

**ROSS TOWNSHIP  
PLANNING COMMISSION  
MINUTES  
July 27, 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  
                  Greg Pierce  
                  Jeff Price  
                  Jon Scott

Absent:         Sherri Snyder

Also present:     Bert Gale, AGS – Township Zoning Administrator  
                      Kelly Largent, AGS – Township Zoning Administrator  
                      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 **June 22, 2015** Planning Commission meeting minutes. Price moved to approve the minutes as presented. Pierce 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 – Red Barn Cat Clinic

The next matter to come before the Board was consideration of the request by Adriano Francis Vatta and Linden Ruey Stocking for special land use permit/site plan review for a ‘Small Animal Clinic’ pursuant to Article 20, Zoning Ordinance. The subject property is located at 6291 North 37th Street and is within the R-R District.

Chairperson Lauderdale opened the public hearing.

Gale referenced the application material and summary review provided on the request. He noted that a ‘Small Animal Clinic’ is a Special Land Use within the R-R District (Section 5.3 U.) and that the standards set forth in Article 20, Item 34.A. will apply.

Adriano Francis Vatta and Linden Ruey Stocking were present on behalf of the application. They explained the proposal to establish a small veterinary medical suite for cats in an existing barn on the site of their residence. The clinic is proposed to provide high quality services at a low volume. It was further noted that the clinic will serve largely the Richland area, but that it will also work in conjunction with the animal shelter and equine center and provide emergency care to rescue animals.

Tom and Mary Legeret, adjacent neighbors, expressed support for the proposed clinic. James and Judith ~~Geery~~ **Geary**, neighborhood residents, also noted their support of the clinic, stating that the applicants were good neighbors and had greatly improved the property. They did request that the address of the clinic be ~~clearly visible~~ **changed** so that the existing confusion regarding property identification **in the area** not be experienced by clinic traffic. **The Board advised that they are not involved in the assignment of property addresses.**

Art Bates, project architect, stated that the location/design of the parking area and the establishment of a sign for the clinic will serve to clearly identify the property and reduce any existing confusion.

In response to Board questions, the applicants confirmed that the boarding of animals at the clinic is not proposed at this time, with the exception of the occasional overnight stay associated with surgery. It was further confirmed that the work with the animal shelter will primarily be with cats, and perhaps the occasional dog. Any requested care of horses will be performed off-site.

No further public comment was offered on the matter and the public comment portion of the public hearing was closed.

The Board proceeded with a review of the application pursuant to Article 20, Item 34 A. – Small Animal Clinic. The following findings were noted: outdoor pens/cages are not proposed; the area adjacent to the clinic proposed to be enclosed by a ‘cat fence’ is for the containment of cats in the event a cat gets out of the clinic; the proposed clinic is setback in excess of 50 ft from adjacent residential zoning; existing land cover provides adequate screening for adjacent residential land use; the proposed retail activity is limited and accessory to the clinic; off-street parking facilities comply with Ordinance standards; and, a sign is proposed to be established and will provide clear identification of the premises.

In consideration of the Special Land Use Criteria set forth in Section 19.3, the Board concluded the following: the cat clinic is proposed to be located within an existing accessory building and will remain compatible with other uses/buildings allowed within the District and with the natural environment; it will not adversely affect public services or facilities serving the area, noting that 37<sup>th</sup> Street is adequate to serve the site and that the proposed clinic is a low volume use; adequate area for parking will be provided on the site; and, it will not be detrimental to adjacent properties, the public health, safety and general welfare of the community, or the character of the site, noting the elements of the use proposal, the existing land cover on the site, and the comments received from adjacent neighbors.

It was agreed that the site plan presented was acceptable (per Section 21.4 T.) and that the proposal meets the Site Plan Review Criteria set forth in Section 21.6 B. Specifically, the proposed cat clinic will be located in an existing building; the utilities and driveways serving the site are existing; and, the existing tree lines/land cover on the property provide adequate buffers to the surrounding area.

It was reiterated that the above findings were based on the application documents presented and the representations made by the applicant at the meeting.

Chairperson Lauderdale then moved to grant Special Land Use Permit/Site Plan Approval for the proposed small animal clinic (cat clinic) on the subject site based upon the review findings of Article 20, Item 34.A.– Small Animal Clinic, Section 19.3 – Special Land Use Criteria, and Section 21.6 – Site Plan Review Criteria, and conditioned upon the following:

1. The proposed clinic will be limited to the care of ‘small animals’.
2. Adequate signage will be installed to provide clear identification of the site, subject to the sign standards set forth in the Zoning Ordinance.
3. The keeping of horses on the property in relation to the animal clinic is prohibited.

Scott seconded the motion. The motion carried unanimously.

## UNFINISHED BUSINESS

### 1. C-1 Floor Area Requirements

Chairperson Lauderdale referenced correspondence received from Gale dated June 24, 2015 and the response provided by Harvey dated July 2, 2015 regarding the absence of minimum floor size requirements within the C-1 District. He referenced Article 15 and Section 16.10, Zoning Ordinance.

Harvey commented on the purpose of the C-1 District and the intent of the design standards to achieve mixed use and compact development. She noted that its application to the existing bay area envisioned conversions of existing buildings.

Board discussion ensued wherein it was agreed that the absence of minimum floor size requirements was acceptable given the emphasis of the District and the presence of other design/building form standards that would apply.

### 2. Dock Rental Issue (per AGS)

Chairperson Lauderdale referenced enforcement correspondence from Gale (dated June 3, 2015) regarding dock space rental occurring at 737 South Gull Lake Drive. He noted that Gale had requested Board consideration of adding a provision in the Zoning Ordinance that would clearly state that private docks in residential areas may not be rented out to nonresidents of the property.

Following discussion of the matter in June, it was determined that Gale would draft text regarding same for Board consideration in July.

Gale referenced draft text provided that proposes an amendment to the definition of 'Dwelling Unit' set forth in Section 2.2 and an amendment to 17.2 B. – Boathouses and Dock Regulations.

Fry expressed concern that the proposed text does not address docks located off access easements. It was further noted that the proposed text would prohibit dock owners from allowing friends/guests to use their docks on a temporary basis.

Attorney Thall advised that the subject is very difficult and that careful consideration should be given that provisions not be overbroad.

Ezbenko noted that the proposed text is an attempt to provide clarification to an existing standard for both Township residents and the Township Zoning Administrator.

Chairperson Lauderdale encouraged the Board to review the text presented and give thought to the related impacts from making such a change. Consideration of the matter was scheduled to continue at the August meeting.

### 3. Screening Standards

Chairperson Lauderdale stated that the Board had reviewed examples of good screening standards (provided by Harvey) at the May meeting. It had been agreed that the general approach used in Table A. of the Genoa Township Zoning Ordinance was of interest in that it provided both landscaping and screening standards in an appropriate level of detail.

As directed, Harvey had drafted text (using Table A. of the Genoa Township Zoning Ordinance as a reference) for Board consideration.

Following general discussion of the draft text, the Board agreed to postpone discussion of the draft text to the August meeting to allow further review of the material and participation in the discussion by Snyder.

### 4. Sections 21.4 and 18.4 D.4.

Chairperson Lauderdale referenced previous Board discussions wherein it was noted that Section 21.11 – Administrative Site Plan Review was recently adopted and already gives the Zoning Administrator some latitude in the review of site plans and that modifying Section 21.4 T. to be consistent with Section 18.4 D.4. would be consistent with that effort. He noted that Harvey had been directed to draft text accordingly for Board consideration.

Harvey referenced draft text provided that proposes amendments to both Sections 21.4T. and 18.4 D.4. that would allow the Zoning Administrator (or other designee of the Planning Commission) to waive site plan informational requirements pursuant to established criteria.

Scott stated that he supports the proposed changes, noting that it will result in a more efficient site plan review process. He added that the Township Zoning Administrator is qualified to make appropriate determinations on site plan content.

Ezbenko questioned if there should be concern that the applicant may then see the Zoning Administrator as the key in moving site plans forward through the process.

The Board agreed that the proposed changes will streamline the review process but that the review authority will remain with the Planning Commission and that they will serve as a check point in the process.

Scott moved to accept for public hearing the proposed amendments as drafted. Fry seconded the motion. The motion carried unanimously.

## 5. Recreation Plan

Chairperson Lauderdale noted that the Board had been asked to review and prioritize the 'Action Items' set forth in the Recreation Plan so that they may qualify for DNR grants. The Board had agreed in May that Fry would prepare a preliminary prioritization list for Board consideration.

Fry stated that the Township has moved forward with a grant application for the Township Park and should know in September/October if the grant has been awarded.

Accordingly, Fry (and the Parks Commission) will work to complete a recommended prioritization list that aligns with the Park grant for submission to the Board after October.

Scott provided an update on the work of GLAT, noting that they are currently working on obtaining funding for the last segment of the KRVT (to Augusta). He stated that KRVT has asked GLAT to sponsor the effort and to include consideration of a trail network that extends from the August area to Gull Lake as a means of expanding interest/support.

It was agreed that the elements of this effort should also be reflected in the Township's Recreation Plan.

## 6. Conditional Rezoning

As requested, Harvey had provided the Board with the conditional rezoning provision from the Prairieville Township Zoning Ordinance. The Board had agreed to review the sample ordinance in preparation for discussion in July.

Due to the lateness of the hour, discussion of the matter was postponed to the August meeting.

## 7. Watershed Protection Strategies

As requested, Harvey had provided the Board with copies of the Gull Lake Watershed Resource Protection Guidebook developed for Barry Township, Prairieville Township, Richland Township and Ross Township in 2011. The Board agreed to review the Guidebook in preparation for discussion in July.

Due to the lateness of the hour, discussion of the matter was postponed to the August meeting.

### REPORT FROM TOWNSHIP BOARD

No report was provided.

### REPORT FROM ZONING BOARD OF APPEALS

Chairperson Lauderdale stated that the Zoning Board of Appeals did not meet in July.

### MEMBERS, CONSULTANTS, ADVISORS

No comments were offered.

### ADJOURN

There being no further business to come before the Board, the meeting was adjourned at 9:04 p.m.

Respectfully Submitted,

Rebecca Harvey, AICP, PCP  
Township Planning Consultant