

MINUTES OF THE COOPER CHARTER TOWNSHIP
PLANNING COMMISSION HELD ON TUESDAY, MAY 14, 2019

A meeting of the Planning Commission of Cooper Charter Township was held on Tuesday, May 14, 2019, at the Cooper Charter Township Hall, 1590 West D. Avenue, Kalamazoo, Michigan.

Members Present: Asselmeier, Boekhoven, Bricker, Corke, Crosby, Frederick, and Fooy.

Members Absent: None.

Also Present: Laura Genovich of Foster, Swift, Collins & Smith, attorneys for Cooper Charter Township; Russ Wicklund, Township Planning Consultant; Applicant, Jon Good.

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

I. Agenda Change

Boekhoven moved to modify the Agenda to reflect a public hearing. Supported by Corke. Motion carried unanimously, 7-0-0.

II. Approval of Minutes

Bricker moved to approve the minutes of the March 12, 2019 meeting, as printed. Supported by Crosby. Motion carried unanimously, 7-0-0.

III. Public Comment

None.

IV. Public Hearing

Frederick moved to open the public hearing. Supported by Corke. Motion carried unanimously, 7-0-0.

A public hearing was held regarding the application for a text amendment to the Cooper Charter Township Zoning Ordinance submitted by Jon Good of Portage, Michigan. The proposed amendment would add “Event Centers” as a special use in the “R-1” Rural Residential District, subject to certain conditions proposed in the application.

Mr. Good informed the Planning Commission that he wishes to start a wedding/event center in Cooper Charter Township. He wishes to capitalize on the trend of having events in rural areas. He anticipates constructing a commercial building (rather than a barn), which would be ADA-compliant and include a fire suppression system, proper grading, and proper egress lighting.

The Chairperson solicited comments from the public. No comments were made.

Frederick moved to close the public hearing. Supported by Corke. Motion carried unanimously, 7-0-0.

V. Deliberations on Application for Text Amendment

Frederick requested clarification that the applicant is not seeking a variance or site plan approval. Planning Consultant Wicklund stated that the applicant is requesting a text amendment. The Planning Commission will make a recommendation to the Township Board either supporting or recommending against the proposed amendment, but the Township Board will take the final action to approve or disapprove the amendment. If the amendment were approved, then Mr. Good could apply for a special use permit for specific property in the R-1 district, which would require a site plan and another public hearing specific to that property.

Planning Consultant Wicklund suggested that the Planning Commission discuss whether the proposed text amendment, allowing event centers, is appropriate for the R-1 district.

Corke asked whether this would apply in the entire R-1 district. Planning Consultant Wicklund answered yes, and noted that the Planning Commission could recommend changes to the applicant's proposed conditions.

Corke expressed concerns about the potential noise from event centers and its impact on the R-1 district. Bricker noted that he was undecided as to whether this use belongs in R-1 or in a commercial district.

Asselmeier asked whether this text amendment would open the door to other commercial enterprises in residential districts. Planning Consultant Wicklund advised that the text amendment request is limited to the use and conditions proposed in the application. Planning Consultant Wicklund noted that the rod and gun club is located in the R-1 district, although it may have been a prior lawful nonconforming use.

Crosby noted that the conditions would create a "buffer" around the event center.

Boekhoven stated that the proposed amendment would fit with what other communities are doing, but that the 12:00 cut-off time for amplified sound may be too late. He believes other communities require that sound be cut off at 10:00 or 11:00 PM. Frederick agreed that residents would not want to hear noise that late.

Corke stated that 25 acres is not very big and that the noise will carry, meaning that the cut-off time for amplified sound should be earlier. He questioned who will police the ordinance.

Crosby asked how many parcels in the R-1 district would exceed 25 acres (the proposed minimum area for an event center). Planning Consultant Wicklund estimated that 80-90% of parcels would be excluded by the minimum acreage requirement.

Fooy expressed concerns about traffic and noise and asked whether Mr. Good would have receptions outdoors.

Attorney Genovich clarified that Mr. Good was proposing a text amendment that is not specific to any one parcel or event business.

Bricker expressed concern about allowing commercial uses in a residential district.

Planning Consultant Wicklund said that events in agricultural areas are gaining popularity.

Frederick responded that the Township recently did a survey in connection with its master plan updates and that people like the Township's rural feeling and do not want the Township to be crowded. Frederick believes the event centers would be busy every weekend.

Fooy expressed concern about making residential parcels landlocked by commercial uses. Crosby suggested increasing the minimum acreage requirement. Boekhoven agreed with increasing the minimum acreage requirement.

Bricker responded that he is not comfortable with the use being in the R-1 district at all because people move to the Township to get away from busier areas. If the use is commercial, then it should be in a commercial zoning district. Bricker believes that the survey shows the "flavor of the community."

Crosby noted that it could bring additional tax revenue.

Corke said he would be more comfortable with a 50 acre minimum and that the noise cut-off should be 10:30 PM at the latest.

Asselmeier stated that he makes no judgment about the value of the business, but he opposes placing commercial event centers in a residential district because of the traffic, noise, and possible alcohol-related issues.

MOTION: Crosby moved to recommend that the Township Board of Trustees adopt the proposed text amendment, except with the following changes to the proposed conditions: (1) minimum of 50 acres required; (2) maximum building size of 5,000 square feet; and (3) no sound amplification after 10:00 PM. Supported by Boekhoven. Roll call vote:

Corke:	No.
Bricker:	No.
Frederick:	No.
Fooy:	No.
Boekhoven:	Yes.
Crosby:	Yes.
Asselmeier:	No.

Motion failed, 2-5-0.

MOTION: Frederick moved to recommend that the Township Board of Trustees deny the proposed text amendment. Supported by Corke. Roll call vote:

Corke:	Yes.
Bricker:	Yes.
Boekhoven:	No.
Fooy:	Yes.
Crosby:	No.
Frederick:	Yes.
Asselmeier:	Yes.

Motion carries, 5-2-0.

VI. Commissioner Comments

The Commissioners discussed their struggles with the proposed text amendment and discussed what draws people to Cooper Township.

A motion to adjourn the meeting was made by Boekhoven, supported by Fooy. Motion carried unanimously, 7-0-0.

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