

**ROSS TOWNSHIP
PLANNING COMMISSION
MINUTES
March 28, 2022**

CALL TO ORDER/PLEDGE

Chairperson Lauderdale called the regular meeting of the Ross Township Planning Commission to order at 6:00 p.m. at the Ross Township Hall.

ROLL CALL

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

Absent: Michael Bekes

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 then proceeded with consideration of the **February 28, 2022** regular Planning Commission meeting minutes. Moore moved to approve the minutes as presented. Maslen seconded the motion. The motion carried unanimously.

NEW BUSINESS

1. Public Hearing – Special Land Use Permit/Site Plan Review (Sanctuary at St Ann)

The next matter to come before the Planning Commission was consideration of a request by Joe Gesmundo, representing Sanctuary at St. Ann, for Special Land

Use Permit/Site Plan Review of a spiritual nature park and trail to include a ‘Stations of the Cross’. The subject property consists of approximately 72 acres located generally at 8000 N. 39th Street and is intended to be an extension of the St. Ann Catholic Church. The subject property is within the R-1 and R-3 Districts.

Chairperson Lauderdale opened the public hearing.

Referencing the March 28, 2022 Sanctuary at St. Ann Staff Review, Harvey provided an overview of the zoning review of the proposal.

Joe Gesmundo, representing the application, introduced the project team from St. Ann Church, and acknowledged the work of the professional design team and 17 families providing funding for the project. He further expressed thanks for the input that was provided by the neighbors of the project site in the two (2) neighborhood meetings recently held.

Gesmundo then gave a presentation of the project, detailing the following:

- Project vision: spiritual, art-focused nature park.
- Project site totals 110 acres, including the land area occupied by St. Ann Church.
- History of the project site: a portion of the property has been for sale for 30 years; initially the Church interested in purchasing 10 acres for buffering; more recently the Church has been interested in playfield/sanctuary/cemetery use options; 72 acres purchased with one (1) year option to allow time to secure funding; funding has been secured and project design initiated.
- Stations of the Cross project element: 14 (approximately 8 ft x 15 ft) stations; 1 ¼ life-size bronze sculptures; average of 4 characters per station; ½ mile walking trail; stations visually separated for spiritual visit.
- Site Plan Sheet C-1 – overall project plan/property improvements; walking trail routes; proposed fencing around the Stations of the Cross (inside the project site) for security; small maintenance facility noted as ‘future’.
- Site Plan Sheet C-2 – detail of welcome center/parking area; parking proposal to include a circle drive and options for expansion; parking areas fit into grade and existing pine tree buffers; buses will drop off at the welcome center and park at the church; facility entrance/exit will go through welcome center; welcome center to have small gift shop.

Gesmundo stated that as a result of the Planning Commission’s Sketch Plan review of the project conducted in February, 2022, he relocated the fence/gate to include the parking lot and held two (2) neighborhood meetings, as suggested. He noted that as a result of the neighborhood meetings held on March 15 and March 17, he has gathered additional information and made further refinements to the site plan to respond to concerns. Specifically:

- Speed Limit - County-obtained traffic counts on 39th Street are low and will not warrant an automatic speed limit review, however, he is willing to participate with the neighborhood in requesting a lowering of the speed limit.
- Traffic - 40 visits/day (= 20 vehicles/day) are estimated based on the trip generation rates of the Cloisters on the Platte in Omaha over a multiple-year time frame.
- Natural Habitat – a key objective of the ‘nature park’ is the preservation of the site’s natural features. Some tree removal will be needed to establish trails and stations but 10 x the number of trees removed are proposed to be planted.
- Lot Coverage - the R-3 District allows 30% lot coverage; the R-1 District allows 20% lot coverage; a 1-acre residential site provides an average of 8-20% lot coverage; Sanctuary at St. Ann is designed to provide less than 1% lot coverage; no other allowed use in these districts would result in such minimum lot coverage.
- Lights - some neighbors expressed concern regarding the outdoor lights at St. Ann Catholic Church; though not an element of the project currently under review, the church has retained a lighting engineer to address the lighting complaints.
- Fence - some neighbors objected that the fence proposed to enclose the Stations of the Cross will block wildlife in the area from accessing the pond on the site; studies predict that there will be a positive impact on the bird population due to fewer predators . . which will also increase the growth of fruit bearing plants both inside/outside the fenced area.

Chairperson Lauderdale inquired if visitor programming was still being considered. Gesmundo confirmed that they do intend to manage visitation at the site much like is done at a golf course.

Chairperson Lauderdale then noted that two (2) letters of support had been received and were provided to Planning Commission members.

Joanne Mort inquired as to the nature of the proposed fencing. Gesmundo responded that the fence will be wrought iron and likely 6 ft in height.

Doug Pennock questioned the status of the driveway permit for the proposed 39th Street driveway. Gesmundo stated that a driveway permit has already been secured from the Kalamazoo County Road Commission for the proposed driveway. He further confirmed that the driveway is proposed to be gated.

In response to questions from Gary Stratman, Gesumundo confirmed that the entire nature park will be open to the public; site access is proposed to be limited

to 39th Street; and, only the Stations of the Cross area is proposed to be fenced. Stratman opined that the project was ostentatious and idol-based. He further noted that the applicant's reference to the site's potential use as 'multiple family' felt like a threat and was 'bad manners'.

Michelle Gonzalez distributed and read a letter of objection to the Planning Commission.

Laura Winka stated that the project is a 'destination' . . . not a quiet walking path for the community. As such, it will change what the Gull Lake area is and the character of the surrounding neighborhood. She noted appreciation for the changes made to the site plan following the neighborhood meetings, but noted continuing concern that the proposed fence is an 'invitation to crime'. Winka noted that she does not object to the project in principle, but feels like more time is needed to digest the development design and find solutions to the concerns.

Joanne Mort suggested the Stations of the Cross, welcome center and parking area be shifted away from 39th Street to the center of the project site to offer an increased buffer.

Bruce Masterson questioned: who will have to pay for the road improvements required as a result of the project; will the applicant require a permit from EGLE to disturb the wetlands on the site; and, were permits secured for the tree removal that has already occurred on the site by the applicant?

Dave Heslop stated that there are too many vagaries with the project proposal. He further requested that abutting property owners have more input into the use of the property. He feared that the proposed project would draw from as far away as Chicago/Detroit.

Diane Stewart commented that she is a 35-year resident and remembers when the property was being mined. She is thankful that a residential development is not proposed.

Julie Miller questioned the proposed outdoor lighting. Chairperson Lauderdale stated that the proposed lighting has been detailed on the site plan and complies with the lighting standards of Section 18.3.

Pat Barbie opined that the proposal will turn the residential area into a tourist attraction.

Dan Gonzalez stated that the proposed Stations of the Cross will be a high-volume theme park . . . comparable to the Cross in the Woods located in northern Michigan that receives 275,000 annual visitors. He stated his home is 50 ft from the trail and will be greatly impacted by the proposed design. He further agreed that the proposed fencing will serve to invite crime.

Judy Dorea stated that the review process is going too fast and is not allowing the Planning Commission to understand the true impacts and whether the use will be manageable.

Perry Miller stated that he is in agreement with the statements offered. He inquired further as to the presence of screening and a sidewalk along 39th Street.

Linda Moore stated that she likes the general project idea but that it seems over-designed/over-built. She agreed that it should be slowed down so that things can get worked out with the neighbors.

John Park asked why the project improvements were located so close to abutting residential properties when there is so much available acreage on the site.

Carolyn Gardener expressed concerns regarding habitat preservation; the safety of the proposed 39th Street driveway; and, the potential for the project to be a tourist attraction.

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

Snyder stated that she felt it important to communicate the role of the Planning Commission on some of the issues raised. Specifically, the speed limit and condition of 39th Street; roadside littering; the issuance of the driveway permit by the County; pedestrian traffic along 39th Street; and, the lack of sidewalks in the area are not the purview of the Planning Commission and cannot be addressed in the review of the project. Concerns regarding these issues should be presented to the Township Board.

Snyder also wanted to clarify that the subject property is zoned R-1 and R-3 and that the applicant is not seeking to rezone the property nor has a variance from any zoning standard been requested.

Maslen wondered if the proposed 'spiritual nature park' is appropriately considered as a 'church'. Attorney Thall confirmed that the subject property is owned by St. Ann Catholic Church; is in close proximity to the Church; and is being developed as 'accessory' to the Church.

Markillie stated that he appreciates the concerns expressed by neighboring property owners. He recognizes that the proposal represents a low-impact use of the property, and understands that it could be developed as high-density residential, but wonders if moving the concentrated development elements further off 39th Street may address the parking and buffering concerns.

In response to questions, Gesmundo explained the fieldwork, process and time spent in positioning the stations on the site . . . noting how the elevations needed

for Stations 12-14 largely informed the rest of the layout.

Sager inquired how the applicant intends to control general access to the site. Gesmundo stated that the trails outside of the Stations of the Cross will not have any use limitations . . . and that the specific operations of the Stations of the Cross element are still being developed.

Attorney Thall advised that the Planning Commission has the option of postponement available if they feel additional information, such as an operations plan, trip generation rates, or fencing/building design, are needed.

Chairperson Lauderdale summarized that the options available to the Commission at this time are to 1) proceed with a review of the request pursuant to the Staff Report, or 2) postpone action to the April meeting with a request for the additional information desired.

Snyder stated that it is important to ~~remind~~ **remember** that a property owner has a right to use/develop their property as allowed by the Ordinance, but concurred that the subject site is adjacent to residential zoning and that several of the questions raised were valid.

Markillie observed that the proposed use would be less impactful than many uses allowed within the R-1/R-3 Districts, but noted that he supports a delay for the purpose of allowing the applicant to provide some additional detail. Markillie also suggested that modifications that would provide greater separation from abutting residences, specifically with respect to the parking area and Station #10, be considered.

Maslen stated that he agrees that an operational plan is needed to address some of the questions posed. He inquired as to the maximum building height allowed in the R-1/R-3 Districts. Harvey advised that a maximum building height of 35 ft is allowed for a principal building (i.e. dwelling) and a maximum building height of 18 ft is allowed for an accessory building (i.e. detached garage).

Moore announced that he owns property/resides within 300 ft of the project site and so will be abstaining from the Planning Commission's consideration of this application due to a recognized 'conflict of interest'.

Chairperson Lauderdale noted that approval was needed to continue the meeting past 8:00 p.m.. Snyder moved to support the extension of the meeting to 8:45 p.m. Markillie supported the motion. The motion carried unanimously.

Markillie then moved to postpone consideration of the request to the April 25, 2022 Planning Commission meeting to allow the applicant the opportunity to respond with details on the points of concern raised by the Planning Commission. Sager seconded the motion. The motion carried unanimously.

In response to questions posed by Gonzalez, Harvey detailed the special land use process and offered explanations regarding the special land use criteria set forth in Section 19.3, Zoning Ordinance.

2. 2021-2022 PC Annual Report

Chairperson Lauderdale provided an overview of the draft 2021-2022 Annual Report. Maslen inquired as to the status of Work Plan Item – *the definition of 'fence' as related to sight lines*. Attorney Thall confirmed that the outcome of the litigation associated with this issue is still pending.

There was general agreement on the Annual Report/Work Plan as drafted. Chairperson Lauderdale agreed to finalize same for Planning Commission action in April.

3. 2022-2023 PC Meeting Schedule

Moore moved to adopt by resolution the proposed 2022-2023 Planning Commission Meeting Schedule. Maslen seconded the motion. The motion carried unanimously.

4. Election of Officers

Snyder moved the nomination and election of Lauderdale as Planning Commission Chairperson for the 2022-2023 fiscal year. Markillie seconded the motion. The motion carried unanimously.

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

Markillie moved the nomination and election of Snyder as Vice Chair for the 2022-2023 fiscal year. Sager seconded the motion. The motion carried unanimously.

Snyder moved the nomination and election of Moore as Secretary for the 2022-2023 fiscal year. Markillie seconded the motion. The motion carried unanimously. It was noted that the Planning Commission Bylaws authorize the use of a recording secretary.

Snyder recognized Chairperson Lauderdale's service to the Township. She stated that the success of the Township's planning/zoning program is due in large part to his dedication and attention to detail but that his work goes largely unnoticed. She thanked Chairperson Lauderdale for his devotion to the Township.

5. 2022-2023 PC Budget

Chairperson Lauderdale reported that he revised and completed the PC Budget Request for FY 2022-2023 per the Planning Commission's direction in February and that same has been approved by the Township Board.

UNFINISHED BUSINESS

1. Master Plan Update

Chairperson Lauderdale stated that the draft Master Plan has been finalized as recommended and distributed to the Township Board for adoption.

2. Text Amendments - #1 – Marihuana Caregiver; #2 – Condominium Standards; and #3 – Development Agreements

Harvey reported that she has been in communication with Attorney Thall regarding Text Amendment #1 – Marihuana Caregiver and that she has completed draft text for same. She noted that she will next submit the draft text to Attorney Thall for legal review.

Harvey advised that they have not yet made progress on Text Amendments #2 and #3.

REPORT FROM TOWNSHIP BOARD

No Township Board Report was issued.

REPORT FROM ZONING BOARD OF APPEALS

Chairperson Lauderdale reported that the ZBA did not meet in March.

PUBLIC COMMENT

No public comment was offered.

MEMBERS, CONSULTANTS, ADVISORS

Chairperson Lauderdale reminded that the Planning Commission will hold a special meeting on Friday, April 8, 2022 at 5:00 p.m.

Gale advised that he has four special land use permit applications pending consideration at the regular April meeting. It was agreed that an additional special meeting may have to be considered given the current April agenda.

ADJOURN

There being no further business to come before the Commission, the meeting was adjourned at 8:47 p.m.

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