

OSHTEMO CHARTER TOWNSHIP
PLANNING COMMISSION

MINUTES OF A WORK SESSION HELD MARCH 27, 2008

Agenda

WORK ITEM - FORM BASED CODE

A work session of the Oshtemo Charter Township Planning Commission was held on Thursday, March 27, 2008, commencing at approximately 6:00 p.m. at the Oshtemo Charter Township Hall.

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

MEMBERS ABSENT: Lee Larson
Deborah Everett

Also present were Jodi Stefforia, Planning Director; Mary Lynn Bugge, Senior Planner and James Porter, Township Attorney.

The Chairman opened the work session to discuss the form based code by asking the Commission for its input.

Ms. Gelling pointed out a few typos and inconsistencies, which Ms. Bugge indicated she would have corrected.

Mr. Gould raised a question as to whether the Planning Commission wished to increase the percentage of native plantings required. He also raised a concern over automobile parking for front yard houses under Section 34.560. No changes to text were made.

Mr. Benson said he had raised a couple of typos with Mrs. Bugge earlier. Mr. Benson then raised a question as to whether woodworking would be a problem in the studio areas. No changes to the text were made.

Ms. Stefforia also asked for a modification to the chart on page 41 involving monument signs. The Commission agreed to alter the monument signs as recommended.

The Chairman raised a question regarding the regulating plan and whether it was consistent with the Commission's final consensus on the boundaries of the various Village areas. No changes to the text were made.

After a thorough discussion on all of the subjects, it was the consensus of the Planning Commission to move the text forward as corrected.

OSHTEMO CHARTER TOWNSHIP
PLANNING COMMISSION

MINUTES OF A MEETING HELD MARCH 27, 2008

Agenda

LAGEOC - SPECIAL EXCEPTION USE - 6255 TECHNOLOGY AVENUE - (PARCEL No. 3905-35-450-009)

A meeting of the Oshtemo Charter Township Planning Commission was held on Thursday, March 27, 2008, commencing at approximately 7:00 p.m. at the Oshtemo Charter Township Hall.

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

MEMBERS ABSENT: Lee Larson
Deborah Everett

Also present were Jodi Stefforia, Planning Director; Mary Lynn Bugge, Senior Planner and James Porter, Township Attorney, and approximately six other interested persons.

Call to Order

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

Agenda

The Chairman asked if there were any amendments to the Agenda. He noted that the Planning Commission needed to formalize the next step in the process for review and approval of the form based code under "Other Business." He asked if there was a motion to approve the Agenda as amended. Mr. Benson made a motion to approve the Agenda as amended. The motion was seconded by Ms. Gelling. The Chairman called for a vote on the motion, and the motion passed unanimously.

Minutes

The Chairman said the next item on the Agenda was approval of the minutes of March 13, 2008. The Chairman asked for a motion on the same. Ms. Gelling made a motion to approve the Minutes as submitted. The motion was seconded by Mr. Anderson. The Chairman called for a vote on the motion, and the motion passed unanimously.

LAGEOC - SPECIAL EXCEPTION USE - 6255 TECHNOLOGY AVENUE - (PARCEL No. 3905-35-450-009)

The Chairman said the next item on the Agenda was consideration of a special exception use request for a proposed indoor recreation use for the building at 6255 Technology Avenue, Parcel No. 3905-35-450-009. The Chairman asked to hear from the Planning Department. Ms. Stefforia submitted her report to the Planning Commission dated March 27, 2008, and the same is incorporated herein by reference.

Ms. Stefforia explained that Electric City wished to occupy the subject building as a third tenant. She said they were planning to operate a small electric go-cart business. She did note that there was a concern over parking. However, she said that Soccer Zone was about to have a substantial downturn in its operations due to the warmer weather and the opening of the outdoor soccer fields. Therefore, she said the requirement to have gravel parking immediately established was not necessary, but they would want to have the additional parking installed relatively soon. She recommended that they have a performance guarantee to assure that it was done. Ms. Stefforia then took the Commission through a review of Section 60.100 dealing with special exception uses as more fully set forth in her report.

The Chairman asked if there were any questions. Ms. Gelling asked if all of the businesses in the building had rear accesses. Ms. Stefforia said she only knew that the Soccer Zone did.

Mr. Benson said he had a concern that Soccer Zone had expanded without authority and wondered if that had any bearing on their discussions. Ms. Stefforia said they were not related and thought that issue should be handled by the Building Department.

Mr. Gould asked if adding the additional 46 reserved parking spaces would max out the property. Ms. Stefforia said it would not and that there was additional space available for parking.

Mr. Benson asked what percentage of the greenspace would be used up by the additional parking. Ms. Stefforia said she had not computed that yet. Mr. Benson also asked if there was room for the 46 reserved parking spots. Ms. Stefforia said there was plenty of room for those spots and additional parking, if needed.

The Chairman asked to hear from the applicant. Mr. Jose Santa Maria introduced himself on behalf of Lageoc, Ltd. He let the Commission know that there were rear accesses to all businesses in the building.

The Chairman asked if they were clear that all of the activity would be done inside. Mr. Santa Maria said that was correct. The Chairman again asked for clarification as to the fact that there would not be any storage outside, no activities outside and no repairs outside and that all operations would be maintained entirely within the building. Mr. Santa Maria indicated that was correct.

Ms. Gelling asked what percentage of the operation would be arcade. Rebecca Layman said she was not sure of the percentage, but it would be no more than 20%.

Mr. Anderson asked about recharging and whether there would be appropriate ventilation. The representatives of Electric City and Mr. Santa Maria assured the Planning Commission that all the batteries being recharged were dry-cell batteries which would not have any acid or expend any type of fumes. The Chairman suggested that the applicant be required to produce the Hazardous Substance Reporting form necessary for all businesses in the community to make sure hazardous chemicals, if any on site, were accounted for. Mr. Santa Maria assured the Planning Commission that there would be no hazardous chemicals.

Ms. Gelling asked if they had any plans to deal with loitering. Ms. Layman said that they have not had a problem with loitering. Mr. Santa Maria stated that they would have staff on site, and they could address that issue if it became a problem.

Mr. Gould asked what size the track would be in relationship to Craig's Cruisers. Ms. Layman said it would be a bit smaller, but its configuration would be similar to Craig's Cruisers.

Ms. Gelling asked if there would be concessions. Ms. Layman said that they would likely only have vending machines or a small sales counter for candy.

Ms. Gelling asked if the go-cart drivers would be wearing helmets. Ms. Layman said that is not required by state code.

Mr. Santa Maria said they were opposed to bonding for the project. The Chairman explained to the applicant that, in the normal course of business, it is a fairly typical requirement imposed by the Planning Commission.

The Chairman called for public comment. Hearing none, he asked for Planning Commission discussion. The Chairman said he thought the major issue was parking, as well as the need to obtain the Hazardous Substance Reporting form.

Mr. Anderson said he thought it was important that the Township be assured that the additional parking would be added in a timely fashion.

The Chairman said he thought that the use seemed appropriate, and if the parking was addressed, a performance bond obtained and a Hazardous Substance Reporting form submitted, it would be appropriate to approve this special use.

Ms. Gelling said she was personally disturbed by what is taking place at the site. She said she hated to see people moving forward without appropriate permits or authorization under the Building Code. The Chairman said that he understood and that there certainly was not a good history with regard to the subject property, but he thought that the applicant had properly filed the paperwork for the Commission to consider this matter as a special use, and that the request should be addressed on its own merits.

The Chairman asked if there was any further discussion. Hearing none, he said he would entertain a motion. Mr. Anderson made a motion to approve the special exception use as submitted subject to the applicant submitting a performance guarantee for the establishment of the parking by July 31, 2008. If the deadline is not met, the guarantee could be called and the parking constructed in accordance with Ordinance

requirements. The special exception use is also subject to the condition that the applicant provide a Hazardous Substance Reporting form to the Planning Department and that all the conditions be met prior to occupancy. The motion was seconded by Mr. Gould. The Chairman asked if there was further discussion, and hearing none, called for a vote. The motion passed unanimously.

Public Comment on Non-Agenda Items

None.

Any Other Business

The Chairman said the only issue is consideration of the next step to take on the form base code. After a brief discussion, it was the consensus of the Planning Commission to try to arrange a joint meeting with all Township boards and the board of the Downtown Development Authority for April 15, 2008. The Planning Department indicated they would report back to the Planning Commission members as to whether the meeting could be arranged.

Planning Commissioner Comments

Ms. Gelling said she applauded the Fire Department for its recent efforts in fighting the large apartment fire.

Adjournment

There being no other Commissioner comments, the meeting was adjourned at approximately 7:45 p.m.

Minutes Prepared:
March 31, 2008

Minutes Approved:
April 10, 2008