

**OSHTEMO CHARTER TOWNSHIP**

**PLANNING COMMISSION**

**MINUTES OF A MEETING HELD JUNE 13, 2013**

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**Agenda**

**PRELIMINARY DISCUSSION OF POTENTIAL REZONING REQUEST AT  
SOUTHEAST CORNER OF 11<sup>TH</sup> STREET AND HOLIDAY TERRACE**

**DISCUSSION OF PROPOSED ZONING ORDINANCE AMENDMENTS RELATED TO  
TEMPORARY SIGNS**

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A meeting of the Oshtemo Charter Township Planning Commission was held on Thursday, June 13, 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  
Richard Skalski

MEMBERS ABSENT: None

Also present were Greg Milliken, Planning Director, James Porter, Attorney, and three interested persons.

**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 none, she called for a motion to accept the Agenda, as submitted. Mr. Loy made a motion to accept the agenda as presented. Mr. Boulding, Sr. 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, the Chairperson proceeded to the next agenda item.

### **APPROVAL OF THE MINUTES OF MAY 23, 2013**

The Chairperson asked if there were any additions, deletions or corrections to the minutes of May 23, 2013. No changes were noted. Mr. Skalski made a motion to approve the minutes as presented. Mr. Antosz seconded the motion. The motion was approved unanimously.

### **PRELIMINARY DISCUSSION OF POTENTIAL REZONING REQUEST AT SOUTHEAST CORNER OF 11<sup>TH</sup> STREET AND HOLIDAY TERRACE**

Chairperson Gelling indicated the next item on the agenda was a preliminary discussion regarding potential rezoning of property at 11<sup>th</sup> Street and Holiday Terrace and asked Mr. Milliken to please provide some preliminary information.

Mr. Milliken indicated that he had been contacted by an entity interested in developing one or two hotels along 11<sup>th</sup> Street in front of the existing Holiday Inn hotel. The company was doing their due diligence work and exploring several key questions, including zoning. The property is zoned R-3, which does not allow for hotel use. Thus, to accommodate a hotel, the property would need to be rezoned to C or C-R. He indicated property to the south along 11<sup>th</sup> Street to Parkview is also zoned R-3 while property to the east and north is in the C district.

As with all rezoning requests, Mr. Milliken stated a key part of the decision making process is the Master Plan and Future Land Use Map. The subject property and parcels to the south and west are all designated Transitional Mixed Use. This was a designation crafted for areas where the future was more challenging to determine either because it contained a mix of uses or because it is an area that sits between one distinct area to another.

Due to the questions and undefined nature of the future land use designation, Mr. Milliken suggested that the potential applicants come to the Planning Commission and discuss the proposed rezoning with the Commission to get initial feedback prior to submitting a formal application.

Chairperson Gelling thanked Mr. Milliken for his presentation and inquired if there was anyone to speak to the request. Asad Malik indicated that he represents

Intercontinental Hotels, and they develop hotel sites primarily for Holiday Inn and Marriott brands. They have been approached by multiple brands to develop at this site.

Mr. Malik indicated the idea is to bring newer hotels to the market close to Western Michigan University. He stated that this property is good for hotel use as it is residential in nature but close to the highway and major roads. He showed the Commission several photos and examples from other projects that they have developed in similar settings throughout the state. He stated many communities prefer the new hotels be built near existing hotel facilities to encourage the existing facilities to be well maintained.

Mr. Schley indicated that there is other land in the Township that is appropriately zoned and available to accept the proposed use without rezoning. He asked if they had researched that.

Mr. Malik indicated that they had looked at over a dozen sites in the area but they were too costly.

Chairperson Gelling asked why it was the best.

Mr. Malik indicated it was due to visibility, proximity to other facilities in the area, and access to the college.

Chairperson Gelling asked if 11<sup>th</sup> Street would have the capacity to handle the traffic should the property be eventually rezoned to C-Commercial.

Mr. Malik did not think the road would be a problem.

Chairperson Gelling asked what the room size would be.

Mr. Malik stated there would be 80-85 rooms. He stated they could eventually do two hotels on the site and accommodate the zoning requirements but would start with one initially.

Chairperson Gelling asked how they decide on the number of rooms.

Mr. Malik said that hotels that expect a larger number of extended stays will have a smaller number of rooms. Express type hotels will be more in the 80-85 range.

Chairperson Gelling asked why develop a Holiday Inn Express versus a Holiday Inn.

Mr. Malik stated they are very different concepts. Holiday Inn Express has free breakfast, free internet, and larger rooms. They are cheaper, more efficient, and easier in many cases.

Mr. Antosz asked if the current Holiday Inn would go away or be sold off.

Mr. Malik indicated he did not know any information about another franchisee, only that the brand approached his company.

William Rhodes introduced himself as the real estate agent representing Amerilodge. He stated that of the four parcels that would be purchased for this project, three are currently being used commercially even though located in the R-3 district.

Ms. Farmer indicated she is curious about the potential competition between two Holiday Inn hotels.

Mr. Malik stated that they would be two different brands with two different customer bases and two different experiences.

Mr. Milliken clarified that there is no commitment that a hotel built at this site would be a particular brand, so the Commissioners should not focus on the potential of a particular brand.

Mr. Malik agreed that there is no commitment yet.

Chairperson Gelling asked who they were targeting as potential customers.

Mr. Malik described their marketing strategy and targeting of businesses, corporate clients, university visitors, and others.

Mr. Porter commented that the question before the Planning Commission is whether a proposed rezoning to commercial is consistent with the Future Land Use Plan and not specifically how the property should be developed.

Mr. Antosz asked about keeping trees on the property.

Mr. Malik stated that their philosophy is to keep trees on the property in order to establish or maintain a certain character.

Ms. Farmer asked how much the Township can really do about that.

Mr. Milliken stated that would be addressed during site plan review, and development would have to satisfy the landscaping standards in the Ordinance. There is no tree preservation standard but there are incentives to protect trees as well as screening requirements.

Chairperson Gelling asked Mr. Milliken to please discuss the different zoning classifications (R-3, C) for enhanced commissioner understanding and to better comprehend the differences in the zoning designations.

Mr. Milliken reviewed the R-3 and C zoning districts, the uses permitted in each, and the differences that exist.

Mr. Skalski stated that he sees some support for this proposal. The Genesee Prairie Plan calls for increased development on Parkview along with the BTR Park expansion and the new Stadium Drive interchange. Clearly there is a demand for rooms.

Chairperson Gelling asked Mr. Milliken about the impact on 11<sup>th</sup> Street.

Mr. Milliken stated that he had not had a significant amount of time to review the situation but felt most traffic would come from the north and that the road had been improved to Holiday Terrace to accommodate commercial traffic.

Mr. Schley stated that he understood some description of the potential hotel use was inherently necessary for this conversation. However, zoning decisions should not be based on a particular proposed use but should be based on all of the potential uses within the proposed district. The Master Plan Objectives indicate commercial rezoning should only be considered when in keeping with the Future Land Use Plan. To the south is the Genesee Prairie Sub Area Plan, which includes Institutional uses but also Conservation Residential. The Master Plan also says to continue to allow office uses in the R3 district to buffer residential uses and those of greater intensity. The Master Plan matrix calls for transitional use to be a mix of local commercial, office, and residential. He stated that if the rezoning to the C district were approved, the site could be used for anything in that C district, not just a hotel. He indicated that not everything in the C district is appropriate for this location, nor did he feel that everything in the CR district would be appropriate either. Therefore, he would have problems with a rezoning request to the C district.

Mr. Loy indicated he also has problems with rezoning this property. Traffic is an issue in this area now. Although there have not been complaints, traffic is often backed up at Stadium and 11<sup>th</sup> Street. Parkview has seen an increase in truck traffic. With the addition of more uses, traffic problems will only increase. He would want to be very careful with the C district.

Mr. Boulding, Sr., stated that he sees this as a growth opportunity. If the existing Holiday Inn is aging, perhaps the Township should be prepared. He felt the Commission could come to a reasonable conclusion about how to get the zoning done.

Mr. Skalski believes because of the growth, development, BTR Park expansion, and others, the Township is being driven in this direction. He would like to see this proceed, although in a more limited manner if possible.

Chairperson Gelling stated that she does not want to rezone to C-Commercial District just to rezone property. There is no guarantee of what will happen. She stated she is happy with the R-3 district and the transition to the rural character that is currently

there. She is also concerned with potential traffic ramifications should the zoning change.

Mr. Antosz said that he likes the concept. He would support rezoning to C-Commercial District if this could be limited in some manner but not in such a broad manner.

Ms. Farmer said that she would need to know the history of past requests and decisions on this property to make a more informed decision. She would also need to know what else could be located there.

Mr. Malik commented that their intention is strictly to build a hotel. They are not in the business of developing anything else. If not a hotel, they would not pursue the rezoning as they are not in the business of doing anything else.

Mr. Porter explained the conditional rezoning process to the applicants and the Planning Commissioners.

Mr. Malik stated that they have used that technique in another community.

Chairperson Gelling thanked the applicants, letting them know they now had an idea as to where the Planning Commissioners stood regarding the potential of rezoning from R-3 to C-Commercial, and to please feel free to contact Planning Director Mr. Milliken if they wished to follow up. Chairperson Gelling additionally thanked them for their time and efforts.

## **DISCUSSION OF PROPOSED ZONING ORDINANCE AMENDMENTS REGARDING TEMPORARY SIGNS**

Chairperson Gelling indicated the next item on the agenda was continuation of the discussion regarding proposed zoning ordinance amendments on temporary signs and asked Mr. Milliken to introduce the discussion.

Mr. Milliken indicated that he had finally had an opportunity to consolidate the comments made at the previous Planning Commission meetings and review the changes with Staff in order to assemble something for presentation to the Commission. Mr. Milliken pointed out those sections of the proposed amendments that had been changed since the last review. He also reviewed those changes that resulted in making the Ordinance more flexible and those changes that resulted in making the Ordinance stricter.

Chairperson Gelling asked about including language addressing large inflatable moving signs.

Mr. Schley thought that might be addressed under the general definition of a sign as something designed to draw attention to a business.

Mr. Porter pointed out that there is a definition and a prohibition on animated signs that would seem to cover this as well.

Chairperson Gelling also asked about searchlights. She felt these should be addressed, as they can be viewed as signs. She mentioned landscape signs and feels they should be included in the Ordinance as landscaping can sometimes be used as signage. She believes artwork and murals are probably covered under "wall sign." She also thinks the word "pylon" should be included in the definition of pole sign.

Mr. Schley stated that search lighting is covered under the standards for outdoor lighting in the Ordinance.

Chairperson Gelling additionally proffered that "Architectural Sign" should be included in definitions.

Chairperson Gelling pointed out the definition of "human sign" and thought there should be reference to human directional signs included within the existing definition.

Mr. Schley suggested adding the five foot requirement for pedestrian passage for A-frame signs included in the form based code into the general table.

Chairperson Gelling asked about incidental nature of A-frame signage which Attorney Porter agreed should be included in the definition.

Mr. Milliken suggested a reference to the definition of "incidental sign".

Chairperson Gelling thanked Staff for their work.

### **ANY OTHER BUSINESS**

Mr. Boulding, Sr. stated that he is following a bill in the New Jersey legislature regarding in-home sprinkler systems. It is nearly a state law requiring sprinkler protection in single-family homes and duplexes when municipal water is available. He wondered about the Township requiring something similar.

Mr. Porter stated that Michigan has a construction code that addresses fire suppression requirements. Michigan law also gives local governments no authority to have their own construction code standards. This will have to go to Lansing.

Mr. Boulding, Sr. confirmed that it is still possible to do in-home sprinkling.

Mr. Porter confirmed that is certainly possible but local units cannot require it. Only the State can.

Mr. Milliken reviewed the items likely to be on the agenda at upcoming Planning Commission and Zoning Board of Appeals meetings. He additionally noted that M-43 (West Main) and 131 Construction work begins June 24, 2013 through November, 2013.

### **PLANNING COMMISSIONER COMMENTS**

Chairperson Gelling stated the Xtreme Clean Carwash is now under construction behind Meijer gas station.

Mr. Skalski stated that the Detroit News says Whole Foods is coming to downtown Detroit. He wondered why it could not happen here.

Mr. Boulding, Sr. indicated that the truck sign for Pressure Washing was still present on Stadium Drive by the roller rink. He indicated he thought the hotel would be good here for tax and job purposes.

Mr. Loy asked if Commissioners had seen the cell tower in Portage that looks like a pine tree. It is near Oakland and Centre.

Mr. Schley stated that final arguments were due to MPSC for the ITC case. He wondered about the timing of next steps. Mr. Porter said that at this point, the Township is waiting to see what MPSC does, which should be later this summer.

### **ADJOURNMENT**

Having exhausted the Planning Commission agenda and with there being no further business to discuss, Chairperson Gelling adjourned the meeting at approximately 8:51 p.m.

Minutes prepared:  
June 17, 2013

Minutes approved:  
June 27, 2013