

**OSHTEMO CHARTER TOWNSHIP  
PLANNING COMMISSION**

**MINUTES OF A MEETING HELD APRIL 24, 2014**

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**Agenda**

**PUBLIC HEARING: REVIEW OF SPECIAL EXCEPTION USE REQUEST FROM KZOO MI CROSS FITNESS INC. FOR ESTABLISHMENT OF A HEALTH CLUB IN AN EXISTING COMMERCIAL CENTER (KASTEN CENTER) LOCATED AT 6857 WEST MAIN STREET IN THE C LOCAL BUSINESS DISTRICT – (PARCEL #3905-14-305-030)**

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A meeting of the Oshtemo Charter Township Planning Commission was held on Thursday, April 24, 2014, commencing at approximately 7:00 p.m. at the Oshtemo Charter Township Hall.

MEMBERS PRESENT: Fred Antosz  
Dusty Farmer  
Pam Jackson  
Terry Schley  
Wiley Boulding Sr.  
Richard Skalski

MEMBER ABSENT: Millard Loy

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 Schley at approximately 7:00 p.m., and the “Pledge of Allegiance” was recited.

## **Agenda**

Chairperson Schley asked if there were any additions, deletions or corrections to the Agenda. Hearing no changes, he called for a motion to accept the Agenda as presented.

Mr. Skalski 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 Schley called for public comment on non-agenda items. Hearing none, he proceeded to the next agenda item.

## **Approval of the Minutes of March 27, 2014**

Chairperson Schley said he had a couple of corrections to the minutes of March 27, 2014. On Page 9, second paragraph from the bottom, "Mr. Dave Bash" should be "Mr. Dave Ash." The Chairperson also noted that on Page 10, fourth full paragraph, the first sentence of his statement should have read:

"Chairperson Schley addressed questions from earlier public comments about ~~statistics~~ **percentages**, saying the Board has had discussion regarding some percentages included in the draft and that there has been no conclusion on those yet, saying that input on the draft is the purpose of holding the public hearing."

Chairperson Schley asked if there were any other changes. Ms. Farmer noted that on Page 9, second paragraph from the bottom, the beginning of the second to last sentence should read: "He ~~believes~~ **believes** adjacent residents would like to see a 300 foot buffer zone." Ms. Farmer also said on Page 13, her comment under "Any Other Business" should have read as follows:

"Ms. Farmer said she would like to see a goal established to update language in the ~~PUD overlay~~ **landscape ordinance** by the end of the year to make it consistent with the ~~rest of the ordinance~~ **Master Plan.**"

The Chairperson asked if there were any other changes. Hearing none, he called for motion to approve the minutes, as amended. Mr. Antosz made a motion to approve the minutes, as amended. Mr. Boulding, Sr. seconded the motion. The Chairperson called for a vote on the motion, and the motion passed unanimously.

**Public Hearing: Review of Special Exception Use Request from Kzoo MI Cross Fitness Inc. for Establishment of a Health Club in an Existing Commercial Center (Kasten Center) Located at 6857 West Main Street In the C Local Business District – (Parcel #3905-14-305-030)**

Chairperson Schley indicated that the next item on the agenda was the public hearing to consider a special exception use for the application of Kzoo MI Cross Fitness, Inc. to establish a health club in an existing commercial center (Kasten Center) located at 6857 West Main Street in the C Local Business District, Parcel #3905-14-305-030. The Chairperson asked Township Planner, Mr. Milliken, to present his report.

Mr. Milliken indicated that the applicant was seeking approval for an indoor recreational use, which is a special use in the C District. He said there were no exterior changes proposed, so no site plan was required. Mr. Milliken explained that the applicant was proposing to establish a space for small group cross fit training sessions, using approximately 2,000 square feet for workout space plus 300 square feet for stretching space, along with restrooms, a kitchen, and storage. Mr. Milliken explained that they were proposing to provide training classes Monday through Saturday which would last approximately one hour each. He said the average attendance was anticipated to be 8 to 12 people.

Mr. Milliken stated that the health and fitness center had a minimum parking requirement of one space per 200 square feet of net floor area, plus one space for each employee. In this case, that would require 12 parking spaces plus one for the trainer. He noted that this was lower than the requirement for the previous occupant of the space, which was a house of worship.

Mr. Milliken then took the Commissioners through the Standards for Approval for a special use under Section 60.100, as is more fully set forth in his report.

The Chairperson asked if there were any questions of the Planning Director.

Ms. Farmer asked what the parking space requirements were for the restaurant in the Center. Mr. Milliken said it was one space per 70 square feet and one for each employee, or approximately 38 spaces. Ms. Jackson noted that she is familiar with the site, and the parking is typically never full. She said, as noted in Mr. Milliken's report, the staggered operating times of the various businesses never resulted in a congested parking area, and therefore, she was comfortable with what the applicant was proposing.

Mr. Boulding, Sr. asked why the applicant had a kitchen. Mr. Milliken suggested that Mr. Boulding ask the applicant.

Chairperson Schley asked if there were any other questions of the Planning Director. Hearing none, he asked to hear from the applicant.

Mr. Tim Fecker introduced himself to the Planning Commission. He explained to Mr. Boulding, Sr. that the kitchen was there simply because it had been installed by the church. He said it only consists of a sink and some cabinets. He did not intend on using it.

Mr. Schley asked for confirmation that the business was not preserving the kitchen for any type of licensed kitchen activity which would require Health Department approval. Mr. Fecker said the kitchen would not be a commercial kitchen.

Mr. Antosz asked whether there would be more than one class at a time. Mr. Fecker said that there would only be one class at a time because there is not space to accommodate more than one class at a time.

Ms. Farmer asked if 12 persons per class would be the maximum. Mr. Fecker said that they could possibly accommodate up to 15 people per class, but that would be the absolute maximum.

Chairperson Schley asked if there were any further questions of the applicant. Hearing none, he asked if there was any comment from the public. There being no public to comment, the public portion of the meeting was closed. Chairperson Schley called for Planning Commission deliberations.

The Chairperson said he thought this was a straightforward request, and thought that the Planning Director had covered the critical Standards for Approval in his report. He said he thought that parking was the important issue, but noted that the applicant's use would actually improve parking in this commercial center, and based upon the Planning Director's report and observations, the cross-purposes of the different businesses balance out the parking lot use.

Chairperson Schley said he would favor approval and then he made a motion to approve the special exception use as requested. The motion was seconded by Ms. Farmer. The Chairperson called for further discussion.

Ms. Jackson noted that the proposal fit the Master Plan, and she was pleased to see another business which was compatible with the business center coming to the community.

Mr. Boulding, Sr. asked a question regarding an AED and whether it was required for the business. Mr. Fecker said he did not believe that it was required. Mr. Boulding, Sr. asked Mr. Fecker if he thought it was a good idea. Mr. Fecker said he thought perhaps it was. The Chairperson noted, however, that it was not required.

Chairperson Schley asked if there were any further issues. Hearing none, he called for a vote on the motion. The motion passed unanimously.

## **Old Business**

Chairperson Schley asked if there was any old business. Being none, he moved on to other business.

## **Any Other Business**

Chairperson Schley asked if there was any other business.

Mr. Skalski told the other Planning Commission members that he had attended the open house put on by MDOT regarding the Stadium Drive/U.S. 131 interchange project. He said the project had now been divided into two phases, one to start next Tuesday, which would include the road improvements. He said he thought those improvements would likely be completed by September 1, 2014. He said the bridge improvement would not commence until next February due to a lack of steel. He said he was pleased to see that there was going to be a shared use path on the south side of the intersection and a sidewalk on the north side of the intersection.

Chairperson Schley thanked Mr. Skalski for his report.

Mr. Antosz said he had attended, along with Ms. Jackson, the Michigan Citizens Planner classes. He noted that they had reviewed bylaws and ethics as part of the class, and he suggested that perhaps the Township Planning Commission take up this issue at a future meeting, particularly the subject and conflict of interest. It was the consensus of the Commission to do that.

Mr. Antosz then asked how he could access minutes of previous Planning Commissions. Attorney Porter said that he thought that could be somewhat problematic in that all Planning Commission members need to base their decision on the information which is presented to the Planning Commission as a whole. He suggested that if there were particular developments or previous approvals for special uses or site plans, which Mr. Antosz felt would be applicable to a matter currently before the Planning Commission, that he ask the Planning Director to secure those reports and/or minutes and submit them to all the Planning Commission members, as well as the applicant.

Chairperson Schley asked if there was anything further from the Planning Director. Mr. Milliken said that at their May 8 meeting they would take up the issue of fireworks, Phase II improvements to Flesher Field and the West Main/PUD text amendments.

Mr. Milliken also encouraged everyone in the community to attend the Sunburst Run which would be Sunday, April 27, 2014.

## **Planning Commissioner Comments**

Chairperson Schley said that the next item was Planning Commissioner Comments.

Mr. Boulding, Sr. said he was concerned about the health of people using exercise facilities and thought perhaps the Township should work on an ordinance to require that AED's be placed at all exercise facilities. Attorney Porter noted that was something outside the scope of the Planning Commission's purview, but said the matter could be requested of the Township Board.

Mr. Milliken suggested that perhaps assistance could be provided in helping facilities like Mr. Fecker's locate old AED's which were not current models, but were still useful.

Chairperson Schley said that one of the problems with AED's is failure to maintain batteries. He said he did a lot in the healthcare area, and that was a continuing issue.

## **Adjournment**

Chairperson asked if there were any further comments. Hearing none, he called for a motion to adjourn the meeting.

Mr. Skalski made a motion to adjourn the meeting. Mr. Boulding, Sr. seconded the motion. The Chairperson called for a vote on the motion. The motion passed unanimously.

Chairperson Schley adjourned the Planning Commission meeting at approximately 7:45 p.m.

Minutes prepared:  
April 29, 2014

Minutes approved:  
May 8, 2014