

**ROSS TOWNSHIP
PLANNING COMMISSION
MINUTES
September 22, 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
 Sherri Snyder
 Jeff Price
 Jon Scott

Absent: Russell Fry
 Greg Pierce

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

APPROVAL OF AGENDA

The agenda was reviewed and approved as presented.

APPROVAL OF PRIOR MEETING MINUTES

The Board then proceeded with consideration of the **August 25, 2014** Planning Commission meeting minutes. Price moved to approve the minutes as presented. Scott seconded the motion. The motion carried unanimously.

PUBLIC COMMENTS ON NON-AGENDA ITEMS

No public comment on non-agenda items was offered.

NEW BUSINESS

1. "Zoning Lot"

Chairperson Lauderdale referenced correspondence from Township Attorney Rolfe dated September 3, 2014 wherein suggested amendments to Section 16.3 are set forth to adequately address the concept of "zoning lot" in the Zoning Ordinance.

Board discussion ensued regarding the concept of a "zoning lot"; the application of the existing standard in the Ordinance (Section 22.8 C.); and the determination of "yard area".

Price moved to accept the proposed amendments to Section 16.3 and the proposed definition of "zoning lot" (Section 2.2) as set forth in the September 3, 2014 correspondence from Attorney Rolfe for public hearing. It was clarified that the proposed amendments to Section 16.3 would be represented as follows:

Section 16.3

- D. Where two or more contiguous lots or portions of lots are in single ownership, and such lots/portions of lots do not individually comply with the minimum requirements for the district in which they are located, such lots/portions of lots shall be grouped together for zoning purposes sufficient to create a single conforming buildable "zoning lot" (or, as applicable, a single less nonconforming zoning lot).
- E. Where two or more contiguous lots or portions of lots are in single ownership, but are not required by the preceding paragraph to be grouped together for zoning purposes, the owner of such lots/portions of lots may nevertheless choose to group such lots/portions of lots together to create a larger "zoning lot".
- F. *Move existing 16.3 D. to F.*

Blain seconded the motion. The motion carried unanimously.

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

Chairperson Lauderdale referenced email correspondence between Bert Gale, Zoning Administrator and Attorney Rolfe outlining the issue of determining 'rear yard lot coverage' and 'permissible accessory building size' on lots bisected by a road. Mr. Gale provided a summary of the questions raised as a result of the existing dimensional standards set forth in the Zoning Ordinance.

Board discussion of the issue ensued wherein general consensus on the following elements of the issue was 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.)

~~It was then determined that there was interest in allowing for an accessory building on a vacant lot as a special land use.~~ Harvey was directed to prepare draft text on the matter for Board consideration.

3. Preliminary Site Plan Review – *The Bungalows*

Jon Scott announced his conflict of interest in the application given his ownership of the project. 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 then provided the Board with an overview of the project, noting that lodging has historically been a component of the golf course and was previously allowed as an accessory use by the Zoning Ordinance. He stated that the property is now located within the C-1 District (at least partially) and that the C-1 District does not permit golf courses. He questioned if the golf course has been rendered a ‘nonconforming use’ through its placement in the C-1 District. Scott stated that he would like to begin construction on the project in Spring, 2015 and queried as to the best way to proceed through the approval process.

Bert Gale referenced the ‘Preliminary Site Plan Review’ report dated August 22, 2014 and noted that he had reviewed the proposed development as a ‘planned unit development’. He confirmed that the project application was not for a ‘planned unit development’ but that he felt the Zoning Ordinance limited how the proposed development might be allowed.

Lengthy Board discussion ensued regarding what elements of the Zoning Ordinance might apply that would allow the proposed development. The following conclusions were noted:

- The R-R District allows ‘golf courses’ as a special land use; a request to rezone the property to R-R is an option.
- The R-3 District allows ‘golf courses, including a pro shop, cocktail lounge, dining room, and/or overnight lodging in proximity and incidental thereto’ as a special land use; a request to rezone the property to R-3 is a better fit.

- The Master Plan classifies the property as largely Agricultural/Residential-Rural (with commercial frontage); an amendment to the Plan will be required to support a rezoning of the property to R-3.
- An amendment to the C-1 District or R-R District so as to allow ‘golf courses, including a pro shop, cocktail lounge, dining room, and/or overnight lodging in proximity and incidental thereto’ is an option.
- Application of the Planned Unit Development provision is not a good fit and will require several variances and/or deviations from the PUD provisions to accommodate the proposed development.

Scott expressed concern with the timelines associated with the options presented. He noted that approval of the project by the end of November was necessary to facilitate construction in Spring, 2015.

After further discussion, Scott stated that he will consider the options presented and their related timelines and determine a desired course of action.

4. Joint PC/TB Meeting

Chairperson Lauderdale noted that the Joint Meeting of the Planning Commission and Township Board has been scheduled for November 11, 2014 at 6:30 p.m. The Board agreed that Chairperson Lauderdale would prepare the Planning Commission Annual Report for Board review in October.

UNFINISHED BUSINESS

1. Guest Houses and Accessory Uses/Buildings/Structures

Chairperson Lauderdale noted that the proposed amendments to the Zoning Ordinance related to ‘guest houses’ and ‘accessory uses/buildings/structures’ are ready to be scheduled for public hearing. It was determined that a public hearing on the proposed ‘zoning lot’ amendments could also be scheduled at this time.

Price moved to schedule the public hearing for the aforementioned amendments for the October 27, 2014 Planning Commission meeting. Snyder seconded the motion. The motion carried unanimously.

2. Open Space Preservation Development

It was noted that Board consensus had been reached regarding the proposed amendments to Item 28 – Article 20: Open Space Preservation Development and that final review of the draft text by Attorney Rolfe was in order.

Harvey was directed to meet with Attorney Rolfe to complete the review of the proposed amendments so as to allow for final Board discussion of the matter.

3. GAAMPS

Chairperson Lauderdale noted that the Board had completed discussion of this matter at the August 25, 2014 meeting and has requested the following information be provided:

: the points of consensus on the 'Recommendations' and 'Decision Points' for final Board review/discussion

: a copy of the recent edition of Planning/Zoning News that was devoted entirely to the discussion of the GAAMPS situation.

Harvey noted that she will compile the requested information.

4. Site Development Rules – *Kalamazoo County Drain Commissioner*

Chairperson Lauderdale referenced the presentation received by Pat Crowley, Kalamazoo County Drain Commissioner, at the August 25, 2014 meeting. He requested Board direction regarding the request for the Township to adopt or support by resolution the Site Development Rules developed by the County.

It was determined that Board support to adopt or apply the Site Development Rules within the Township was not present. The Board noted that to apply the Rules would result in an additional layer of regulation and represent an added cost to development within the Township.

5. Recreation Plan

Scott noted that he recently attended a meeting of the Kalamazoo County Parks Board and that efforts continue in the formation of the Ross Township Parks Committee. He further noted that GLAT continues to meet and is making progress in their trail route planning efforts.

REPORT FROM TOWNSHIP BOARD

Scott advised that Owen Murray has recently announced his resignation from the Township Board.

REPORT FROM ZONING BOARD OF APPEALS

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

MEMBERS, CONSULTANTS, ADVISORS

No comments were offered.

ADJOURN

There being no further business to come before the Board, the meeting was adjourned at 8:50 p.m.

Respectfully Submitted,

Rebecca Harvey, AICP, PCP
Township Planning Consultant