

OSHTEMO CHARTER TOWNSHIP
PLANNING COMMISSION

MINUTES OF A MEETING HELD SEPTEMBER 13, 2012

Agenda

ZONING ORDINANCE AMENDMENTS – PUBLIC HEARING – LANDSCAPING AND LAND CLEARING INCLUDING AMENDMENTS TO SECTION 75 “LANDSCAPING,” SECTION 78 “MISCELLANEOUS PROTECTION REQUIREMENTS” AND SECTION 82 “SITE PLAN REVIEW”

NEW WONDERS DISCOVERY CENTER – PUBLIC HEARING - SPECIAL EXCEPTION USE REVIEW TO ALLOW EXPANSION OF A CHLD CARE CENTER IN AN EXISTING COMMERCIAL CENTER – 7000 W. STADIUM DRIVE IN THE VC VILLAGE COMMERCIAL DISTRICT – (PARCEL NO. 3905-35-102-011)

A meeting of the Oshtemo Charter Township Planning Commission was held on Thursday, September 13, 2012, commencing at approximately 7:00 p.m. at the Oshtemo Charter Township Hall.

MEMBERS PRESENT: Kitty Gelling, Chairperson
Bob Anderson
Millard Loy
Dave Bushouse
Richard Skalski
Wiley Boulding, Sr.

MEMBER ABSENT: Carl Benson

Also present were Greg Milliken, Planning Director; Karen High, Zoning Administrator, Attorney James Porter, and seven other interested persons.

Call to Order and Pledge of Allegiance

The Chairperson called the meeting to order 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. Mr. Anderson made a motion to approve the Agenda, as submitted. Mr. Skalski seconded the motion. The Chairperson called for a vote on the motion, and the motion passed unanimously.

Public Comment on Non-Agenda Items

The Chairperson asked if there was any public comment on Non-Agenda items. There being no public comment, the Chairperson dispensed with the public comment portion of the Agenda and proceeded to the next Agenda item.

Approve Minutes

The Chairperson stated the next item on the Agenda was approval of the minutes of August 23, 2012. She asked if there were any additions, deletions or corrections to the minutes. Hearing none, she called for a motion. Mr. Boulding, Sr. made a motion to approve the minutes, as submitted. Mr. Loy seconded the motion. The Chairperson called for a vote on the motion, and the motion passed unanimously.

ZONING ORDINANCE AMENDMENTS – PUBLIC HEARING – LANDSCAPING AND LAND CLEARING INCLUDING AMENDMENTS TO SECTION 75 “LANDSCAPING,” SECTION 78 “MISCELLANEOUS PROTECTION REQUIREMENTS” AND SECTION 82 “SITE PLAN REVIEW”

The Chairperson said the next item on the Agenda was the Planning Commission review of a proposed Zoning Ordinance amendment regarding landscaping and land clearing, including amendments to Section 75 “Landscaping,” Section 78 “Miscellaneous Protection Requirements” and Section 82 “Site Plan Review.” The Chairperson asked to hear from Planning Director, Greg Milliken. Mr. Milliken first thanked all of the stakeholders who provided their feedback to the Planning Department. He thanked those in the building community, as well as Planning Commission members and the public at-large for their input and said he believed their comments helped to shape the direction of the proposed text.

Mr. Milliken proceeded to take the Commission through his report dated September 13, 2012, and the same is incorporated herein by reference. He highlighted the proposed changes, noting the significant changes concerning street trees in subdivision/site condominium developments. Mr. Milliken asked the Commission to

take note of the increased greenspace buffer along external road right-of-ways. He explained that credits would now be provided for existing vegetation and that there was a better explanation of native plantings and the increased requirements for native planting under the Ordinance. Mr. Milliken said he thought the text changes to Section 75, as drafted, provided flexibility by varying the type of landscaping which would be restored in certain areas. Lastly, he noted the changes now required for clear cutting of land unless the property was less than one acre or agriculturally zoned. Mr. Milliken noted that this would not prohibit clear cutting, but would control the negative effects of clear-cutting.

The Chairperson asked if there were any questions of Mr. Milliken. There being none, she asked for public comment.

Ms. Ilse Gebhard introduced herself to the Planning Commission. She said she was representing The Audubon Society of Kalamazoo. She said The Audubon Society endorsed the changes which were proposed. She stated that The Audubon Society of Kalamazoo owned property north of Oshtemo Township, and that any clear cutting in the Township would negatively impact its property, as well as the ecosystem in general. She applauded the Planning Commission for encouraging the planting of native species which attract native insects, which were a primary food source for native bird species.

Ms. Pam Larson introduced herself to the Planning Commission. She said she was wholeheartedly in support of the proposed changes. She thanked the Commission for encouraging the planting of native plants including restoration of oak savannas. She said she thought it would be good for the Township now and in the future.

Mr. Lee Larson spoke; he said he approved the proposed changes and applauded the Planning Commission's efforts.

Mr. Chad Husum introduced himself to the Planning Commission. He said he currently grows native plants and has been working in many different areas to restore the oak savanna environment within the Township, and he appreciated what the Township was doing.

Mr. Geoff Cripe introduced himself to the Planning Commission. He noted that the provision on page 4, Subsection F. "Invasive Species" should be changed to say, "invasive species are not permitted." He explained some of the negative aspects of invasive species and encouraged the Commission to address that issue. He also raised an issue with regard to clear cutting and whether the provisions should refer to restoring land to its "present condition," or whether it should be restoring land to its "native condition" after being clear cut.

The Chairperson asked if there were any further comments, and hearing none, she closed the public portion of the meeting and called for Planning Commission deliberations.

Mr. Milliken noted a couple of e-mails which had been received in favor of the proposal.

The Chairperson called for Planning Commissioner comments.

Mr. Loy said he thought the deliberations on this issue had been quite thorough, and he was in support of the proposed language.

Mr. Boulding, Sr. said that there had been extensive discussions, and he thought the proposal was best for the community, and he was comfortable with moving the proposal forward.

Mr. Skalski said he was delighted with the proposal. He said he thought the solutions they had arrived at were definitive and could be implemented throughout the community. He said, if there was a need for changes in the future, i.e., a tweak here and there, they could work on revisions going forward.

The Chairperson said she was very pleased with the proposal and thought that the amendments to the Ordinance were well drafted and should move forward.

Mr. Anderson said that his goal was to encourage people to avoid what had happened on M-43 and thought the amendments would provide a greater degree of protection for the community.

Mr. Bushouse said he agreed with all of the comments. He said he was sorry that the Township had to be reactive rather than proactive. However, he noted that the new text would protect the Township going forward. He asked if the Homebuilders had been allowed to have input on the Ordinance amendments. Mr. Milliken said they had met with the Homebuilders, and had provided them with updates of the Ordinance amendments and that some of the provisions in the text were revised in response to issues raised by various builders in the community.

Mr. Milliken suggested that they adopt Mr. Cripe's change to Section 4.F. and revise the text to say, "invasive species should not be allowed." Mr. Skalski said he would agree with that change. After a brief discussion, it was the general consensus of the Commission to incorporate the language "not allowed" into the Ordinance amendment with regard to invasive species.

The Chairperson then called for a motion. Mr. Loy made a motion to recommend the proposed Ordinance text changes to the Township Board including the change in

Subsection F as discussed above. The motion was seconded by Mr. Skalski. The Chairperson called for a vote on the motion. The motion passed unanimously.

NEW WONDERS DISCOVERY CENTER – PUBLIC HEARING - SPECIAL EXCEPTION USE REVIEW TO ALLOW EXPANSION OF A CHLD CARE CENTER IN AN EXISTING COMMERCIAL CENTER – 7000 W. STADIUM DRIVE IN THE VC VILLAGE COMMERCIAL DISTRICT – (PARCEL NO. 3905-35-102-011)

The Chairperson said the next item up for consideration was the special exception use review of an application from New Wonders Discovery Center, LLC to allow the expansion of a child center in an existing commercial center located at 7000 West Stadium Drive in the “VC” Village Commercial District, Parcel No. 3905-35-102-011. The Chairperson asked to hear from the Planning Department. Mr. Milliken then presented his report to the Planning Commission dated September 13, 2012, and the same is incorporated herein by reference.

Mr. Milliken explained to the Commissioners that they had previously approved the child care center at 7000 West Stadium and that there were no site changes, and therefore, no site plan needed for this review. However, he said, because of the proposed expansion of the addition of an adjacent suite (Suite F), it did require a hearing. Enrollment could go from 45 to 60 children because of the proposed expansion. At the conclusion of Mr. Milliken’s report, the Chairperson asked if there were any questions. Hearing none, she asked to hear from the applicant.

Ms. Connie Hendershot introduced herself to the Planning Commission. She explained that they had not signed the lease because the special exception use has not yet been approved. However, she explained that they wanted to add additional space so that their client base could bring their school-age children to the site, if they chose. She said this would allow families with multiple children to have them in a single location when not in school.

The Chairperson asked if there were any questions of the applicant. She began by raising the issue over whether there would be any buses stopping at the site. Ms. Hendershot said she had called Kalamazoo Public Schools and that they had not chosen a location, but that Kalamazoo Schools would provide for a bus stop in the area, and they would make sure that it was a very safe location. Ms. Hendershot also noted that they would be sending an aide to the bus stop to coordinate getting children on and off the bus.

Mr. Loy said he lives across from Looking Glass day care and said it has two or three buses stop right at the front door of that facility, and he did not see why the school could not accommodate the New Wonders Discovery Center with the same service.

The Chairperson asked when they would be opening. Ms. Hendershot said approximately September 21st for the previously-approved suites, and for the third suite, they would have to re-initiate the process for approval by the State.

Mr. Boulding, Sr. inquired about the rest room facilities. Attorney Porter noted that would be covered by the Building Department.

Ms. Hendershot asked if there were any plans to put sidewalks in the area because, if there were, she could take the children down into the Village Center. Mr. Milliken explained that the Township is working on the development of an overall non-motorized facilities plan, but did not expect sidewalks in this area for some time.

The Chairperson asked if there were any public comments. Hearing none, she called for Planning Commission deliberations.

The Chairperson commenced by saying she thought it was fairly routine given that they had just approved the special exception use for this facility a short while ago, and the expansion did not have any major impacts on the development. Various Planning Commission members concurred. The Chairperson said she would entertain a motion with conditions. Mr. Skalski made a motion to approve the special exception use on the proposed expansion on the following conditions:

- (1) A sign permit is required before any new signs are installed on site.
- (2) Coordination with Staff regarding bussing and circulation should it be determined that buses will be coming to the site to pick up and drop off students at the facility.
- (3) Proof of licensure shall be provided to the Township upon approval.

The Chairperson called for a vote on the motion, and the motion passed unanimously.

Old Business

The Chairperson indicated that the next item on the Agenda was consideration of old business. There being no old business, the Chairperson asked that the Commission proceed with the next item on the Agenda.

Any Other Business

The Chairperson asked if there was any other business, and hearing none, the Chairperson raised the possibility of changing the meeting dates for October and November. Mr. Boulding, Sr. said he did not get the e-mail due to having a new e-mail

address. Mr. Loy raised a question as to whether he could be available on October 18 because of a conflict with an Oshtemo Historical Society meeting, which was scheduled for the meeting room. Mr. Bushouse expressed a degree of concern about not being asked about the meeting dates in advance of the Chairperson's request to Staff. He suggested in the future that Linda Ignasiak call Planning Commission members first to determine whether a meeting could be rescheduled, and then reschedule the meeting, and Staff should, with all due respect, make themselves available. The Chairperson noted out of respect she was first attempting to see if the proposed tentative changes might be feasible with Staff before bringing them to the table for discussion and a motion.

Mr. Loy added that October 18th might be a problem because a guest speaker was currently scheduled for the Oshtemo Historical Society meeting. He said he was not sure whether they could reschedule that meeting.

Mr. Milliken suggested using other meeting rooms in the Township Hall. Mr. Bushouse objected, saying that the Planning Commission meetings could not be recorded in those rooms. The Chairperson said she would table this matter until the next meeting and address it at that time.

Planning Commissioner Comments

Mr. Milliken said that he had received from the City of Portage Department of Community Development a Notice of Intent to Amend the Recreation and Open Space Plan Element of the Comprehensive Plan.

The Chairperson asked if there were any Planning Commissioner comments.

Mr. Loy said next Thursday there would be an Oshtemo Historical Society speaker present to discuss the 150th Anniversary of the United Methodist Church.

The Chairperson said Mr. Benson extended his regrets that he could not be at the meeting tonight, that his wife had just had surgery and was doing so much better than expected that she had been released early, but was on pain medication, and she needed to be monitored.

The Chairperson noted that there was a joint meeting on September 18th at 6:00 p.m. and encouraged everyone to attend.

Adjournment

The Chairperson noted that the Planning Commission had exhausted its Agenda, and with there being no other business, she adjourned the meeting at approximately 8:05 p.m.

Minutes Prepared:
September 18, 2012

Minutes Approved:
September 27, 2012