

**ROSS TOWNSHIP
PLANNING COMMISSION
MINUTES
March 22, 2021**

CALL TO ORDER/PLEDGE

Chairperson Lauderdale called the regular meeting of the Ross Township Planning Commission to order at 6:00 p.m. The Planning Commission meeting was conducted through electronic remote access.

ROLL CALL

Present: Chairperson Lauderdale
Michael Bekes
Mark Markillie
Steve Maslin
Michael Moore
Pam Sager
Sherri Snyder

Absent: None

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

APPROVAL OF AGENDA

The agenda was approved as presented.

APPROVAL OF PRIOR MEETING MINUTES

The Commission proceeded with consideration of the **February 22, 2021** regular Planning Commission meeting minutes. Sager requested the last bullet comment made by Sager on page 5 be corrected to read ‘Section 8 – page 5 – should it be ‘review’ or ‘rewrite’ Plan’. Bekes moved to approve the minutes as corrected. Maslin seconded the motion. The motion carried unanimously.

NEW BUSINESS

1. 2021-2022 Planning Commission Meeting Schedule

Bekes moved to adopt by resolution the proposed 2021-2022 Planning Commission Meeting Schedule. Sager seconded the motion. The motion carried unanimously.

Attorney Thall indicated he would forward the adopted Resolution to the Township for the appropriate signature.

2. Election of Officers

Bekes moved the nomination and election of Lauderdale as Planning Commission Chairperson for the 2021-2022 fiscal year. Snyder seconded the motion. The motion carried unanimously.

Chairperson Lauderdale thanked the Commission for the opportunity to continue to serve the Commission as its Chair.

Snyder moved the nomination of Markillie as Vice Chair for the 2021-2022 fiscal year. Markillie respectfully declined due to employment-related work load and scheduling.

Markillie then moved the nomination of Snyder as Vice Chair for the 2021-2022 fiscal year. Bekes seconded the motion. Sager moved the nomination of Moore as Vice Chair for the 2021-2022 fiscal year. Maslin seconded the motion. Snyder was elected as Vice Chair for the 2021-2022 fiscal year on a vote of 4 to 3, with Maslin, Moore and Sager casting votes for Moore.

Sager moved the nomination and election of Moore as Secretary for the 2021-2022 fiscal year. Snyder seconded the motion. The motion carried unanimously.

It was noted that the Planning Commission Bylaws authorize the use of a recording secretary.

3. 2020-2021 Planning Commission Annual Report

Chairperson Lauderdale provided an overview of the draft Annual Report initially provided to members in March. Moore thanked the Chair for a well-done and thorough report.

In discussion of the 2021-2022 Work Plan set forth in the Report, support was expressed for Work Plan Item #3 – Conduct a technical review of the Zoning

Ordinance; Proceed with Zoning Ordinance amendment work plan (generated by the technical review), noting it represents a pro-active approach to planning in the Township.

In response to questions raised regarding Work Plan Item – ‘address the ‘fence’ definition as related to sight lines’, Bekes explained that Township Board discussion of the ‘fence’ issue resulted in a request that the Planning Commission consider an approach to regulating fencing that considers: the differences between waterfront and non-waterfront lots; vegetative fences; and sight lines (viewsheds).

There was general agreement on the Work Plan as drafted, with Planning Commission members noting that the Work Plan was complete and there were no suggested edits/additions.

Chairperson Lauderdale agreed to finalize the Annual Report/Work Plan per the discussion for Planning Commission action in April.

4. Site Plan Review – The Bluffs at Gull Lake

The next matter to come before the Planning Commission was consideration of the request by Matthew Callander for site plan review of a proposed multi-family development. The subject 23.7-acre site is located on the north side of M-89, opposite the Ross Township Hall, and is within the R-3 District.

Harvey referenced the staff report prepared in review of the proposed site plan. She noted that, due to the nature and scope of the proposed development, the project proposal was reviewed both by the Township Zoning Administrator (for site plan content) and the Township Planning Consultant (for project design), with both reviews being incorporated into the staff report.

Harvey then provided a summary review of the proposed site plan, highlighting the following:

- The proposed multi-family land use is a ‘permitted use’ within the R-3 District; site plan review of the project is required.
- The subject property is largely adjacent to R-3 and C-1 zoning.
- From a zoning perspective, key elements of the project design include:
 - : project access is limited to M-89
 - : Phase 1 of the project (48 d.u.) represents a density of development of 2 d.u./acre, similar to that of the nearby R-1 zoning; the R-3 District allows a density of 8 d.u./acre

: the site plan reflects 93% open space, much of which serves to preserve the site's sensitive natural features

: pedestrian access to the commercial bay area is proposed in the southeast portion of the development where the property abuts C-1 zoning . . . such pedestrian access is consistent with the area's walkability objectives set forth in the C-1 District/Master Plan

: the features of the site (changes in grade; existing vegetation), the existing Consumers Energy easement along M-89, proposed setbacks, and proposed building orientation/parking lot location have been used to buffer those portions of the property adjacent to R-1 zoning and near M-89

- The requirements of the R-3 District (Section 8.4) are met, with the exception of the proposed floor area of the 1 BR units.
- The design standards applicable to Multiple Family Dwellings (Section 8.5) are met.
- The Site Plan Review Criteria (Section 21.6 B.) are met, with compliance with buffer zone, barrier-free parking, and outdoor lighting standards to be determined.

Paul Schram of Wightman, project engineer, was present on behalf of the application. In response to a question, he confirmed the working project title to be The Bluffs at Gull Lake.

Referencing the site plan and building elevations, Schram provided the following additional detail regarding the proposed development:

- A survey of the property has been completed and the property boundaries confirmed as required.
- The subject property does not have access to Gull Lake, but is provided wonderful views of the lake.
- The project will be served by public sewer and a Type 1 water supply.
- The proposed M-89 access has been located opposite the Ross Township Hall driveway in support of access management objectives.
- The proposed pedestrian access is a highly desired element of the project and efforts to use adjacent Township-owned property to facilitate that connection to the C-1 zoned area are being pursued.
- The buildings have been modified to comply with the Township's 1 BR minimum floor space standard.

Chairperson Lauderdale inquired as to build-out plans for the property, noting that the current site plan is for 'Phase 1'. Schram explained that a large portion of the property is not developable due to grade, soil conditions, etc . . . but that the current assessment indicates that a second phase of 4 additional 12-unit buildings may be possible.

Chairperson Lauderdale also requested clarification of the reference in the proposal to the use of ‘municipal water’ on the site. Schram stated that the current proposal is for a Type 1, State-regulated water supply, which is considered a ‘municipal’ water supply. He noted that it is likely that there will be a contractual arrangement with the GLSWA for the operation of the water supply.

Bekes requested additional information regarding the ‘Township-owned property’ referenced in the pedestrian access discussion. Schram identified the property of interest, noting its adjacency to the project site, and its potential as a location for the pedestrian access (pathway) connection to the bay commercial area.

Snyder commented that the proposed design elements of the project, namely its communal spaces and pedestrian connectivity, are great examples of ‘placemaking’ and can serve to attract the talent workforce demographics. She added that the overall design seems to take advantage of the assets of the property.

In response to a question from Gale, Schram confirmed the location of the ‘well house’, proposed to be located west of the parking lot and ‘tucked back’ into the area.

Moore noted support for the proposed M-89 access. He questioned the application of the Fire Department review comments. Harvey confirmed that the applicant will need to make site plan revisions required by the reviews of the Township Fire Department and Engineer.

Schram noted that he is comfortable in the ability to respond to the review comments of the Township Fire Department and Engineer given the design flexibility offered. He acknowledged that there are still design elements in play as they continue to work with MDOT, Consumers Energy, and GLSWA.

Markillie requested confirmation that the proposed project design will effectively direct storm water runoff away from D Avenue. Schram acknowledged that to be the intent of the design. Markillie also commented that he supports locating the pedestrian access closer to the C-1 area and suggested it could be included in a larger pathway network for the Gull Lake area.

Schram provided additional detail regarding the proposed water supply, explaining that an impact study (which will include monitoring wells) will occur to determine the impact of the draw on the aquifer. He also noted that the pedestrian pathway will likely be pervious, as desired. For clarification, he offered use details of the ‘storage lot’ (accessory vehicle storage for project residents only) and the small storage shed in the communal area (recreational equipment).

Chairperson Lauderdale questioned how approved buffer zones would be protected during construction. Gale advised such would be achieved through AGS inspections.

With no further Planning Commission questions/comments, Chairperson Lauderdale moved to grant Site Plan Approval of Phase 1 of The Bluffs at Gull Lake on the subject property, based upon the review findings of Section 8.4 – R-3 District; Section 8.5 – Multiple Family Dwellings; Section 21.4 – Site Plan Content; and, Section 21.6 – Site Plan Review Criteria, conditioned upon the following:

1. The site plan information required by Section 21.4 I. is waived per Section 21.4 T.
2. The floor area of the 1 BR units shall be increased to comply with the 750 sq ft minimum floor area/dwelling unit requirement.
3. The use of existing natural features/vegetation/grade to meet buffer zone requirements along the east property line is approved. Specifically:
 - the proposed 30 ft wide buffer zone of existing woodlands and grade difference along a portion of the property’s east border is approved as an Equivalent Buffer Zone to the Buffer Zone C Requirement; and
 - the proposed 20 ft wide buffer zone of existing woodlands and grade difference along a portion of the property’s east border is approved as an Equivalent Buffer Zone to the Buffer Zone B Requirement.
4. Five (5) barrier free parking spaces shall be provided.
5. The proposed sharp cut-off light fixtures are approved and the proposed light levels set forth in the lighting plan determined to be consistent with the lighting standards of Section 8.5 and the intent of the lighting standards of Section 18.3 C.1.
6. Approval shall be subject to Township Engineer review/approval.
7. Approval shall be subject to Township Fire Department review/approval.

Moore seconded the motion. The motion carried unanimously.

UNFINISHED BUSINESS

1. Master Plan Update

Harvey reported that she recently received the Existing Land Use data/map from Kalamazoo County and is proceeding with incorporating the remaining edits into the final draft of the Plan for submission to the Township Board (and Planning Commission).

REPORT FROM TOWNSHIP BOARD

Bekes reported that the Township Board has completed work on the budget, with road improvement costs for the year budgeted at \$196,000. He reiterated the Board's recent discussion of the fencing/viewshed issue.

REPORT FROM ZONING BOARD OF APPEALS

Chairperson Lauderdale reported that the ZBA met on March 3, 2021 and considered variance requests from applicable setback and lot coverage requirements for the replacement of a nonconforming dwelling on a nonconforming waterfront lot, noting the proposed setbacks were to be less nonconforming than the current setbacks. The variances were granted after findings of justification per Section 23.8.

PUBLIC COMMENT

Chairperson Lauderdale reported that 17 letters/emails were received since March 19, 2021 regarding the issue of 'fencing'. He advised that all letters have been provided to the Ross Township Office, Township Attorney, Township Planning Consultant, and all members of the Planning Commission.

Stephanie Walbridge thanked the Planning Commission and Chairperson Lauderdale for the leadership in pursuing the protection of lake views/sight lines/viewsheds in the Township. She stated that the related Ordinance provisions are long-standing and only require enforcement . . . but added that she supports a review of Section 17.3.

Tim Walters stated that Kalamazoo County GIS indicates approximately 5 acres of wetlands are present on the property just approved for multiple family development. He questioned if the approved plans would adequately protect the wetlands.

Bill and Carol Ticknor thanked the Planning Commission for its work on the fence issue. They noted that Section 17.3 C. clearly speaks to horizontal viewsheds on waterfront properties, and that both Section 17.3 and the fence standards are upheld by the Master Plan. They added that viewshed issues are pronounced on cove properties.

Bob Baker stated that lake views are important and require a joint effort by waterfront property owners. He noted the importance of Township protections and enforcement in addressing selfish acts by waterfront property owners.

Bill English noted his agreement, stating that 'lake life' occurs in close quarters and community ordinances and enforcement are sometimes required.

MEMBERS, CONSULTANTS, ADVISORS

Moore stated that he recently visited the waterfront properties where the fencing issue has been raised and found it very eye-opening. He encouraged all Planning Commission members to view the situation first-hand prior to the scheduled discussion on the subject. Chairperson Lauderdale and Bekes acknowledged similar visits and supported Moore's statements.

Chairperson Lauderdale complimented the Planning Commission, Township staff, and applicant regarding the review of the multiple family development proposal. He felt the review process occurred seamlessly and demonstrated the value of cooperation/communication between Township staff.

ADJOURN

There being no further business to come before the Commission, the meeting was adjourned at 7:43 p.m.

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