

**CORRECTED MINUTES OF THE COOPER CHARTER TOWNSHIP
PLANNING COMMISSION HELD ON TUESDAY, JANUARY 12, 2016**

A meeting of the Planning Commission of Cooper Charter Township was held on Tuesday, January 12, 2016, at the Cooper Charter Township Hall, 1590 West D. Avenue, Kalamazoo, Michigan.

Members Present: Asselmeier, Boekhoven, Corke, Frederick, Reynolds, Stehouwer.

Members Absent: Janssen

Also Present: Anne Seuryneck of Foster, Swift, Collins & Smith, attorneys for Cooper Charter Township; Russ Wicklund, Township Planning Consultant; Applicant, Tom Earley of Earley & Associates, Mr. Earley's Associate, Drew Kastran, and Scott Musser with Delta Design.

Chairman Asselmeier called the meeting to order at 7:00 p.m.

Agenda Item

A motion to accept the Agenda as printed was made by Comm. Stehouwer and supported by Comm. Reynolds. Motion carried 6-0-1, with one member absent.

Review and Approval of Minutes

A motion to approve the Minutes of the November 10, 2015, meeting was made by Comm. Reynolds, supported by Comm. Corke. Motion carried 6-0-1, with one member absent.

A motion to approve the Minutes of the Special Planning Commission meeting on November 20, 2015, was made by Comm. Reynolds, supported by Comm. Corke. Motion carried 6-0-1, with one member absent.

Citizen Comment

No citizen comment.

Request for a Special Exception Use Permit by Tom Earley for Parcel Number 3902-21-101-017, Douglas Avenue.

The Applicant, Tom Earley, stated Earley & Associates is a concrete company on Ravine Road, which has been in business since 1991. Their company continues to grow and needs a new location. They have a signed sales agreement on 10 acres of property on Douglas Avenue and, if granted a special use permit, are going to purchase the land to build an approximately 15,000 square foot building, with approximately a 3,000 square foot office, with 12,000 square foot of indoor storage and two acres of outdoor storage. The back five acres would remain vacant for now.

Township Planner, Russ Wicklund, was asked to give an overview of the project. He stated that this is a request for both a contractor's workshop, which is one special use, and outdoor storage, which is another listed special use. This property does not abut a residential zone and is within

the CBD. The properties to the north and south are also in the CBD. The property to the east is the five acres referenced by Mr. Earley, which they will continue to own and possibly lease back. Tonight, they need the approval of the special use. There may be some issues regarding modifications to the site plan based upon the special use conditions, as well as stormwater calculations detailed on the site plan.

Comm. Corke asked the Applicant how the five acres were going to be utilized (i.e. dumping area for concrete). Mr. Earley stated that they do not plan on storing any rubble or comparable material in that area. Any materials they have like broken concrete or rubble, are recycled immediately. The outdoor storage would be used for equipment, rebar, wire mesh, and building materials.

Comm. Frederick asked what the current zoning designation is for the property since it is located within the CBD. Mr. Wicklund stated that within the CBD, there is a listing of uses which included C1 uses and C2 uses, which is what this property and these special uses fall under. They fall under the designation of contractor's workshop, which is a mix of needing storage, as well as office space. Mr. Frederick confirmed with the Applicant that no retail sales would take place. Currently there are 35 employees, only six of which would work out of the office every day.

In response to the Chairman's request for recommendation, Mr. Wicklund briefly outlined the issues. The first issue is outdoor storage. The Applicant has proposed pine trees to screen the outdoor area. Due to the ownership of the surrounding properties, the screening issue should not create any problems. He also stated that there is plenty of land to deal with their storage issues. Comm. Frederick asked whether Mr. Wicklund thought that the contractor's workshop was going to be a good fit for that area, to which Mr. Wicklund stated that it already is a good fit. Next followed a brief discussion regarding the types of materials that could be used for screening (i.e., trees, fencing, berms). The Applicant stated that if the Commissioners would prefer a berm, they have enough fill dirt to create a berm. Comm. Stehouwer commented on the view off Douglas and stated he would prefer the use of trees to create a natural break off of the street.

Chairman Asselmeier asked Attorney Seuryneck how the Commission should address the issue of rubble on the back of the property. She stated that that issue could be a condition to the special use permit. If it is a site plan issue (screening), then that would be addressed as part of the site plan review. However, rubble on the property or the height of storage could be a condition of the special use permit.

The Commissioners were of the general opinion that they would prefer a height limit of 16 feet be added as a condition to the special use permit.

A motion to approve the contractor's workshop special use permit was made by Comm. Corke and supported by Comm. Reynolds. Motion carried 6-0-1, with one member absent.

A motion to approve the special exception use permit for outdoor storage with the following conditions: (1) a sixteen foot height restriction; and (2) some form of natural screening from the building going east, was made by Comm. Corke, supported by Comm. Frederick. Motion carried 6-0-1, with one member absent.

Discussion of Survey Questions and Master Land Use

Mr. Wicklund next discussed the survey results. It appears there was about a 10% return of the surveys. When looking at the Master Plan, it appears that the issues brought out by the survey that require more discussions on the part of the Planning Commission in terms of potential direction within the long term, the majority of people are pretty happy in the Township. If people are generally happy in the Township, that usually drops the survey responses down. Conversely, if people are unhappy or there are hot button issues, the survey responses tend to go up. Mr. Wicklund suggested he take the survey results, analyze them, take the demographics and put those two together and then bring the results back to the February meeting. At that time, the Planning Commission can decide if it wants to give a presentation of the survey results at a public meeting and have a discussion at the public meeting about the survey results. A discussion of the survey results was a request made by many who responded to the survey.

Mr. Wicklund noted the following with respect to the responses: (1) low on younger residents; (2) higher on the demographics 45-64 and 65 and over; (3) 39% were retired; (4) 95% lived in single-family residences; (5) priority of future development - the highest percentages of most important items were recreational open space, single family dwellings and agricultural; least important were industrial, multi-family residential and commercial. Because there are issues related to zoning for agricultural lot sizes, the highest number supported 10 acre minimums, but the median was somewhere between 5 and 10 acres. Right now, there is a one-half acre minimum. With respect to types of business, two-thirds responded that they didn't want any new businesses. Regarding special assessments, the people were most supportive of road maintenance, dead tree removal and sewer and water. Regarding additional millage – 73% felt they could support additional millage for fire; 57% for additional sheriff/road patrols. One item which will come up in future discussions of the Master Plan is non-motorized trail improvements along D Avenue from the river to the CBD. On the downside, 73% did not want to see new industrial development and 60% thought there was traffic congestion. Some of the positive comments were: great location, close to everything but rural in nature, love living here, peaceful, love the schools, and like the services available. Some expressed concerns for lack of enforcement of other ordinances (i.e. junk vehicles, litter) and a poor response rate for law enforcement. Mr. Wicklund will compile the survey information and provide a copy to each Commissioner to review prior to the February meeting.

New Business

Comm. Frederick stated that it had come to his attention about three weeks ago of the misuse of the survey cards by someone on the Planning Commission. A resident of Coopers Landing had one of the survey cards, which was signed by Comm. Reynolds, put in her mailbox. The resident felt this had been done for political gain. Comm. Frederick tried to reassure her that that was not the intention of the Board and they did the survey to get an idea of how the Township residents felt about Township matters. The survey cards were Township property. Comm. Frederick questioned whether it was an unethical or unlawful use of Township property.

Comm. Reynolds stated that starting in November, he handed out survey cards in the Springbrook and D Avenue areas, all of the businesses in the Cooper Business District, the businesses along Riverview, the schools and talked to the superintendent and principals, Parchment Library, and Coopers Landing. A lady at the Borgess Fitness Center asked about the survey and Comm. Reynolds gave her about 12 cards. His understanding is that she placed a

couple of the cards in some mailboxes. The post office spoke with Jeff Sorensen, who in turned talked to Comm. Reynolds, which he then explained how the card got into the mailbox. When questioned by Chairman Asselmeier, Comm. Reynolds stated he had written his name on the cards so that they could contact him if they had any questions. Chairman Asselmeier stated he would contact the Administration and see if they want to proceed any further. Comm. Stehouwer stated he felt that by giving someone a survey card, that action would hopefully encourage that individual to fill out the survey, whether the survey card was signed or not. Comm. Frederick stated he handed out a lot of cards too, but didn't put his name on them. Just handing out the cards was to remind them to fill out the survey.

Old Business

None.

Adjournment

A motion to adjourn the meeting was made by Comm. Boekhoven, supported by Comm. Stehouwer. Motion carried 6-0-1, with one member absent.

79620:00001:2548546-1