

**ROSS TOWNSHIP
PLANNING COMMISSION
MINUTES
October 22, 2018**

CALL TO ORDER/PLEDGE

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

ROLL CALL

Present: Chairperson Lauderdale
Mike Bekes
Russell Fry
Mark Markille
Sherri Snyder

Absent: Greg Pierce

Also Present: Kelly Largent, AGS – Township Zoning Administrator
Bert Gale, AGS – Township Zoning Administrator
Rebecca Harvey – Township Planning Consultant

Chairperson Lauderdale announced that Planning Commission member Victor Ezbenko has submitted his resignation from the Planning Commission, effective immediately.

APPROVAL OF AGENDA

The agenda was approved as presented.

APPROVAL OF PRIOR MEETING MINUTES

The Commission proceeded with consideration of the **September 24, 2018** regular Planning Commission meeting minutes. Bekes requested that his Township Board Report set forth on page 4 be modified so as to clarify the second bullet as follows: ‘Law Enforcement – the contract has been re-signed with the ability to be cancelled with a 90-day notice.’ Bekes then moved to approve the minutes as corrected. Snyder seconded the motion. The motion carried unanimously.

NEW BUSINESS

1. Site Plan Review – 12448 East D Avenue (McCarty)

The next matter to come before the Planning Commission was consideration of the request by Ed McCarty for Site Plan Review of the proposed construction of a 36 ft x 68 ft 2-story addition to an existing building for restaurant use. The subject property is located at 12448 East D Avenue and is within the C-1 Bay Commercial District.

AGS (Largent) provided an overview of the request stating that the proposal will involve the demolition of a small part of the existing convenience store and the construction of a two-story addition that will be used entirely for restaurant use. Referencing the Site Plan Review Report, AGS noted those site plan elements where compliance with Ordinance requirements is in question.

Ed McCarty was present on behalf of the application. He stated that he had no additional comments to offer. In response to questions, the project engineer explained that the property has been designed to manage storm water through both rain gardens and underground storage/discharge. She reviewed the storm water management design set forth on the site plan.

General Planning Commission discussion then ensued regarding the parking proposal. It was noted that 18 existing parking spaces are entirely/partially located within the road right-of-way and that the site plan proposes the retention of said parking. AGS explained that 59 parking spaces are required per Article 18 and that 62 parking spaces are proposed, including the 18 ‘off site’ spaces. Compliance with parking standards of Section 18.1 and 10.6 C. required Planning Commission confirmation.

Bekes suggested that the nine (9) parking spaces located on the south side of D Avenue could be removed and replaced with landscaping. He noted that such an arrangement would create a better waterfront façade and be more compatible with adjacent properties.

Fry, Markille and Snyder expressed support for retaining the 18 existing ‘off site’ parking spaces, indicating that such an arrangement not only provides convenient parking for the convenience store but is not an uncommon arrangement in the area. Snyder added that the C-1 District is intended to promote layouts that can serve as shared parking arrangements.

In response to questions, Harvey stated that the existing parking spaces are not proposed to be altered and so are not required to be brought into compliance with setback or yard coverage requirements applicable within the C-1 District. She further confirmed that the existing 18 parking spaces could be used to meet parking requirements.

Chairperson Lauderdale referenced the application material and the Site Plan Review Report provided on the request. The Commission then proceeded with a review of the application pursuant to Section 21.4 – Site Plan Review (Content). It was noted that the site plan provided all required information.

In consideration of the Site Plan Review Criteria set forth in Section 21.6 and the application of Article 10 – C-1 Bay Commercial District and Article 18 – Supplemental Regulations, the following findings were noted:

1. The proposed on-site storm water management plan should be reviewed by the Township Engineer for compliance with storm water retention requirements.
2. The parking spaces currently located within the D Avenue right-of-way are existing and are not proposed to be altered, with the exception of modifications for barrier free parking. The proposed parking arrangement meets the applicable parking requirements of Sections 18.1 and 10.6.
3. Any proposed signage will be reviewed and approved through the sign permit process.
4. The lighting proposal requires modification to comply with allowed footcandle levels along property lines and reduced lighting requirements during nonoperational hours.
5. Section 18.6 requires the establishment of a Level C buffer between the commercial use and the adjacent C-1 properties, unless reduced or waived by the Planning Commission. It was agreed that the proposed retention of the existing large trees along the east property line provides a buffer sufficient to meet the intent of Section 18.6. It was further agreed that the extreme change in grade between the subject site and the dwelling adjacent to the west rendered an additional ‘buffer’ unnecessary.
6. In consideration of the landscaping requirements set forth in Section 10.6 I., it was determined that the slope and overhead wire in the rear parking area limited landscaping options and that the proposed rain garden met the intent of the parking lot landscape requirement.
7. The proposed building is oriented toward the waterfront and will have an exterior appearance of an ‘older/historic, waterfront building’. It was noted that compliance with the front façade standards set forth in Section 10.6 E. 3. and 4. shall be confirmed at the building plan review stage.
8. The site plan is in compliance with the remaining C-1 District requirements – lot coverage; access; sidewalks; utilities; and, shoreline protection.

Chairperson Lauderdale then moved to grant Site Plan Approval for the proposed construction of a 36 ft x 68 ft 2-story addition to the existing building on the subject site for restaurant use based upon the review findings of Sections 21.4 and 21.6, subject to the following conditions:

1. Township Engineer review/approval.

2. Compliance with the outdoor lighting provisions of Section 18.3, subject to administrative confirmation.
3. Compliance with the front façade standards set forth in Section 10.6 E. 3. and 4. shall be confirmed at the building plan review stage.
4. Proposed signs shall be reviewed/approved through the permit process.

Snyder seconded the motion. The motion carried unanimously.

Chairperson Lauderdale stated that this application represents the first project proposal within the recently adopted C-1 District and that he applauds the quality of the site plan and the collaborative effort between the applicant and AGS.

UNFINISHED BUSINESS

1. Article 15 – Maximum Lot Coverage Requirement (% of Rear Yard) – applicable to Accessory Buildings

Chairperson Lauderdale noted that Planning Commission discussion was held in August and September regarding the ‘rear yard’ lot coverage standard and how the ‘yard’ definitions are applied to through lots, corner lots, waterfront lots, standard lots and vacant lots. He stated that the following related Ordinance amendments are currently under consideration:

- the proposed addition of Note #15 to Article 15 to clarify what portion of an accessory building is counted in calculating % rear yard coverage;
- the addition of 18.4 E.2. to provides adequate guidance in approving the location of an accessory building on a vacant lot; and
- the addition of a diagram that illustrates the definition of ‘front yard’, ‘side yard’, and ‘rear yard’ on those lot types defined in the Ordinance (corner lot, double frontage lot, interior lot, waterfront lot).

Harvey presented the requested ‘lot’/‘yard’ diagram, providing an overview of the diagram elements and how they illustrate relevant Ordinance definitions.

She explained that the ‘corner lot’ diagram reflects how the ‘rear yard’ definition is currently being applied by AGS. Harvey opined that the alternate definitions of ‘side yard’ and ‘rear yard’ set forth in Section Three of the memo presented by Markille would be more consistent with the ‘yard area’ represented on the diagram and should be added as proposed amendments.

AGS acknowledged the assistance provided by the diagram and noted that the proposed amendments will adequately address the issues previously raised.

Planning Commission discussion ensued wherein support for the diagram and proposed amendments was expressed. Harvey was directed to complete the following for final review in November:

- revise the draft text to incorporate the modified definitions of ‘side yard’ and ‘rear yard’;
- revise the ‘front yard’ label on the diagram for the corner lot and double frontage lot in consideration of the definition of ‘front lot line’; and,
- add a corner waterfront lot to the diagram.

2. Discussion – RT/RC Resort/Recreation District

Chairperson Lauderdale stated that in August Harvey was directed to have a rendering (drawing) prepared that would illustrate how the application of the design standards of the proposed RT/RC District might look on a parcel . . . similar to what was prepared in the review of the C-1 Bay Commercial District. He noted that the rendering is ready for presentation.

Chairperson Lauderdale further reminded that the Planning Commission had expressed support for open public discourse on the draft text once the rendering was prepared. He noted the hour and requested Planning Commission support for extending the meeting beyond 9:00 to accommodate a presentation of the rendering and to receive public comments/questions on the proposed district. The Planning Commission expressed support to extend the meeting.

Harvey then presented the RT/RC District rendering, highlighting the use elements and design features represented in the drawing.

Fry expressed concern that the description of the ‘Mixed Use Resort’ included reference to a ‘casino’. Harvey explained that the use description was developed from sample ordinances and definitions and was certainly subject to refinement. It was agreed that a ‘casino’ is not seen as an appropriate use for the proposed district and should be removed from the text.

Chairperson Lauderdale then invited public discussion on the proposed RT/RC District. The following questions/comments were offered:

- Is the proposed district designed to address an identified problem in the Township? The Planning Commission responded that the RT/RC District is designed to allow opportunity within the Township for destination-type uses with design controls.
- How would the proposed district be applied to property within the Township? Harvey explained that property would first need to be rezoned to the RT/RC District . . . and then the use proposal would be subject to Planning

Commission review/approval. She confirmed that both rezoning and special land use requests require a public hearing which includes an opportunity for public comment.

- The proposed district setbacks do not seem adequate . . . how were they developed? The Planning Commission responded that the proposed setbacks are the same as those applied within the Industrial District, which are the most restrictive currently established in the Ordinance.
- In response to a question, it was confirmed that the uses allowed within the proposed RT/RC District must be in association with an ‘outdoor recreational facility’.
- Has there been a study conducted that would indicate the Township has the necessary assets to warrant destination-based development? Fry referenced the recently completed Ross Township Parks & Recreation Plan wherein the many natural and recreational assets of the area are identified.
- The Ross Township area is definitely a ‘destination’ location . . . given the presence of Gull Lake, Fort Custer, the golf course, the car museum, and local riding stables. This is a beautiful area with growing opportunity.
- The proposed zoning district is a good idea; similar districts are working in other areas.
- Jon Scott offered the following comments:

: Ross Township has always been a resort community . . . with a history of trains bringing visitors from urban centers for summer living.

: The land use patterns indicative of resort areas do not fit into the existing zoning districts; they are too limiting. The proposed district allows for the desired mix of uses and strengthens the area by directing short-term residential land use to planned areas instead of to single family neighborhoods.

: An economic study was recently completed – ‘Estimating the Economic Impacts of Gull Lake View Golf Club and Resort’. A few findings were noted in explanation of the value of destination-based development:

- The Resort adds an estimated 250 jobs to Kalamazoo/Calhoun Counties.
- Resort activities helped to increase gross domestic product by \$7.4 million.
- The Resort added \$4.4 million in personal income and \$12.9 million in gross output (sales/receipts).

: The golf course is the highest tax payer in the Township.

: The golf course represents a limited burden on Township services as compared to taxes paid.

: There are also secondary impacts to the Township's economy, as well as the regional impact of the golf course.

- The proposed district should require all structures to be LEED certified.
- Will the proposed district serve to enrich the Township and not negatively impact the natural environment?
- Where is the proposed district envisioned to be located? The Planning Commission responded that the Master Plan will provide guidance on locational indicators and appropriate conditions/locations.
- What kind of camping will be allowed in the permitted 'campgrounds'? Harvey noted that campgrounds are largely regulated by the State and that the Ordinance requires compliance with those codes. She confirmed that 'campgrounds' are allowed within the R-R Rural Residential District currently.
- The creation of a new district represents a loss of control that currently exists within the existing districts.
- The proposed district represents an appreciated approach to trying to get uses to work in the Township.

No further public discussion was offered.

3. Master Plan Update

Due to the lateness of the hour, a progress report on the update of the Master Plan was not offered.

4. Watershed Protection Strategies

The matter continues to be 'on hold' at this time.

5. Sign Ordinance

The draft sign ordinance remains 'on hold'.

REPORT FROM TOWNSHIP BOARD

Due to the lateness of the hour, a Township Board report was not offered.

REPORT FROM ZONING BOARD OF APPEALS

Due to the lateness of the hour, a Zoning Board of Appeals report was not offered.

PUBLIC COMMENT

No public comment was offered.

MEMBERS, CONSULTANTS, ADVISORS

No member or staff comments were offered.

ADJOURN

There being no further business to come before the Commission, the meeting was adjourned at 10:00 p.m.

Respectfully Submitted,
Rebecca Harvey, AICP, PCP
Township Planning Consultant