

The Chairman said the next item on the Agenda was consideration of a special exception use and site plan review for Golf Ridge, LLC. Ms. Stefforia said that the applicant was asking that this matter be adjourned until the meeting of February 11, 2010. In order to avoid re-noticing, she asked that the matter be opened and then adjourned until that date.

The Chairman opened the public hearing on the proposed special exception use. Mr. Benson then made a motion to adjourn the matter until February 11, 2010. Ms. Gelling seconded the motion. The Chairman called for a vote on the motion, and the motion passed unanimously.

Any Other Business

The Chairman asked if there was any other business. Ms. Stefforia announced to the Planning Commission that Mary Lynn Bugge would be retiring and that there would be a reception in her honor on February 23.

The Chairman noted that there were five draft chapters of the Master Land Use Plan done and complimented the Planning Department on a job well done.

Mr. Benson asked that the doors of the building be opened at least 15 minutes before the start of the meeting.

Planning Commissioner Comments

The members of the Planning Commission welcomed Mr. Gould back after his recent surgery.

Ms. Gelling thanked the Commission for its work on approval of the SPCA building and brought the Commission up to speed as to the open house which recently took place.

The Chairman reminded the Commission to follow the procedural format in the review and approval process for matters which come before the Commission. He noted that maintaining a systematic schedule of review would help particularly when they had a difficult issue.

Adjournment

There being no further comments, the meeting was adjourned at approximately 7:55 p.m.

Minutes Prepared:
February 4, 2010

Minutes Approved:
_____, 2010