

**ROSS TOWNSHIP
PLANNING COMMISSION
MINUTES
October 27, 2014**

CALL TO ORDER/PLEDGE

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

ROLL CALL

Present: Jim Lauderdale, Chairperson
 Robb Blain
 Russell Fry
 Greg Pierce
 Jeff Price
 Jon Scott

Absent: Sherri Snyder

Also present: Bert Gale, AGS – Township Zoning Administrator
 Rebecca Harvey – Township Planning Consultant
 Craig Rolfe – Township Attorney

APPROVAL OF AGENDA

The agenda was reviewed and approved as presented.

APPROVAL OF PRIOR MEETING MINUTES

The Board then proceeded with consideration of the **September 22, 2014** Planning Commission meeting minutes. The following correction was noted: pg 3, 2nd paragraph, 1st sentence – *delete*. Pierce moved to approve the minutes as corrected. Blain seconded the motion. The motion carried unanimously.

PUBLIC COMMENTS ON NON-AGENDA ITEMS

No public comment on non-agenda items was offered.

NEW BUSINESS

Public Hearing – **Section 2.2** Definitions; **Section 18.4** Accessory Uses and Building/Structures; **Article 15** – Schedule of Lot, Yard and Area Requirements; **Section 16.3** – Limitations on Area (‘zoning lot’)

Chairperson Lauderdale referenced the Tentative Text of Proposed Amendments to the Zoning Ordinance pertaining to the following:

Section 2.2 – Definitions: amend so as to add the definition of ‘Guest House’; amend the definition of ‘Lot Line, Front (front of lot)’; amend so as to add the definition of ‘Private Road’; amend so as to add the definition of ‘Zoning Lot’.

Section 18.4 – Accessory Uses and Buildings/Structures: amend so as to add provisions allowing a ‘guest house’ as a special land use; amend so as to allow a residential accessory building/structure that does not comply with location, height or lot coverage requirements as a special land use; and, amend so as to allow a residential accessory building/structure on a vacant lot as a special land use.

Article 15 – Schedule of Lot, Yard and Area Requirements: amend so as to change ‘minimum building setback (see Sec 18.4 E.)’ to ‘minimum front yard (see Sec 18.4 C.)’ and revise Footnote 1 to reduce the setback from a ‘state maintained highway’ to 75 ft.

Section 16.3 – Limitations on Area: amend so as to require and/or otherwise allow the ‘zoning lot’ concept.

He noted that the proposed text amendments have received lengthy Board consideration at meetings of the Planning Commission in March, April, May, June, July and August - 2014 and were finalized for public hearing in September, 2014.

No public comment was offered on the matter. The public comment portion of the public hearing was then closed.

Scott moved to recommend approval of the proposed text amendments as set forth in the October 27, 2014 public hearing notice/tentative text document. Blain seconded the motion. The motion carried unanimously.

UNFINISHED BUSINESS

1. Master Plan Amendment/Rezoning Request – *Gull Lake View Golf Club*

Jon Scott announced his conflict of interest in the application given his ownership of the subject property. He stated that he will abstain from discussion and action on the matter as a Board member . . . and relocated from the Board table to the public seating area.

Scott stated that he considered the conclusions of the Board in their September discussion regarding the application of the Zoning Ordinance to his request for approval to construct additional units on the site of Gull Lake View Golf Club ‘to house their traveling golf guests.’ As a result, he would like the Board to consider rezoning that portion of the GLVGC property designated on the vicinity map included in the application from its current C-1 District to the R-3 District.

Scott noted that he understands that an amendment to the Master Plan so as to reclassify the property from Agricultural/Residential-Rural to Residential – Medium/High Density is required to support the requested rezoning. He referenced the completed application package submitted in support of the request.

In response to Board questions, Scott confirmed that the GLVGC property as a whole is located within the R-R, R-3, and C-1 Districts. Chairperson Lauderdale noted that the Master Plan currently classifies a small portion of the subject property (along M-89) as Commercial and the remaining acreage of the site is within the Residential – Low Density classification.

Attorney Rolfe stated that the application submitted on behalf of the request was complete. He then provided an overview of the applicable processes for the review/amendment of the Master Plan (Future Land Use Map) and Zoning Map (rezoning). He referenced the October 7, 2014 Memo prepared on the matter.

Attorney Rolfe suggested that the Board also consider at this time the notification of alternate Future Land Use Map/Zoning Map scenarios for the subject area in an effort to provide for a comprehensive review/discussion of the area. He noted that the following should be considered in the identification of additional scenarios:

- the existing golf course is largely within the C-1 District and as such is currently a nonconforming use;
- the applicant has requested the current C-1 zoned acreage be considered for reclassification to Residential – Medium/High Density and rezoned to R-3 . . . this must be one of the scenarios noticed;
- the Plan currently classifies the subject C-1 zoned acreage as Residential – Low Density . . . the R-R District would be consistent with the Plan and should also be considered;

Harvey agreed with the statements of Attorney Rolfe and provided input as to the merit of noticing for various scenarios that then allow for a comprehensive discussion at the public hearing as to the appropriate zoning/land use pattern for the area.

Scott stated that it is important to the future of the GLVGC to become a ‘conforming use’ and is a key feature of the requested rezoning. He added that he supports a comprehensive review of the area and would like to modify his application for rezoning to include the property adjacent to the south of the

requested area so as to include the entire golf course in the consideration for R-3 zoning.

Lengthy Board discussion ensued regarding the existing Master Plan classification and zoning pattern of the subject area. It was noted that the current R-3 zoning on the south side of M-89 (extending east and west of the subject area) is currently classified as Commercial in the Master Plan. It was determined, however, that scenarios for consideration should be limited to the golf course property in order to better respond to the application at hand.

After further discussion, motion by Blain, seconded by Pierce, to initiate the applicable processes to consider the following amendment to the Master Plan (Future Land Use Map):

- **reclassify** that portion of the GLVGC property designated on the vicinity map included in the application and the property adjacent to the south so as to include the entire golf course (as modified by the applicant) . . from its current Agricultural/Residential-Rural to Residential – Medium/High Density;

and the following amendments to the Zoning Map (rezoning):

- **rezone** that portion of the GLVGC property designated on the vicinity map included in the application . . from its current C-1 District to the R-3 District;
- **rezone** the property adjacent to the south of the GLVGC property designated on the vicinity map included in the application, and occupied by the golf course, . . from its current R-R District to the R-3 District;
- **rezone** that portion of the GLVGC property designated on the vicinity map included in the application from its current C-1 District to the R-R District, consistent with the Master Plan.

The motion carried unanimously. It was noted that the first step in the amendment process will involve submission to the Township Board the Planning Commission's recommendation to approve 'for distribution' the proposed amendment to the Master Plan. Attorney Rolfe stated that he will prepare the necessary paperwork for submission to the Township Board.

2. Zoning Ordinance Issue: Parcels/Lots Bisected by a Road

Chairperson Lauderdale stated the Board had considered this matter at the September 22, 2104 meeting. He noted that consensus on the following elements of the issue had been reached:

- A lot bisected by a road should be viewed as a ‘single lot’ from a use stand point so as to allow an accessory use/building on the bisected portion.
- A lot bisected by a road should be viewed as two separate lots in the application of the dimensional requirements (ie. setbacks, rear yard coverage, accessory building size based on % of rear yard, etc.)

Chairperson Lauderdale referenced proposed text (Draft #1) provided by Harvey. Board discussion ensued wherein it was noted that the draft text provides for the regulation of ‘lots bisected by a road’ consistent with the Board’s direction in September.

The Board requested that Harvey meet with Attorney Rolfe for discussion of same and to finalize the draft text accordingly for Board review in November.

3. GAAMPS

Chairperson Lauderdale noted that the Board had completed discussion of this matter at the August 25, 2014. He referenced the compilation of the points of consensus on the ‘Recommendations’ and ‘Decision Points’ prepared by Harvey.

Attorney Rolfe explained that the initial task generated by the recent changes to the GAAMPS was to determine if any provisions of the Zoning Ordinance conflicted with any of the GAAMPS . . . and then to modify those provisions of the Ordinance where they were found to conflict.

He noted that much of the difficulty in this task has been related to the fact that the new livestock GAAMPS have been found to conflict with all of the residential zoning districts in Ross Township that permit agricultural uses. The fundamental problem being that there are no proposed amendments that can be made to these residential districts that will **both** comply with the livestock GAAMPS **and** still preserve the purpose of the zoning district . . . as envisioned by the Master Plan. In essence, a disconnect exists between the GAAMPS for the keeping of livestock and the basic approach of rural-residential type zoning districts.

Attorney Rolfe advised that the Board place further consideration of this matter on hold. He noted that the livestock GAAMPS are currently under further review by the State and will likely be experiencing additional modification in the near future.

Attorney Rolfe clarified that the Zoning Ordinance work done by the Board to date related to the new farm market GAAMPS was still relevant and should proceed through the text amendment process.

The Board requested that Harvey meet with Attorney Rolfe for discussion of the proposed draft text for 'roadside stands', 'farm markets', and 'farmers markets' and to finalize the draft text accordingly for Board review in November.

4. Recreation Plan

Scott noted that formation of the Ross Township Parks Committee has been approved by the Township Board. He noted that Committee members have been appointed and that the Committee has already held its organizational meeting.

Scott advised that the Committee intends to move forward in working with GLAT in their trail route planning efforts. He also noted that he will be meeting with the Kalamazoo Parks Foundation in December regarding trail planning in Ross Township.

REPORT FROM TOWNSHIP BOARD

Scott advised that the Township Board continues to focus their work primarily on budget-related issues.

REPORT FROM ZONING BOARD OF APPEALS

Chairperson Lauderdale stated that the Zoning Board of Appeals did not meet in October.

MEMBERS, CONSULTANTS, ADVISORS

Board members extended their congratulations to Robb Blain for his recent appointment to the Township Board and thanked him for his eight (8) years of service to the Planning Commission.

Pierce inquired as to the status of the Enbridge property. It was noted that they continue to work on completing clean up of the river.

Chairperson Lauderdale reminded Board members of the Joint Township Board/Planning Commission meeting scheduled for November 11, 2014 at 6:30. He stated that he will complete the draft of the 2014 PC Annual Report and provide to Board members for review/comment prior to the Joint Meeting.

ADJOURN

There being no further business to come before the Board, the meeting was adjourned at 8:48 p.m.

Respectfully Submitted,

Rebecca Harvey, AICP, PCP
Township Planning Consultant