

**ROSS TOWNSHIP
PLANNING COMMISSION
MINUTES
January 26, 2015**

CALL TO ORDER/PLEDGE

Chairperson Lauderdale called the regularly scheduled meeting of the Ross Township Planning Commission to order at 7:00 p.m. at the Ross Township Hall.

ROLL CALL

Present: Jim Lauderdale, Chairperson
 Victor Ezbenko
 Russell Fry
 Jon Scott
 Sherri Snyder

Absent: Greg Pierce
 Jeff Price

Also present: Bert Gale, AGS – Township Zoning Administrator
 Kelly Largent, AGS
 Rebecca Harvey – Township Planning Consultant
 Rob Thall, Township Attorney

APPROVAL OF AGENDA

The agenda was reviewed and approved as presented.

APPROVAL OF PRIOR MEETING MINUTES

The Board then proceeded with consideration of the **November 24, 2014** Planning Commission meeting minutes. Fry moved to approve the minutes as presented. Snyder seconded the motion. The motion carried unanimously.

PUBLIC COMMENT ON NON-AGENDA ITEMS

No public comment on non-agenda items was offered.

NEW BUSINESS

1. Public Hearing – Gull Lake View Golf Club

The next matter to come before the Board was consideration of the request by Jon Scott, representing Gull Lake View Golf Club, to rezone approximately 55 acres from the C-1 Bay Commercial District and R-R Rural Residential District to the R-3 Medium/High Density Residential District. The subject property consists of five parcels and is located at 7417 North 38th Street.

Chairperson Lauderdale stated that the required notification had been completed to allow for Board consideration of the following amendments related to the requested rezoning:

- Amend the Ross Township Master Plan so as to reclassify the subject 55 acres from Agricultural/Residential-Rural and Commercial to Residential – Medium/High Density.
- Amend the Ross Township Zoning Map so as to rezone the subject 55 acres from the C-1 Bay Commercial District and R-R Rural Residential District to the R-3 Medium/High Density Residential District.

He noted that the Board would first consider the amendment to the Master Plan so as to determine the appropriateness of proceeding with the requested rezoning.

Scott advised that he would be abstaining from Board consideration of the rezoning request given his role as the applicant. *He relocated to the public seating area.*

Jon Scott was present on behalf of the application. He stated that the subject property is currently occupied by the Gull Lake View Golf Club, which has existed on the site for approximately 50 years. Scott noted that there is a desire to provide additional lodging units on the property for the golf course but that current zoning of the property prohibits such an improvement. He noted that the C-1 District does not allow ‘golf courses’ and the R-R District does not authorize lodging units as a part of a ‘golf course’, rendering the current golf course a lawful nonconforming use.

No public comment was offered on the matter. It was further noted that no written review comments had been received regarding the proposed Master Plan Amendment. The public comment portion of the public hearing was closed.

Chairperson Lauderdale referenced the ‘Rezoning Request Analysis’ provided by the Township’s Planning Consultant. The Board proceeded with a review of the application wherein the following conclusions were noted:

- 1) An amendment to the Future Land Use Map so as to reclassify the subject 55 acres to Residential Medium/High Density is required to support the proposed R-3 District. Such an amendment is supported by the objectives of the Master Plan for the south end of Gull Lake. Further, said amendment represents only a minor reconfiguration of existing classification boundaries and largely continues the existing classification pattern in the area;
- 2) The uses allowed within the R-3 District are well suited to the property given its close proximity to the Township's area of planned commercial growth and its existing use as a golf course. It was further noted that the newly developed C-1 District was largely intended for the north side of M-89 but had been placed on the subject property given its existing commercial zoning;
- 3) The proposed rezoning will permit uses compatible to the surrounding area in that it will largely continue the existing zoning/land use pattern and serve to eliminate a nonconforming use;
- 4) The proposed rezoning will be consistent with the surrounding R-R, R-3, and C-1 zoning pattern that exists in the area;
- 5) The proposed rezoning will not negatively impact traffic, public facilities, or the natural characteristics of the area;
- 6) The C-1 District was recently developed to implement the Master Plan's vision for commercial development on the south side of Gull Lake; and
- 7) The proposed rezoning will result in a zoning pattern that allows for residential land use and pedestrian activity that will serve to encourage the growth of the bay commercial area.

Fry moved to recommend approval by the Township Board of the proposed amendment to the Ross Township Master Plan so as to reclassify the subject 55 acres from Agricultural/Residential-Rural and Commercial to Residential – Medium/High Density based upon the review findings of the Board. Snyder seconded the motion.

Ezbenko stated that he was hesitant to vote on the request given that he is new to the Board and to the issues at hand. After further Board discussion, he expressed his trust in the deliberations of the Board and an understanding of the principles applied. The motion carried unanimously.

Chairperson Lauderdale then moved to recommend approval by the Township Board of the proposed amendment to the Ross Township Zoning Map so as to rezone the subject 55 acres from the C-1 Bay Commercial District and R-R Rural Residential District to the R-3 Medium/High Density Residential District consistent with the amendment of the Master Plan and based upon the review findings of the Board. Fry seconded the motion. The motion carried unanimously.

Scott returned to the Board table.

2. Request to Amend Zoning Ordinance: Veterinary Clinic

Adriano Vatta and L. Ruey Stocking addressed the Board. They referenced their discussion with the Board at the November 24, 2014 meeting where they detailed their proposal to convert the existing hay barn on their property at 6291 North 37th Street to a cat clinic and care facility. It had been concluded that a text amendment allowing ‘veterinary clinics’ within the R-R District would be needed to facilitate the proposed use.

Mr. Vatta referenced their application for such an amendment to the Zoning Ordinance and requested Board consideration of same.

Ezbenko expressed concern that the requested amendment would be introducing a commercial activity into a residential district. Snyder noted similar concern that accessory uses customary to ‘veterinary clinics’ (ie. pet grooming) have the ability to create a high use operation.

Board discussion of the application ensued wherein it was noted that a ‘veterinary clinic’ would be similar to many of the existing special land uses in the R-R District . . . and would be supported by the Purpose of the District. Scott noted that commercial land use is not limited to the commercial districts in the Township.

It was suggested that a definition of ‘veterinary clinic’ is needed . . . as well as use standards specific to ‘veterinary clinics’. Existing Zoning Ordinance provisions applicable to ‘horse boarding or riding stables’ were referenced. It was noted that ‘veterinary clinics’ are currently allowed within the AG Preservation District as a ‘special use’ and are not subject to any additional use standards.

Harvey was then directed to develop draft text (definition; use standards) using sample ordinance provisions for Board consideration at the February meeting.

3. Gull Lake Sewer and Water Authority – Building Proposal

Rich Pierson, Director of GLS&W, was present on behalf of the request. He referenced a ‘Discussion Document’ dated January 26, 2015 and provided the Board an overview of a proposal for a third storage barn on property located at 7722 North 37th Street that received Special Land Use Permit approval in 2009. Mr. Pierson explained that the building was not built at that time due to budget constraints.

Mr. Gale stated that the applicant has made recent application for the construction of the building and that said building does not comply with current building height restrictions. Specifically, he noted limitations in the ability to comply with eave height standards due to equipment storage needs. He advised that the applicant seek guidance from the Board on the matter.

Township Attorney Thall stated that he currently is also the legal representative for the Gull Lake Water & Sewer Authority and cannot participate in the discussion due to a conflict of interest unless both parties agree.

General Board discussion ensued wherein it was noted that the original approval of the building had expired and that Mr. Pierson's options would now include seeking a variance from the eave height requirement (from the Zoning Board of Appeals) or requesting consideration of a text amendment (from the Planning Commission) so as to change the applicable building height standard. The general application requirements and timelines were provided.

UNFINISHED BUSINESS

1. Public Hearing Drafts for Text Amendments

Harvey presented the 'public hearing drafts' of the following proposed text amendments: Section 16.1 D. (to address 'parcels/lots divided by a road'); roadside stand; farm market; farmers' market; and Article 20 – 'golf courses', 'farmers' market', Item 16 B., Item 17, Item 29 B.10. and 13.

Attorney Thall noted that he had reviewed the proposed text amendments and had prepared the public hearing notices for same.

Motion by Fry, seconded by Snyder, to accept the public hearing drafts as presented and schedule the public hearings on the proposed text amendments for the February 23, 2015 Planning Commission meeting. The motion carried unanimously

2. Screening Standards

Chairperson Lauderdale noted that the Board had previously discussed revising the screening standards in the Ordinance to address the use of "berms" (*Section 18.6 A.*) It had been determined that Harvey would provide the Board with examples of good screening standards that would give both direction and flexibility in establishing effective screens.

Harvey referenced sample text on 'greenbelts, landscaping and screening' obtained from the zoning ordinances of Genoa Township, Monroe Charter Township, and Delta Township. She noted the value of including graphics in screening-related standards.

General Board discussion ensued wherein it was determined that Board members would complete their review of the sample text for continued discussion at the February meeting.

3. Recreation Plan

Fry stated that the Township Recreation Plan received approval from the DNR on December 15, 2014. Supervisor Dykstra distributed hard copies of the approved Recreation Plan.

It was noted that the Action Program set forth in the Recreation Plan gives the noted 'Action Items' a priority listing but does not actually rank each item. It was explained that the 'Action Items' will need to be ranked in order to qualify for DNR grants. However, the Plan can still be amended in time for the grant deadlines in March. The Board agreed to place consideration of same on the February meeting agenda.

Supervisor Dykstra stated that the Ross Township Park is badly in need of work and that the Township would like to pursue grant money to accomplish the improvements. He expressed that the Township feels the Park could contribute in supporting the trail activity envisioned by GLAT.

Scott noted that representatives of the Parks Committee and GLAT met with the Kalamazoo Parks Foundation on January 12, 2015 regarding trail planning in Ross Township and funding opportunities. He added that Richland Township is serving as a solid partner in the area of recreation planning and that the GLAT 'task force' is providing a lot of support for the east side trail extensions.

REPORT FROM TOWNSHIP BOARD

Scott advised that the Township Board continues to discuss roads, Township buildings, parks, and the budget. Supervisor Dykstra added that the Township will be updating its website and that the Township Board is investigating conducting a 'residential survey' this year.

REPORT FROM ZONING BOARD OF APPEALS

Chairperson Lauderdale stated that the Zoning Board of Appeals did not meet in December and January . . and will not be meeting in February.

MEMBERS, CONSULTANTS, ADVISORS

Board members welcomed Victor Ezbenko to the Planning Commission. An updated Board roster was distributed.

ADJOURN

There being no further business to come before the Board, the meeting was adjourned at 9:00 p.m.

Respectfully Submitted,

Rebecca Harvey, AICP, PCP
Township Planning Consultant